

(Authoritative English text of this department's Notification No. Home- B(A)3-11/2007 dated 2009 as required under Clause (3) of Article 348 of the Constitution of India.)

Government of Himachal Pradesh  
Department of Home

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No. Home-B(A)3-11/2007 Dated Shimla-2 the 29-12-2009

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh is pleased to make the Recruitment and Promotion Rules for the post of Cook, (Class-IV, Non-Gazetted) in the Department of Home Guards, Civil Defence and Fire Services, Himachal Pradesh, as per Annexure -"A" attached to this notification namely:-

Short title and commencement. 1 1) These Rules may be called the Himachal Pradesh Home Guards, Civil Defence and Fire Services Department, Cook ( Class-IV, Non-Gazetted) Recruitment and Promotion Rules, 2009.  
2) These Rules shall come into force from date of publication in Rajpra, Himachal Pradesh.

Repeal & Savings. 2 (1)The Recruitment and Promotion Rules in respect of Himachal Pradesh Home Guards, Civil Defence and Fire Department, Cook Class-IV (Non-Gazetted) Recruitment Promotion and certain condition of service Rules 1988 notified vide notification No. Home-B(B)2-18/93 dated 13.11.1995 as amended from time to time are hereby repealed.  
2) Notwithstanding such repeal any appointment made or any thing done or any action taken under the relevant rules, so repealed under

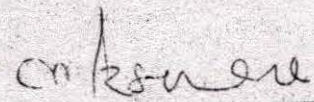
sub-rule, 2 (1) supra shall be deemed to have been validly made done or taken under these rules.

By Order,

Pr. Secretary (Home) to the  
Government of Himachal Pradesh.

No. Home- Home-B(A)3-11/2007 Dated Shimla-2, the 22-12-2009  
Copy forwarded to :-

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. The Secretary, Himachal Pradesh Public Service Commission, Shimla-2 along with 2 spare copies.
3. The Director General, Home Guards, Civil Defence & Fire Services, Himachal Pradesh, Shimla-1 for information and necessary action with 5 spare copies.
4. The Controller, Printing & Stationery, Himachal Pradesh, Shimla-5 with the requested that the same may be publish in the Rajpatra and copy of the same be supplied to this department.
5. The Deputy Legal Remembrance to the Government of Himachal Pradesh, Shimla-2.
6. Guard file.

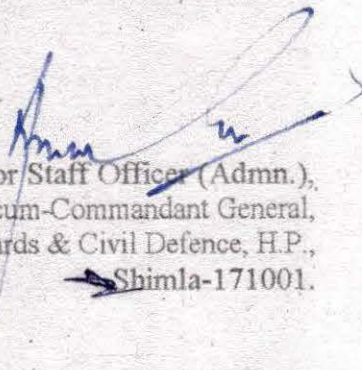
  
Under Secretary (Home) to the 21/12  
Government of Himachal Pradesh.

Directorate of Home Guards & Civil Defence  
Himachal Pradesh, Shimla

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Endst. No. HOM(HC)H(A)(3) 26/93-II-10640-53 Dated Shimla-1, the 26 th Dec., 2009.  
Copy forwarded for information and necessary action to:-

1. The Commandant (Trg.), Home Guards & Civil Defence, C.T.I Junga, Distt. Shimla, H.P.
2. All the Commandants, Home Guards in Himachal Pradesh.
3. The Chief Fire Officer, Himachal Pradesh, Shimla-2.

  
Senior Staff Officer (Admn.),  
For ADG(P)-cum-Commandant General,  
Home Guards & Civil Defence, H.P.,  
Shimla-171001.

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF COOK CLASS-IV (NON-GAZETTED) IN THE DEPARTMENT OF HOME GUARDS / CIVIL DEFENCE AND FIRE SERVICE, HIMACHAL PRADESH**

1	Name of the post:	Cook
2	Number of post(s):	19 (Nineteen)
3	Classification:	Class-IV (Non-Gazetted) (Non-Ministerial)
4	Scale of pay (be given in expanded notation):	As is specified by the Government from time to time.
5	Whether Selection post or non-selection post:	N.A.
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 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 relaxable for scheduled Castes/Scheduled Tribes/ Other backward 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 Corporation/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.
- (2) Age and experience in the case of direct recruitment is relaxable at the discretion of the recruiting Authority in case the candidate is otherwise well qualified.

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

(a) ESSENTIAL QUALIFICATIONS:

- i) Should be primary pass from a institute recognized by the Govt.
- ii) Should possess the sufficient knowledge and experience of cooking.

(b) 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 promotees:

N.A.

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 reduced in writing.

