

(Authoritative English text of this department's Notification No. Home-B(B)3-2/95-Fire dated 25.11.2013 as required under clause (3) of article 348 of the Constitution of India.)

Government of Himachal Pradesh
Department of Home

No. Home-B(B)3-2/95-Fire

Dated Shimla-2 the

7-2-2017

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 Divisional Fire Officer/Fire Prevention Officer Class-II (Non-Gazetted) Technical Services in the Department of 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, Fire Services Department for the post of Divisional Fire Officer/Fire Prevention Officer (Class-II) (Non-Gazetted) Technical Services Recruitment and Promotion Rules, 2017.

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

Repeal & Savings.

2.

1) The Himachal Pradesh Fire Services Department for the post of Divisional Fire Officer/Fire Prevention Officer Class-II (Non-Gazetted) Technical Services Recruitment and Promotion Rules, 2013 notified vide notification Home-B(B)3-2/95-Fire dated 25-11-2013 as amended from time to time are hereby repealed.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2) Notwithstanding such repeal any appointment made or any thing done or any action taken under the relevant rules, so repealed under Rule, 2 (1) supra shall be deemed to have been validly made done or taken under these rules.

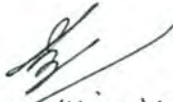
By Order

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

No. Home- Home-B(B)3-2/95-Fire Dated Shimla-2, the 17-2-2017

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 request 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.


Special Secretary(Home) to the
Government of Himachal Pradesh

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ANNEXURE "A"

RECRUITMENT AND PROMOTION RULES FOR THE POST OF DIVISIONAL FIRE OFFICER/FIRE PREVENTION OFFICER (NON GAZETTED) CLASS-II IN THE DEPARTMENT OF FIRE SERVICES, HIMACHAL PRADESH.

1.	Name of post:	Divisional Fire Officer/Fire prevention Officer
2.	Number of post(s):	3(Three)
3.	Classification:	Class-II(Non Gazetted)Technical Services
4.	Scale of pay	(i) Pay Band for regular incumbents: Rs.10300-34800+Rs. 4200/-Grade Pay (ii) Emoluments for Contract employees: Rs. 14500/-P.M.as per details given in Column No.15-A
5.	Whether "Selection" post or "non-selection" post:	Selection.
6.	Age for direct recruitment:	18 to 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 he/she was appointed as such he/she shall not be eligible for any relaxation in the prescribed age limit by virtue of his/her such ad-hoc or contract appointment:

Provided further that upper age limit is relaxable for scheduled Castes/Scheduled Tribes/ other wackward classes and 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 are /were subsequently appointed by such Corporation/Autonomous Bodies and who are/were finally absorbed in the service of such

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Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporation/Autonomous Bodies.

Note: 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 application or notified to the Employment Exchanges, as the case may be.

7.	Minimum educational and other qualifications required for direct recruit(s):	<p><u>Essential Qualification:</u></p> <p>1. B.E.(Fire Engineering) Degree from the National Fire Service College, Nagpur.</p> <p style="text-align: center;">OR</p> <p>(i) At least graduate from a recognized University or its equivalent, and should have passed Divisional Officer's Course from the National Fire Service College, Nagpur.</p> <p>(ii) Should have served as Station Fire Officer at least 03 years run by the State Govt./Central Govt./Public Sector Under Taking/Municipal Committees.</p> <p>2. <u>Minimum Physical Standard:</u></p> <p>Height - 165 Cms Chest- 80 Cms with expansion upto 85 Cms.. Weight - 52 Kg. Eye sight- 6/6 without glasses.</p> <p><u>Desirable Qualifications</u></p> <p>Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in</p>
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		the peculiar conditions prevailing in the Pradesh.
8.	Whether age and educational qualifications prescribed for direct recruit(s) will apply in the case of the promote(s)	Age – Not applicable Essential Qualification; Yes, as prescribed against Col. No. 11 below.
9.	Period of probation, if any:	<p>(i) Direct Recruitment:</p> <p>a) 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 .</p> <p>(b) No probation in the case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.</p> <p>(ii) Promotion</p> <p>Two year or the period of probation prescribed for the direct recruitment to the post, if any, in the case of promotion from one group to another.</p>
10.	Method(s) of recruitment, whether by direct recruitment or by promotion/ secondment /transfer and the percentage of posts to be filled in by various methods:	100% by promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be.
11.	In case of recruitment by promotion/secondment/	By promotion from amongst Station Fire Officers who have successfully completed

transfer , grade from which promotion/secondment/transfer is to be made:

the Divisional Fire officer course from National Fire Service College, Nagpur, with 02 (two) years regular service or regular combined with continuous adhoc service, if any, in the grade after completion of the prescribed course.

Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/Difficult/Hard areas and remote/rural areas subject to adequate number of post(s) available in such areas:

Provided further that the proviso (I) supra shall not be applicable in the case of those employees who have five years or less service, left for superannuation except posting /transfer in remote /rural area . However, this condition of five shall not be applicable in case of promotion :

Provided further that Officers/Officials who has not served atleast one tenure in Tribal/difficult/Hard areas and remote/rural area shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

Explanation I:-For the purpose of proviso I supra the "term" in Tribal/Difficult/ hard areas/remote/rural areas shall mean normally three years or less period of posting in such areas keeping in view the

administrative exigencies/convenience .

Explanation II:- For the purpose of proviso I supra the Tribal/Difficult Areas shall be as under:-

1. District Lahaul & Spiti.
2. Pangi and Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada- Gussaini, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in

Mandi District.

Explanation III : For the purpose of proviso (I) Supra the remote/Rural Areas shall be as under:

(i) All stations beyond the radius of 20 Kms. from sub Division/Tehsil headquarter.

(ii) All stations beyond the radius of 15 Kms. from State Headquarter and District Head quarters where bus service is not available and on foot journey is more than 3 (three) Kms.

(iii) Home town or area adjoining to area of home town within the radius of 20 Kms. of the employee regardless of its category.

(II) In all cases of promotion , the continuous adhoc 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 conditions that the adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P Rules:

(1) Provided 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 followed by the regular service/appointment) 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 three days years or that prescribed in the Recruitment & Promotion 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 of 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 Demobilized 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 rules-3 of Ex-

		<p>Servicemen(Reservation of vacancies in the Himachal Pradesh Technical Service) Rules,1985 and having been given the benefit of seniority thereunder.</p> <p>(2) Similarly, in all cases of confirmation, continuous adhoc 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 adhoc 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, adhoc service rendered shall remain unchanged.</p>
12.	If a Departmental Promotion Committee exists, what is its composition?	D.P.C. to be presided over by the Chairman, Himachal Pradesh Public Service Commission or a Member, thereof to be nominated by him.
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 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 interview/ personality test, if the Himachal Pradesh

		<p>Public Service Commission or other recruiting agency/authority as the case may be, so consider necessary or expedient on the basis of interview/personality test preceded by a screening test (objective type)/ written or practical test or physical test, the standard/syllabus, etc. of which, will be determined by the Commission/ other recruiting agency/ authority as the case may be.</p>
<p>15- A</p>	<p>Selection for appointment to the post by contract appointment:</p>	<p>Notwithstanding anything contained in these Rules, contract appointments to the post will be made subject to the terms and conditions given below:-</p> <p><u>(I) CONCEPT</u></p> <p>(a) Under this policy the Divisional Fire Officer/Fire Prevention Officer in the Department of Fire Services, Himachal Pradesh will be engaged on contract basis initially for one year, which may be extendable on year to year basis:</p> <p>Provided that for further extension /renewal of contract period on year to year basis the concerned HOD shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his period of contract is to be renewed/ extended.</p> <p><u>(b) POST FALLS WITHIN THE PURVIEW OF HPPSC:</u></p> <p>The Principal Secretary (Home)to the Government of Himachal Pradesh, after obtaining the approval</p>

of the Government for filling up the vacant post(s) on contract basis will place the requisition with the concerned recruiting agency i.e. Himachal Pradesh Public Service Commission.

- (c) The Selection will be made in accordance with the eligibility conditions prescribed in these Recruitment & Promotion Rules.

(II) CONTRACTUAL EMOLUMENTS:

The Divisional Fire Officer/Fire Prevention Officer appointed on contract basis will be paid consolidated fixed amount @ Rs.14500/- P.M. (which shall be equal to minimum of the pay band + grade pay). An amount of Rs.435/- (3 % of the minimum of the pay band + grade pay of the post) as annual increase in contractual emoluments for the subsequent year(s) will be allowed, if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY:

The Principal Secretary (Home) to the Government of Himachal Pradesh will be appointing and disciplinary authority.

