

(Authoritative English text of this Department Notification No. EDN(TE)A(3)37 /2006 dated 22-11-07 as required under Article 348 (3) of the constitution of India.)

Government of Himachal Pradesh
Department of Technical Education,
Vocational & Industrial Training.

No. EDN(TE)A(3)37/2006

Dated, Shimla-171002,

22-11-2007.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Himachal Pradesh, is pleased to make the following amendment in the rules for the post of sweeper Class-IV, (Non-Gazetted) in the Department of Technical Education, Vocational & Industrial Training, H.P. as per Annexure-A attached to this notification, namely :-

1. Short title and
commencement.

(1) These rules may be called the Himachal Pradesh Technical Education, Vocational & Industrial Training Department, sweeper (Class-IV) Recruitment and Promotion Rules, 2007.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

BY ORDER

Principal Secretary (TE) to the
Government of Himachal Pradesh.

dated, Shimla-171002 , 22-11-2007.

Endst. No. EDN(TE)A(3)37/2006

Copy forwarded to :-

1. All Administrative Secretaries to the Govt. of Himachal Pradesh.
2. the Secretary, H.P. Public Service Commission , Shimla-2 along with 03 copies.
3. the Director, Technical Education, H.P. Sundernagar, Distt. Mandi.
4. Controller Printing & Stationary, H.P. Shimla-171005 for publication in the Rajpatra (Extra-Ordinary).
5. Senior Law Officer (H) Law Deptt. H.P. Sectt. Shimla-171002.
6. 100 spare copies.

Under Secretary(TE) to the
Govt. of Himachal Pradesh

RECRUITMENT AND PROMOTION RULES FOR THE POST OF SWEEPER CLASS-IV, (NON- GAZETTED), IN THE DEPARTMENT OF TECHNICAL EDUCATION, VOCATIONAL & INDUSTRIAL TRAINING, HIMACHAL PRADESH.

1. Name of the Post: Sweeper
2. Number of posts: 38 (Thirty eight)
3. Classification: Class-IV, (Non-Gazetted)
4. Scale of Pay: Rs. 2520-100-3220-110-3660-120-4140/
With the start of Rs. 2620/-
5. Whether Selection Post or Non-selection. Not applicable
6. Age for direct recruitment: Between 18 and 45 years.

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on ad-hoc or on contract basis;

Provided further that if a candidate appointed on ad-hoc basis or on contract basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such ad-hoc or contract appointment;

Provided further that upper age limit is relax able for Scheduled castes/Scheduled Tribes/Other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all the Public Sector Corporations and Autonomous Bodies who happened to be Government Servant before absorption in Public Sector Corporations/ Autonomous Bodies at the time of initial constitution of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/ Autonomous Bodies who were/are subsequently appointed by such corporations/Autonomous Bodies who are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial Constitution of the Public Sector Corporations/ Autonomous Bodies;

(1) Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) is/are advertised for inviting applications or notified to the Employment Exchanges or as the case may be.

(2) Age and experience in the case of direct recruitment relax able at the discretion of the recruiting authority in case of candidate is otherwise well qualified:

Provided further that the provisions referred to preceding paras shall not be applicable in the case of Contractual Sweeper.

- 7- Minimum Educational and other qualifications required for direct recruits.

ESSENTIAL QUALIFICATION:

Should be atleast Primary Pass from a recognised Board of School Education /Institution.

DESIRABLE QUALIFICATIONS:

Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

- 8 Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotee.

Age: : Not applicable
Educational Qualification : Not applicable

9. Period of Probation, if any

Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing:

- 10 Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods:

100% direct recruitment or on contract basis

- 11 In case of recruitment by promotion, deputation, transfer, grade from which promotion deputation /transfer is to be made.

Not applicable

- 12 If a Departmental Promotion Committee exists, what is its composition

Not applicable.

- 13 Circumstances under which the HPPSC is to be consulted in making recruitment:

As required under the Law.

- 14 Essential requirement for a direct recruitment.

A Candidate for appointment to any service or post must be a citizen of India.

- 15 Selection for appointment to post by direct recruitment.

Selection for appointment to the post in the case of direct recruitment (regular) shall be made on the basis of viva-voce test or as prescribed by the Competent Authority.

(Selection for appointment to the post by Contract recruitment)

(I) CONCEPT

- (a) Under this policy the **Sweeper** in Department of Technical Education Vocational & Industrial Training H.P. will be engaged on contract basis initially for one year, which may be extendable for two more years on year to year basis.
- (b) **POST FALLS OUT OF PURVIEW OF H.P.PSC/ H.P.SSS Board:**
Director, Technical Education, Vocational & Industrial Training after obtaining the approval of the Government to fill up the posts on contract basis will advertise the details of the vacant posts in atleast two leading newspapers and invite applications from candidates having the prescribed qualification and fulfilling the other eligibility conditions as prescribed in these rules.
- (c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.
- (d) Contract appointee so selected under these Rules will not have any right to claim for regularization or permanent absorption in the Government job.

