

(Authoritative English Text of this Department Notification No.Per(Training)B(2)-1/92, dated the 29th November,1995 as required under Clause (3) of Article 348 of the Constitution of India)

Government of Himachal Pradesh
Department of Personnel
(Training & Foreign Assignments)

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No.Per(Training)B(2)-1/92,Dated Shimla-2,the 29th November,1995.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Cook, Class-III (Non Gazetted) in the Himachal Pradesh Institute of Public Administration, as per Annexure-I attached to this notification; namely:-

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|---------------------------------|--|
| Short Title
and Commencement | 1. (1) These Rules Shall be called the Himachal Pradesh Institute of Public Administration, Cook, Class-III (Non Gazetted) Non Ministerial Services Recruitment and Promotion Rules,1995.

(2) These Rules shall come into force with immediate effect. |
| Repeal & Savings | 2. (1) The Himachal Pradesh Institute of Public Administration, Class-IV Services Rules,1973, Notified vide Notification No.2-9/73-DP(Apptt.-II) dated the 3-12-1973 and as amended from time to time are hereby repealed to the extent they pertain to the post of Cook.

(2) Notwithstanding such repeal,any appointment made anything done or any action taken under the rules,so repealed under sub-rule (1) supra shall be deemed to have been validly made, done or taken under these rules. |

By Order,

(S.Vijay Kumar)

Commissioner-cum-Secretary(Trg.) to
the Govt. of Himachal Pradesh.

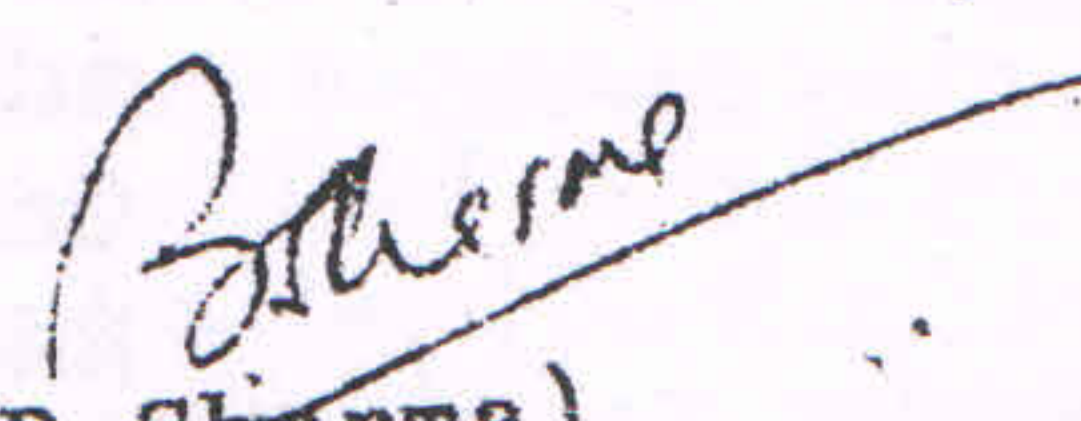
Endst.No.Per(Training)B(2)-1/92,Dt.Shimla-2,29th November,1995.

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Copy forwarded to the following for information and necessary action:-

1. All the Administrative Secretaries to the Govt. of H.P.
2. The Secretary, H.P. Public Service Commission, Shimla-2.
3. The Director, Himachal Pradesh Institute of Public Administration, Fairlawns, Shimla-12 with the request that 105-105 copies of each version (Hindi/English) of these rules may kindly be got printed and sent to this Department, immediately so that these rules could be placed on the table of the House in the next coming Vidhan Sabha Session.
4. The Controller, Printing and Stationery, Himachal Pradesh, Shimla-5 for favour of immediate publication in the Extra-ordinary Rajpatra.
5. ALD(Hindi-III), H.P. Sectt., Shimla-171002.


(B.D. Sharma)

Under Secretary(Training) to the
Government of Himachal Pradesh.

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ANNEXURE - I

RECRUITMENT AND PROMOTION RULES FOR THE POST OF COOK
CLASS-III (NON GAZETTED) IN THE H.P. INSTITUTE OF
PUBLIC ADMINISTRATION.

1. Name of the Post : Cook
2. Number of Posts : 3 (Three)
3. Classification : Class -III (Non-Gazetted (Non-Ministerial Services)
4. Scale of Pay : Rs. 950-35-1160-40-1320-45- 1500-50- 1800.
5. Whether Selection Post : Non-Selection Post
or Non-Selection Post
6. Age for direct recruitment. : Between 18 and 35 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 adhoc or on contract basis;

Provided further that if a candidate appointed on adhoc 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 adhoc or contract appointment;

Provided further that upper age limit is relaxable 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 Servants before absorption in Public Sector Corporations/Autonomous Bodies at the time of initial constitutions 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 Corporation/Autonomous Bodies and 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 relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

7. Minimum Educational and Other Qualifications required for direct recruits:

a) ESSENTIAL:

Should have passed Matriculation examination or its equivalent from the Board / University recognised by the H.P./ Centre Government and should possess Diploma from Food Craft Institute or equivalent.

b) DESIRABLE QUALIFICATION :

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 promotees :

Age : N.A.
Educational qualifications : N.A.