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

100% by Direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get emoluments as given in Col.15-A and will be governed by service conditions as specified in the said column.

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

N.A.

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

N.A.

13. Circumstances under which the H.P.S.S.S.B. 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 the 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 if the recruiting authority, as the case may be, so consider necessary or expedient by a written test or a practical test, the standard/ syllabus, etc. of which, will be determined by the recruiting authority.

15- A Selection for appointment to the post by contract recruitment.

Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:-

(1) CONCEPT

(a) Under this policy Cook in Department of Home Guards/Civil Defence and Fire Services H.P. will be engaged on contract basis initially for one year, which may be extendable on year to year basis.

(b) POST FALLS OUT OF THE PURVIEW OF HP PSC/HPSSSB:-

The Commandant General Home Guard/Civil Defence and Fire Services H.P. after obtaining the approval of the Government to fill up the vacant posts on contract basis will advertise the details of the vacant posts in atleast two leading newspaper 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 as prescribed in these Rules.

(II) CONTRACTUAL  
EMOLUMENTS:

The Cook appointed on contract basis will be paid consolidated fixed contractual amount as is specified by the Government from time to time.

(III) APPOINTING/DISCIPLINARY  
AUTHORITY:

The Commandant General, Home Guards, Civil Defence and Fire Service, 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 recruiting authority i.e. Commandant General Home Guards/Civil Defence and Fire Services H.P.

(V) COMMITTEE FOR  
SELECTION OF  
CONTRACTUAL  
APPOINTMENTS:

As may be constituted by the concerned recruiting authorities i.e. Commandant General Home Guards/Civil Defence and Fire Services H.P. from time to time.

(VI) AGREEMENT:

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

case of regular employees will not be applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this column.

16. Reservation:

The appointment to this 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. Powers to Relax:

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

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(VII) TERMS AND CONDITIONS:

- (a) The contract appointee will be paid contractual emoluments as is specified by the Government from time to time.
- (b) The service of the contract 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) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated upto one year. No leave of any other kind is admissible to the contract appointee. He/She shall not be entitled for Medical Re-imburement and LTC etc. only maternity leave will be given as per Rules.
- (d) 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.
- (e) Transfer of a contract appointee will not be permitted from one place to another in any case.
- (f) Selected candidate will have to submit a certificate of his/her fitness from a Government/ Registered Medical Practitioner. Women candidates 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.
- (g) 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.
- (h) Provisions of Service rules like FR SR, Leave Rules, GPF Rules, Pension Rules & Conduct Rules etc. as are applicable in



ANNEXURE-'B'

**FORM OF CONTRACT/AGREEMENT TO BE EXECUTED BETWEEN  
COOK AND THE GOVERNMENT OF HIMACHAL PRADESH,  
THROUGH THE COMMANDANT GENERAL, HOME GUARD, CIVIL  
DEFENCE AND FIRE SERVICES HIMACHAL PRADESH.**

This agreement is made on this the .....day of  
.....In the year.....Between Sh./Smt.....  
..... S/o/D/oShri..... R/O.....  
.....Contract appointee (hereinafter called the FIRST  
PARTY ), AND THE GOVERNOR OF HIMACHAL PRADESH, THROUGH  
THE COMMANDANT GENERAL, HOME GUARD, CIVIL DEFENCE AND  
FIRE SERVICE HIMACHAL PRADESH, (here-in-after the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the "FIRST  
PARTY" and the "FIRST PARTY" has agreed to serve as a Cook on contract  
basis on the following terms and conditions:-

1. That the "FIRST PARTY" shall remain in the service of the "SECOND  
PARTY" as a Cook 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 ipso-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. Contractual Cook 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 Cook. He will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.
  5. Unauthorized absence from the duty without the approval of the controlling Officer shall automatically lead to the termination of the contract. A contractual Cook will not be entitle for contractual amount for the period of absence from duty.
  6. Transfer of a official appointed on contract basis will not be permitted from one place to another in any case.
  7. 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 Week will render of temporary unfit till the confinement is over. The women candidate should have re-examined for fitness from an authorized Medical Officer/ Practitioner.
  8. Contract appointee shall be entitled to TADA if required to go on tour in connection with his official duties at the same rate as applicable regular counter-part official at the minimum of pay scale.
  9. 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 here in to set  
their hands the day month and year first, above written.

IN THE PRESENCE OF WITNESS:

i. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name and full Address)

(Signature of the FIRST PARTY)

ii. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name and full Address)

IN THE PRESENCE OF WITNESS

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name and full Address)

(Signature of the SECOND PARTY)

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name and full Address)