(IV) SELECTION PROCESS:

Selection for appointment to the post in the case of Contract Appointment shall be made on the basis of interview/personality test , if the Himachal Pradesh Public Services Commission so consider

necessary or expedient on the basis of interview/personality test preceded by a screening test(objective type) /written test or practical test or physical test, the standard/syllabus etc. of which will be determined by the concerned recruiting agency i.e. the Himachal Pradesh Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. Himachal Pradesh Public Service Commission 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 contractual appointee will be paid fixed contractual amount @ Rs. 14500/- P.M/- (which shall be equal to minimum of the pay band + grade pay). The contract Appointee will be entitled for increase in contractual amount @ Rs. 435/- (3 % of the minimum of pay band + grade pay of the post) for further extended years and no other allied benefits such as senior/ selection scales etc will 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) The contract appointee will be entitled for one day's casual leave after putting one month service. However, the contract appointee will also be entitled for 135 days Maternity Leave, 10 day's Medical Leave and 5 days Special Leave. A female contract appointee shall also be entitled for Maternity Leave not exceeding 45 days (irrespective of the number of surviving children) during the entire service, in case of miscarriage including abortion, on production of Medical Certificate issued by the authorized Government Medical Officer. He/She shall not be entitled for Medical Reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee:

Provided that the un-availed Casual Leave, Medical Leave and special leave can be accumulated upto the Calendar Year and will not be carried forward for the next Calendar Year.

(d) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for unauthorized absence from duty were beyond his/her control on Medical Grounds, such period shall not be excluded while considering his/her case for

regularization what the incumbent shall have to intimate the controlling authorities in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty :

Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

(e) An official appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

(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 stand temporarily unfit till the confinement is over. The women candidate shall be re-examined for 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 counter part officials at the minimum of pay scale.

(h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension rules & Conduct rules etc. as are

		applicable in 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 apponment to the service shall be subject to orders regarding reservation in the service for Scheduled Caste/Scheduled Tribes/Other Backward Classes/Other Categories of persons issued by the Himachal Pradesh Government from time to time.
17.	Departmental Examination	Not applicable.
18.	Powers to Relax	Where the State Govt. 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 provision(s) of these Rules with respect to any class or category of person(s) or posts(s).

ANNEXURE-'B'**FORM OF CONTRACT/ AGREEMENT TO BE EXECUTED BETWEEN THE DIVISIONAL FIRE OFFICER/FIRE PREVENTION OFFICER AND THE GOVERNMENT OF HIMACHAL PRADESH, THROUGH THE DIRECTOR, FIRE SERVICES, HIMACHAL PRADESH.**

This agreement is made on thisday of In the year.....BetweenSh./Smt.....S/o/D/o Shri..... R/O... ..

.....Contract appointee (hereinafter called the "FIRST PARTY") AND THE GOVERNOR, HIMACHAL PRADESH, THROUGH THE DIRECTOR FIRE SERVICES, HIMACHAL PRADESH, SHIMLA (here-in-after referred to as the SECOND PART).

Whereas, the SECOND PARTY has engaged the aforesaid "FIRST PARTY" and the "FIRST PARTY" has agreed to serve as a DIVISIONAL FIRE OFFICER/FIRE PREVENTION OFFICER 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 Divisional Fire Officer/Fire Prevention Officer for a period of 1 year commencing on day ofand ending on the day ofIt 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. onand information notice shall not be necessary:

Provided that for further extension /renewal of contract period the HOD shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then the period of contract is to be renewed/ extended.

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 satisfactory.

4. Contractual DIVISIONAL FIRE OFFICER/FIRE PREVENTION OFFICER will be entitled for one day's casual leave after putting in one month service. However, the contract employee will also be entitled for 135 days Maternity Leave, 10 day's Medical Leave and 5 days special leave. A femail contract appointee shall also be entitled for maternity leave not exceeding 45 days (irrespective of the number of surviving children) during the entire service in case of miscarriage including aborson, on production of Medical Certificate issued by the authorized Government Medical Officer. He/She shall not be entitled for Medical Re-imbusement and LTC etc. No leave of any other kind except above is admissible to the contract appointee:

Provided that the un-availed Casual Leave, Medical Leave and special leave can be accumulated upto the Calendar Year and will not be carried forward for the next Calendar Year.

5. Unauthorized absence from the duty without the approval of the controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty where beyond his/her control on Medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time. However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty.

Provided that he/she shall submitted the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

6. An official appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

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 weeks will render of temporary unfit till the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/ Practitioner.

8. Contract appointee shall 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 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:

1. _____

(Name and full Address)

(Signature of the FIRST PARTY)

2. _____

(Name and full Address)

(Signature of the SECOND PARTY)