(II) CONTRACTUAL EMOLUMENTS:

The Sweeper appointed on contract basis will be paid consolidated fixed contractual amount Rs. 3930/- (which shall be equal to initial of the pay scale + Dearness pay). An amount of Rs. 100/- (equal to annual increase in the pay scale of the post) as per annual increase in contractual emoluments for the second and third years respectively will be allowed if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY:

The Director Technical Education, Vocational & Industrial Training H.P. will be appointing and disciplinary authority.

(IV) SELECTION PROCESS:

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test or if consider necessary or expedient by a written test or practical test the standard/ syllabus etc. of which will be determined by the concerned competent authority.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned competent recruiting authority. the Director, Technical Education.

(VI) AGREEMENT

After selection of a candidate, he/she shall sign an agreement as per Annexure-B appended to these rules.

(VII) TERMS AND CONDITIONS:

- (a) The Contract appointee will be paid fixed contractual amount @ Rs. 3930/- per month (which shall be equal to initial of the pay scale + dearness pay). The Contract Appointee will be entitled for increase in contractual amount @ Rs. 100/- (equal to annual increase in the pay scale) per annum for second and third years respectively and no other allied benefits such as senior/selection scales etc. shall be given.
- (b) The service of the Contractual Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory.

- (c) Contractual appointment shall not confer any right to incumbent for the regularisation in service at any State.
- (d) Contract Appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He/She shall not be entitled for Medical Re-imbursement and LTC etc. only maternity leave will be given as per rules.
- (e) Unauthorized absence from the duty without the approval of the controlling Officer shall automatically lead to the termination of the contract. Contract Appointee shall not be entitled for contractual amount for the period of absence from duty.
- (f) Transfer of a contract appointee will not be permitted from one place to another in any case.
- (g) Selected candidate will have to submit a certificate of his/her fitness from a Government/ Registered Medical Practitioner. Women candidate pregnant beyond 12 weeks will be temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.
- (h) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular officials at the minimum of the pay scale.

(VII) RIGHT TO CLAIM REGULAR APPOINTMENT:

The candidate engaged on contract basis under these Rules shall have no right to claim for regularization/ permanent absorption as Sweeper in the Department at any stage.

16 Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/ Backward Classes/other category persons issued by the Himachal Pradesh Government from time to time.

17 Departmental Examination

Not applicable.

18 Power to Relax:

Where the State Govt. is of the opinion that it is necessary or expedient to do so, it may, by orders for reasons to be recorded in writing and relax any of the provisions of these Rules with respect to any class or category of persons or posts.

(Sd/-)

Form of contract / agreement to be executed between the _____ (Name of the post)
and the Government of Himachal Pradesh through _____ (Designation of the
Appointing Authority).

This agreement is made on this _____ day of _____ in the year _____. Between Sh./Smt.
_____ S/O/ D/O Shri _____ R/O _____ Contract appointee (hereinafter called the
FIRST PARTY), AND the Governor of Himachal Pradesh through _____ (Designation of
the Appointing Authority) Himachal Pradesh (here-in-after the SECOND PARTY).
Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST
PARTY has agreed to serve as a _____ (Name of the post) on contract basis on the following
terms & conditions.

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a
_____ (Name of the post) for a period of 1 year commencing on day of _____ and
ending on the day of _____. It is specifically mentioned and agreed upon by both the parties
that the contract of the FIRST PARTY with SECOND PARTY shall iso- facto stand
terminated on the last working day i.e. on _____. And information notice shall not be
necessary .
2. The Contractual amount of the FIRST PARTY will be Rs. _____ per month.
3. The service of FIRST PARTY will be purely on temporary basis. The appointment is
liable to be terminated in case the performance/ conduct of the contract appointee is not
found good or if a regular incumbent is appointed / posted against the vacancy for which the
first party was engaged on contract.
4. The contractual appointment shall not confer any right to incumbent for the
regularization of service at any stage.
5. Contractual _____ (Name of the post) will be entitled for one day casual leave
after putting in one month service . This leave can be accumulated upto one year. No leave of
any kind is admissible to the contractual _____ (Name of the post). He will not be
entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per
Rules.
6. Unauthorized absence from the duty without the approval of the controlling Office
shall automatically lead to the termination of the contract. A contractual _____ (Name of
the post) will not be entitle for contractual amount for the period of absence from duty.
7. Transfer of a official appointed on contract basis will not be permitted from one place
to another in any case.

8. Selected candidate will have to submit a certificate of his / her fitness from a Government /Registered Medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer / Practitioner.

9. Contract appointee shall be entitled to TA / DA if required to go on tour in connection with his official duties at the same rate as applicable to regular counter-part official, at the minimum of the pay scale.

10 The Employees Group insurance Scheme as well as EPF / GPF will not be applicable to contractual appointee(S).

IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first, above written.

IN THE PRESENCE OF WITNESS :

1. _____
(Name and Full Address).

(Signature of the FIRST PARTY)

2. _____
(Name and Full Address)

(Signature of the SECOND PARTY).