

196
5173
01.07.10

(Authoritative English text of this Department's Notification No. Home-B(A)3-15/2007 dated as required under Clause (3) of Articles 348 of the Constitution of India.)

Government of Himachal Pradesh
Department of Home

No. Home-B(A)3-15/2007

Dated Shimla-2

the

28-6-2010

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 Civil Defence Instructor/Chief Instructor/ Platoon Commander/ Administrative Officer / Assistant Store Officer. Class-III, (Non-Gazetted) in the Department of Home Guards, Civil Defence and Fire Services Himachal Pradesh, as per Annexure -"A" attached to this notification namely:-

1 Short title and commencement. 1

1) These Rules may be called the Himachal Pradesh Home Guards, Civil Defence and Fire Services Department, Civil Defence Instructor/Chief Instructor/ Platoon Commander/ Administrative Officer / Assistant Store Officer. Class-III, (Non-Gazetted) Recruitment and Promotion Rules, 2010.

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

Repeal & Savings.

2

(1) The Recruitment and Promotion Rules for the post of Civil Defence Instructor/Chief Instructor/ Platoon Commander/ Administrative Officer / Assistant Store Officer. (Non-Gazetted)

notified vide this Department notification No. Home- B(B)3-81 dated 15 February 1989 as amended from time to time are hereby repealed.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2) Notwithstanding such repeal any appointment made or any thing done or any action taken under the relevant rules, so repealed under sub-rule,2(1) supra shall be deemed to have been validly made done or taken under these rules.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

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

No. Home- Home-B(A)3-16/2007 Dated Shimla-2, the 28-6-2010

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.

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

Directorate of Home Guards & Civil Defence
Himachal Pradesh, Shimla

Endst. No. HOM(HC)H(A)(3)-6/93-5508-21 Dated Shimla-1, the 02nd July, 2010.
Copy forwarded for information and necessary action to :-

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

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

ANNEXURE-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CIVIL DEFENCE INSTRUCTOR/CHIEF INSTRUCTOR/PLATOON COMMANDER ADMINISTRATIVE OFFICER /ASSTT. STORE OFFICER NON-GAZETTED CLASS-III IN THE DEPARTMENT OF HOME GUARDS, CIVIL DEFENCE, HIMACHAL PRADESH.

1.	Name of the post:	Civil Defence Instructor/Chief Instructor/ Platoon Commander/ Administrative Officer / Assistant Store Officer.
2.	Number of post(s):	47 (Forty Seven) (CDI-I, CI-I, P.C.-43, AO-1, and ASO-1).
3.	Classification:	Class-III (Non- Gazetted) (Non Ministerial).
4.	Scale of pay (be given in expanded notation:	i) Pay scale for regular incumbents Rs. 10300-3400+ 3600 (Grade Pay) ii) Emoluments for Contract employees @ Rs.13900/- as given in Col. No.15-A
5.	Whether Selection post or non-selection post:	Non-Selection.
6.	Age for direct recruitment:	Between 18 and 45years.

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 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 to be recruited 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 from 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 recruitment are relaxable at the discretion of the Himachal Pradesh Subordinate Service Selection Board in case of the candidate as otherwise well qualified.

7.	Minimum Educational and other qualifications required for direct recruits:	<p><u>ESSENTIAL QUALIFICATION</u></p> <p>Should have passed atleast 10+2 examination from a recognized University / Board of School Education or its equivalent.</p> <p style="text-align: center;">AND</p> <p>Should be holding Honorary Rank of Platoon Commander or above in the Home guards Organization & with continued service as such for the last three years.</p> <p style="text-align: center;">OR</p> <p>Should be a serving Havildar Instructor/Quartermaster Havildar in the Home Guards Department for atleast three years.</p> <p style="text-align: center;">OR</p> <p>Should be a released/Retired Officer of the Indian Army, who has held the rank of Naib Subedar or above with atleast 3 years service as such.</p> <p><u>DESIRABLE QUALIFICATION :-</u></p> <p>Knowledge of customs, manners and 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 the	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 recorded 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:	60% by promotion. 40% by direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get entitlements 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:	<p>By promotion from amongst the incumbents of Havildar Instructor/Quartermaster Havildar who possess <u>five years regular services</u> or regular combined with continuous adhoc service if any, in the grade".</p> <p>For filling up the posts the following roster shall be followed:</p> <ul style="list-style-type: none"> 1st post Promotee 2nd post Promotee 3rd post Direct recruitment 4th post Promotee 5th post Direct recruitment 6th post Promotee 7th post Promotee 8th post Direct recruitment 9th post Promotee 10th post Direct recruitment 11th Promotee 12th Promotee 13th Direct recruitment 14th Promotee 15th Direct recruitment 16th Promotee 17th Promotee 18th Direct recruitment 19th Promotee 20th Direct recruitment <p>Note :- This roster will be rotated after every 20 post till the representation to all the categories is achieved by the given percentage thereafter the vacancy is to be filled up from the category which vacates the post.</p>

Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/Difficult 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.

Provided further that Officers/Officials who have not served atleast one tenure in Tribal/difficult 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 supra the "term" in Tribal/Difficult Areas as shall mean normally three years or less period of posting in such areas keeping in view the administrative requirements and performance of the employee.