9. Period of probation, if any: such

Two years subject to further extension for a period not

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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 :

By promotion failing which by transfer and failing both by direct recruitment.

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

By promotion from amongst the Helper to cook/ Masalchi in the Institute and other employees having 5 years regular service combined with adhoc service (rendered upto 31.3.91) service in the grade. For the purpose of promotion a combined seniority list of eligible officials will be drawn based on the length of service without disturbing their inter-seniority. (ii) By transfer from other Govt. Deptt. from the incumbents holding equivalents posts.

(1)

In all cases of promotion the adhoc service rendered in the feeder post upto 31.3.1991, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in

these rules for promotion subject to the condition :-

i) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis upto 31.3.1991) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration;

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least there years or that prescribed in the recruitment and promotion rules for the post, whichever is less;

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso the person(s) junior to him shall also be deemed to be inelligible for consideration for such promotion.

Explanation :-

The last proviso shall not render the junior incumbents ineligble for consideration for promotion if the senior inelligible persons happened to be ex-servicemen recruited under the provisions of Rule -3 of Demobilised Armed Forces Personnel(Reservation of Vancancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule - 3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

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(2) Similarly, in all cases of confirmation, adhoc service rendered on the feeder post upto 31.3.1991, if any, prior to the regular appointment against such post shall be taken into account towards the length of service;

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc services rendered upto 31.3.1991 shall remain unchanged.

12. If a Departmental Promotion Committee exists, what is its composition : As may be constituted by Govt. from time to time.

13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment : As required under the law.

14. Essential requirement for adirect recruitment : A candidate for appointment to any service or post must be :-

a) a citizen of India, or

b) a subject of Nepal, or

c) a subject of Bhutan, or

d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India.

e) a person of Indian origin who has migrated from Pakistan, Burma, Sri-Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania

(Formerly Tanzanyika and Zanzibar) Zambia, Malwa, Zaire and Ethiopia with the intention of permanently settling in India;

Provided that a candidate belonging to categories (b) (c) (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

15. Selection for appointment

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test if Himachal Pradesh Public Service Commission or other recruiting authority as the case

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may be, so consider necessary or expedient by a written test or practical test, the standard / syllabus, etc. of which, will be determined by the Commission / other recruiting authority as the case may be.

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 Categories of persons issued by the Himachal Pradesh Government from time to time.

17. Power to Relax :

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

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R & P Cook Mupa



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 4 जुलाई, 2003/13 आषाढ़, 1925

हिमाचल प्रदेश सरकार

प्रशिक्षण एवं विदेशी समनुदेशन विभाग

अधिसूचना

शिमला-171002, 9 जून, 2003

संख्या का०(प्र०)बी(2)-1/92.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, इस विभाग की समसंख्यांक अधिसूचना, तारीख 29 नवम्बर, 1995 द्वारा अधिसूचित हिमाचल प्रदेश लोक प्रशासन संस्थान में रसोईया (कुक), वर्ग-III (अराजपत्रित) पद के भर्ती एवं प्रोन्नति नियम, 1995 में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ.—(i) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश लोक प्रशासन संस्थान, रसोईया (कुक) वर्ग-III (अराजपत्रित) (अलिपिक वर्गीय सेवाएं) पद के भर्ती एवं प्रोन्नति (प्रथम संशोधन) नियम, 2003 है।

(ii) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किये जाने की तारीख से प्रवृत्त होंगे।

1343-राजपत्र/2003--4-7-2003—1,527.

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मूल्य : एक रुपया।

2. उपबन्ध "I" का संशोधन.—हिमाचल प्रदेश लोक प्रशासन संस्थान रसोईया (कुक) वर्ग-III (अराजपत्रित) अलिपिक वर्गीय सेवाएं भर्ती एवं प्रोन्नति नियम, 1995 के उपबन्ध "I" में, —

(क) स्तम्भ संख्या 4 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किए जाएंगे, अर्थात्:—

"रूपये 3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160"।

(ख) स्तम्भ संख्या 6 के सामने विद्यमान उपबन्धों में अंकों और शब्दों "18 से 35 वर्ष" के स्थान पर "18 से 45 वर्ष" अंक और शब्द प्रतिस्थापित किए जाएंगे,

(ग) स्तम्भ संख्या 11 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किए जाएंगे, अर्थात्:—

