

**RECRUITMENT AND PROMOTION RULES
OF DISTRICT ATTORNEY(CLASS-I) IN THE DEPARTMENT OF PROSECUTION
IN HIMACHAL PRADESH**

Sr No	PARTICULARS	DETAILS
1.	Name of the post	District Attorney
2.	Number of posts	20 (Twenty) 15 in the Directorate of Prosecution, 3 in SV&ACB, 1 in Vigilance and 1 in Police Department
3.	Classification	Class I(gazetted)
4.	Scale of pay	10025-275-10300-340-12000-375-13500-400-15100.
5.	Whether selection post or non-selection post	Selection.
6.	Age for direct recruitment	<p>45 years and below.</p> <p>Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Govt. including those who have been appointed on ad hoc or on contract basis;</p> <p>Provided further that if a candidate appointed on ad hoc and on contract basis had become over age 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;</p> <p>Provided further that the 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 Govt.</p> <p>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 Corporations/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.</p> <p>Note : (1) Age limit for direct recruitment will be reckoned on the first day of the year in which the posts are advertised for inviting applications or notified to Employment Exchanges or as the case may be.</p> <p>Note: (2) Age and experience in the case of direct recruitment, relaxable at the discretion of the HP Public Service Commission in case, the candidate is other wise well qualified.</p>
7.	Minimum educational and other qualifications	<p>A. ESSENTIAL</p> <p>i) Should possess a Professional degree of Bachelor of Law or its equivalent from a recognised University; and</p>

	required for direct recruits.	<p>ii) Must have worked as an Advocate for ten years in High Court or District Court.</p> <p>B. Desirable qualification: Knowledge of customs, manners dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>
8.	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	<p>Age: Not applicable.</p> <p>Essential qualification: As given in Column No. 7(i)</p>
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% by promotion failing which by direct recruitment.
11.	In case of recruitment by promotion, deputation, transfer, grades from which promotion/deputation/transfer is to be made.	<p>By promotion from amongst the Deputy District Attorneys working in the working in the pay scale of Rs.7880-11600, with five (5) years regular service or regular combined with continuous ad hoc, if any, in the grade.</p> <p>Note: (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:</p> <p>(a) 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 ad hoc basis 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.</p> <p>Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in R&P Rules for the post, whichever is less.</p> <p>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.</p> <p>Explanation: The last proviso shall not render the junior incumbents ineligible</p>

		<p>for consideration for promotion if the senior ineligible person(s) happened to be ex-serviceman recruited under provisions of Rule 3 of Demobilised Armed Force Personnel (Reservation of Vacancy in HP 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 Service) Rules, 1985 and having been given the benefit of seniority thereunder.</p> <p>(b) Similarly in all cases of confirmation, ad hoc service rendered in the feeder post if any, prior to the regular appointment against such post shall be taken into account towards the length of service;</p> <p>Provided that inter-se seniority as a result of confirmation after taking into account ad hoc service rendered shall remain unchanged.</p>
12.	If a Departmental Promotion Committee exists, what is its composition	As may be constituted by the Government from time to time.
13.	Circumstances under which the Himachal Pradesh Public Service Commission 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 shall be made on the basis of viva voce test and if the Himachal Pradesh Public Service Commission or other recruiting Authority, as the case may be, so consider necessary or expedient by a written test/screening 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.	Departmental Examination.	<p>Every member of the service shall pass a Departmental Examination as prescribed in HP Departmental Examination Rules, 1997, as amended from time to time, failing which he shall not be eligible to:</p> <ul style="list-style-type: none"> i) Cross the efficiency bar next due, ii) Confirmation in the service even after completion of probationary period, and iii) Promotion to the next higher post <p>Provided that an officer who has qualified the Departmental Examination in whole or in part prescribed under any Rules before</p>

		<p>the notification of these rules shall not be required to qualify the whole or in part, of the examination as the case may be;</p> <p>Provided further that an officer for whom no Departmental Examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st March 1976 shall not be required to qualify the Departmental Examination prescribed under these Rules;</p> <p>Provided further that an officer for whom no Departmental Examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1.3.76 shall not be required to qualify the Departmental Examination prescribed under these Rules after attaining the age of 50 years for the purpose of (I) Crossing of efficiency bar next due and (ii) Confirmation in the service after completion of probationary period.</p> <p>(2) An officer on promotion to higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.</p> <p>(3) The Government may in consultation with the Himachal Pradesh Public Service Commission grant in exceptional circumstances and for reasons to be recorded in writing exemption in accordance with the Departmental Examination Rules to any class or category of persons from the Departmental Examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.</p>
18.	Payment of fees	<p>No member of the service shall have the right of private practice. They may, however, be allowed with the special permission of the Legal Remembrancer to prosecute, plead or defend cases on behalf of other States, Union of India and autonomous bodies of Himachal Pradesh Government and fee may be charged from them by the State Government. The 2/3rd of the said fees charged by the State Government for conducting civil cases on behalf of other States, Union of India and autonomous bodies, shall be paid to the District Attorney concerned.</p>
19.	Power to relax	<p>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 Himachal Pradesh Public Service Commission relax any of the provisions of these Rules with respect to any class or category of persons or posts.</p>