

Authoritative English text of this department's Notification No. Home-B(A)3-5/2007 dated 29 April, 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)3-5/2007

Dated Shimla-2

the 29/4/2009

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 Havildar Instructor/ Quarter Master Havildar. Class-III, (Non-Gazetted) in the Department of Home Guards and Civil Defence 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 and Civil Defense Department, Havildar Instructor/ Quarter Master Havildar, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2009.

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

Repeal & Savings.

2

1) The Himachal Pradesh Home Guards, Civil Defense and Fire Services Department, Havildar Instructor/ Quarter Master Havildars Class-III (Non-Gazetted) Recruitment and Promotion Rules 1988 notified vide notification Home-II(B)2-3/89 dated 15.2.1989 as amended from time to time are hereby repealed.

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- 2) Notwithstanding such repeal any appointment made or any thing done or any action taken under the relevant rules, so repealed under sub-rule, 2 (1) supra shall be deemed to have been validly made done or taken under these rules.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)3-5/2007 Dated Shimla-2, the 24.4.2009

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-cum-Dy. Secy. (Law) to the Government of Himachal Pradesh, Shimla-2.
6. Guard file.

*(Signature)*  
Under Secretary(Home) to the  
Government of Himachal Pradesh. 24/4

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF HAVILDAR INSTRUCTOR/QUARTERMASTER HAVILDAR(Class-III, Non-Gazetted) IN THE HOME GUARDS AND CIVIL DEFENCE DEPARTMENT, HIMACHAL PRADESH.**

1.	Name of the post:	Havildar Instructor/ Quartermaster Havildar
2.	Number of post(s).	56 (Fifty six)
3.	Classification.	Class-III (Non -Gazetted) Non Ministerial
4.	Scale of pay	Rs. 4020-120-4260-140-4400-150-5000-160-5800-200-6200/-
5.	Whether Selection post or non-selection post.	Non-selection.
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 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 Corporation/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 Corporation/Autonomous Bodies.

Note: (i) 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 of notified to the Employment Exchanges as the case may be.

(ii) Age and experience in the case of direct recruitment is 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:	<p><b><u>ESSENTIAL QUALIFICATION</u></b></p> <p>i). Should have passed atleast matric standard examination from a recognized Board of School Education.</p> <p style="text-align: center;">OR</p> <p>Should possess Army Special certificate.</p> <p>ii). Should be holding honorary rank of Havildar or above in the Home Guards organization and continuous service as such for the last 3 years.</p> <p style="text-align: center;">OR</p> <p>A Havildar who has served as such in the Army for atleast three years.</p> <p><b><u>DESIRABLE :</u></b></p> <p>i). Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar condition prevailing in the Pradesh.</p>
8.	Whether age and educational qualifications prescribed for direct recruits will apply in	N.A.

	the case of the promotees:	
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 for reasons to be reduced in writing.
10.	Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods:	100% by direct recruitment on regular basis or on contract basis
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.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 this service of 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 and if the H.P. Subordinate Services selection Board or other recruiting authority, as the case may be, so

		<p>considers necessary or expedient by a written test or a practical test, the standard/Syllabus, etc. of which, will be determined by the H.P. Subordinate Services selection Board/ other recruiting authority as the case may be.</p>
15-A	<p>Selection for appointment to the post by contract recruitment:</p>	<p>(I) <u>CONCEPT</u></p> <p>(a) Under this policy the Havildar Instructor/ Quartermaster Havildar in the Department of Commandant General Home Guard/ Civil Defence 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.</p> <p>(b) <u>POST FALLS WITHIN THE PURVIEW OF HP SUBORDIANTE SERVICES SELEDCTION BOARD, HAMIRPUR:</u></p> <p>The Commandant General Home Guard/Civil Defence H.P. after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services selection Board, Hamirpur.</p> <p>(c) The selection will be made in accordance with the eligibility conditions as prescribed in these Rules.</p> <p>(d) Contract appointee so selected under these Rules will not have any right to claim for regularization or permanent absorption in the Government job.</p> <p>(II) <u>CONTRACTUAL EMOLUMENTS:</u></p> <p>The Havildar Instructor/ Quartermaster Havildar appointed on contract basis will be paid consolidated amount @ Rs.6030/- P.M.(which shall be equal to initial of the pay scale plus</p>

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Dearness pay). An amount of @ Rs. 120/- (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 Commandant General Home Guards/Civil Defence, H.P. will be appointing and disciplinary authority.

**(IV) SELECTION PROCESS:**

Selection for appointment to the post 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 agency.

**(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:**

As may be constituted by the concerned recruiting agency i.e. the H.P Subordinate Selection Board 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.

**(VII) TERMS AND CONDITIONS:**

- (a) The contract appointee will be paid Rs 6030/- per month (which shall be equal to initial of the pay scale plus Dearness pay). The contract appointee will be entitled for increase in contractual amount @ Rs.120/- (equal



to annual increase the pay scale of the post) per annum for second and third years respectively and no other allied benefits such as seniority/ selection scales etc. shall be given.

- (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) Contractual appointment shall not confer any right to incumbent for the regularization in service at any stage.
- (d) 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.
- (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 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



		<p>at the same rate as applicable to regular officials and the minimum of the pay scales.</p> <p><b>(VIII) <u>RIGHT TO CLAIM REGULAR APPOINTMENT:</u></b></p> <p>The candidate engaged on contract basis under these Rules shall have no right to claim for regularization/ permanent absorption as Havildar Instructor/ Quartermaster Havildar in the department at any stage.</p>
16.	Reservation:	<p>The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/ Scheduled Tribes/ Backward Classes/ Other categories of persons issued by the Himachal Pradesh Government from time to time.</p>
17.	Powers to Relax:	<p>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 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.</p>

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ANNEXURE-'B'

FORM OF CONTRACT AGREEMENT TO BE EXECUTED BETWEEN HAVILDAR INSTRUCTOR/QUARTERMASTER HAVILDAR AND THE GOVERNMENT OF HIMACHAL PRADESDH, THROUGH THE COMMANDANT GENERAL, HOME GUARD AND CIVIL DEFENCE, HIMACHAL PRADESDH.

This agreement is made on this the .....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, HIMACHAL PRADESH, THROUGH THE COMMANDANT GENERAL, HOME GUARD/ CIVIL DEFENCE HIMACHAL PRADESH, SHIMLA (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 Havildar Instructor/Quartermaster Havildar 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 Havildar Instructor/Quartermaster Havildar 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.

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4. The contractual appointment shall not confer any right to incumbent for the regularization of service at any stage.
  5. Contractual Havildar Instructor/Quartermaster Havildar 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 Havildar Instructor/Quartermaster Havildar. 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 Officer shall automatically lead to the termination of the contract. A contractual Havildar Instructor/Quartermaster Havildar 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 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.
  9. The 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 regular counter-part official.
  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 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)