संस्थान में, रसोईए के सहायक/ममालची और अन्य कर्मचारियों में से, जिनका पांच वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा सहित नियमित सेवाकाल हो प्रोन्नति द्वारा/प्रोन्नति के प्रयोजन के लिए पात्र कर्मचारियों की उनकी पारस्परिक वरिष्ठता को छोड़े बिना, उनके सेवाकाल के आधार पर एक संयुक्त वरिष्ठता सूची तैयार की जाएगी। सरकार के अन्य विभागों में समतुल्य पद धारण करने वाले पदधारियों में से प्रतिनियुक्ति द्वारा।

(1) प्रोन्नति के सभी मामलों में, पद पर नियमित नियुक्ति से पूर्व सम्भरण पद में लगातार की गई निरन्तर तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी, कि सम्भरण प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति, भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी :

परन्तु यह कि उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरण पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई सेवा सहित जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां अपने-अपने प्रवर्ग/पद/कांडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे :

परन्तु यह और कि उन सभी पदधारियों की, जिन पर प्रोन्नति के लिये विचार किया जाना है, कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो इनमें से कम हो, होगी :

परन्तु यह और कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जायेगा/समझे जायेंगे।

स्पष्टीकरण.—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा/समझे जायेंगे यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है, जिसे डिमोबिलाईज्ड ग्रामिंडे फोर्सिस परसोनल (रिजर्वेशन आफ वेकैन्सीज इन हिमाचल स्टेट नान-टेक्नीकल सर्विसिज) रूलज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इनके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे ऐक्स सर्विसमैन (रिजर्वेशन आफ वेकैन्सीज इन दी हिमाचल प्रदेश टेक्नीकल सर्विसिज) रूलज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इनके अन्तर्गत वरीयता लाभ दिए गए हों।

- (2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व सम्भरण पद पर की गई निरन्तर तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी, यदि तदर्थ नियुक्ति/प्रोन्नति उचित चयन के पश्चात् और भर्ती एवं प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी:

परन्तु की गई उपर्युक्त निदिष्ट तदर्थ सेवा को गणना में लेने से पश्चात् जो स्थायीकरण होगा उसके फलस्वरूप पारस्परिक बरीयता अपरिवर्तित रहेगी, और

- (घ) स्तम्भ संख्या 14 के सामने विद्यमान उपबन्धों के स्थान पर निम्नलिखित प्रतिस्थापित किए जाएंगे, अर्थात्:—

“किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी का भारत का नागरिक होना अनिवार्य है।”

आदेश द्वारा,

अरविन्द कौल,
अतिरिक्त मुख्य सचिव।

Authoritative English text of this Department Notification No. Per (Trg.)B(2)-1/92, dated the 5-7-2003 as required under clause (3) of Article 348 of the Constitution of India.

TRAINING AND FOREIGN ASSIGNMENTS DEPARTMENT

NOTIFICATION

Shimla-171002, the 9th June, 2003

No. Per.(Trg.)B(2)-1/92.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following rules further to amend the Himachal Pradesh Institute of Public Administration, Cook, Class-III (Non-Gazetted), Recruitment and Promotion Rules, 1995, notified *vide* this Department Notification of even number, dated 29-11-1995, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Institute of Public Administration, Cook, Class-III (Non-Gazetted) (Non-Ministerial Services) Recruitment and Promotion (First Amendment) Rules, 2003.

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

3. *Amendment of Annexure “I”.*—In Annexure “I” to the Himachal Pradesh Institute of Public Administration, Cook, Class-III (Non-Gazetted) (Non-Ministerial Services) Recruitment and Promotion Rules, 1995:—

- (a) For the existing provisions against Column No. 4, the following shall be substituted, namely:—

“Rs. 3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160”;

- (b) For the existing provisions against Column No. 6, for the figures and words “Between 18 and 35 years” the figures and words “Between 18 and 45 years” shall be substituted;

- (c) For the existing provisions against Column No. 11, the following shall be substituted, namely:—

By promotion from amongst the helper to Cook/Masalchi in the Institute and other employees having 5 years regular service or regular combined with continuous *ad hoc* service, in the grade. For the purpose of promotion a combined seniority list of eligible officials will be drawn based on the length of service without disturbing their *inter-se* seniority. (ii) By transfer from other Government Department from the incumbents holding equivalent posts.

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of Recruitment & Promotion Rules, provided that;

(i) in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis followed by regular service/appointment) in the feeder post in view of the provision referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration ;

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of atleast three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less :

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous *ad hoc* service rendered on the feeder post, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provision of the Recruitment & Promotion Rules :

Provided that *inter se* seniority as a result of confirmation after taking into account, *ad hoc* service rendered as referred to above shall remain unchanged ; and

- (d) For the existing provisions against Column No. 14, the following shall be substituted, namely:—

“A candidate for appointment to any service or post must be a citizen of India.”

By order,

ARVIND KAUL,
Additional Chief Secretary.

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-5 द्वारा मुद्रित तथा प्रकाशित