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-Gussairi, Mathyani, Ghanyar, Thachi, Baggi, Songad and Cholanad of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatchar Patwar Circle of Padhar Tehsil, Chiumi, Kalipur, Mangauh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar

Circle of Sunder Nagar Tehsil in Mandi District.

- (f) 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

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 regular service/ appointment) in the feeder post in view of the provisions referred to above, all persons senior to 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 years or that prescribed in the Recruitment & 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 persons(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-serviceman recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Services 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-Servicemen (Reservation of vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of seniority there under.

		<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 posts 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 R & P Rules;</p> <p>Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above 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 H.P.P.S.C. 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 recruitments:	"Selection for appointment to the post in the case of direct recruitment shall be made of the on the basis of viva-voce test, if the H.P. SUBORDINATE SERVICES SELECTION BOARD or other recruiting authority, as the case 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 Board /other recruiting authority as the case may be".
15-A	Selection for appointment to the post by contract appointment	<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>(1) CONCEPT</p> <p>(a) Under this policy the Civil Defence Instructor/Chief Instructor/platoon Commander/Administrative officer/ Assistant Store officer in the Department of Commandant General Home Guard/ Civil</p>

Defence H.P. will be engaged on contract basis initially for one year, which may be extendable on year to year basis.

Provided that for 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.

(b) POST FALLS WITHIN THE PURVIEW OF HFSSB:

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.

- (c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules

II) CONTRACTUAL EMOLUMENTS:

The Civil Defence Instructor/Chief Instructor/platoon Commander / Administrative officer/ Assistant Store officer appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 13,900/- P.M. (which shall be equal to minimum of the pay band +grade pay). An amount of @Rs 420/- (@3 % of the minimum of pay band +grade pay of the post) as annual increase in contractual emoluments for the subsequent years 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 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 agency i.e. H.P. SUBORDINATE SERVICES SELECTION BOARD, JIAMIRPUR.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. H.P. SUBORDINATE SERVICES SELECTION BOARD, HAMIRPUR 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 fixed contractual amount @ Rs. 13,900/- P.M. (which shall be equal to minimum of the pay band + grade pay An amount of Rs 420 (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) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He/She shall not be entitled for Medical Reimbursement 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

		<p>contractual amount for the period of absence from duty.</p> <p>(e) An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds</p> <p>(f) Selected candidate will have to submit a certificate of his/her fitness from a Government/ Registered Medical Practitioner. Women candidate pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.</p> <p>(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 and the minimum of the pay scale.</p> <p>(h) Provisions of service rules like FR SR, Leave Rules, GPF, Rules, Pension rules & Conduct rules etc. as are applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this Column.</p>
16.	Reservation:	<p>The appointment/promotion shall be subject to orders regarding reservation in the service for persons belonging to Scheduled Castes/ Scheduled Tribes/ Other Backward Classes/ Other categories issued by the Himachal Pradesh Government from time to time.</p>
17	Departmental Examination	N.A.
18.	Powers to Relax:	<p>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 H.P.P.S.C. relax any of the provisions of these Rules with respect to any class or category of persons and post(s).</p>

ANNEXURE-B

**FORM OF CONTRACT/ AGREEMENT TO BE EXECUTED
BETWEEN THE CIVIL DEFENSE INSTRUCTOR/CHIEF
INSTRUCTOR / PLATOON COMMANDER/ADMINISTRATIVE
OFFICER/ ASSISTANT STORE OFFICER AND THE
GOVERNMENT OF HIMACHAL PRADESH, THROUGH THE
COMMANDANT GENERAL, HOME GUARDS AND CIVIL
DEFENSE HIMACHAL PRADESH.**

This agreement is made on thisday of In the
year.....Between

.Sh./Smt.....S/c/D/o Shri..... R/O... ..

.....Contract appointee
(hereinafter called the "FIRST PARTY") AND THE GOVERNOR,
HIMACHAL PRADESH, THROUGH THE COMMANDANT
GENERAL, HOME GUARDS AND CIVIL DEFENCE HIMACHAL
PRADESH, SHIMLA (here-in-after the "SECOND PARTY").

Whereas, the SECOND PARTY has engaged the "FIRST PARTY"
aforesaid "FIRST PARTY" and the "FIRST PARTY" has agreed to serve
as a Civil Defence Instructor/Chief Instructor/platoon
Commander/Administrative officer/ Assistant Store 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 Civil Defence Instructor/Chief Instructor/platoon
Commander/Administrative officer/ Assistant Store officer for a period of
1 year commencing on day ofand 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.

213
261
200

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 Civil Defence Instructor/Chief Instructor/platoon Commander/Administrative officer/ Assistant Store officer 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 Civil Defence Instructor/Chief Instructor/platoon Commander/Administrative officer/ Assistant Store officer. 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 Civil Defence Instructor/Chief Instructor/platoon Commander/Administrative officer/ Assistant Store officer will not be entitle for contractual amount for the period of absence from duty.
6. An official appointed on contract basis who have completed five 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 have 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).

- 15 -

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)