

Vidhan Sabha Matter
Most Immediate

No. Per (A-IV) A(3)1/2004-V
Government of Himachal Pradesh,
Department of Personnel
Appointment-IV.

To

The Secretary,
H.P. Vidhan Sabha,
Himachal Pradesh,
Shimla-171004.

Dated, Shimla-171002 the 14th September, 2023.

Subject:- Regarding amendment in the Himachal Pradesh Administrative
Service Rules, 1973.

Sir,

I have the honour to say that I intend to lay the amendment made in Rule-8,9 &15 of the Himachal Pradesh Administrative Service Rules,1973, notified vide Notification No:Per (A-IV)-A(3)-1/2010-Part dated 15/05/2023 and published in the Rajprtra Himachal Pradesh on 23/05/2023, on the Table of the House, during the Monsoon Session of the Legislative Assembly.

It is, therefore, requested that this may be included in the list of business of the Legislative Assembly.

Three authenticated copies of the amendment/notification are sent herewith.

Yours faithfully,



(Sukhvinder Singh)
Chief Minister,
Himachal Pradesh.

हिमाचल प्रदेश सरकार
कार्मिक विभाग
नियुक्ति-IV

संख्या: कार्मिक (नियुक्ति-IV)-ए (3)-1/2010-पार्ट, तारीख शिमला- 171002,

15th मई, 2023

अधिसूचना

हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, इस विभाग की अधिसूचना संख्या 7-5/73-डी0पी0 (नियुक्ति), तारीख 15.03.1973 द्वारा अधिसूचित और राजपत्र (असाधारण) में तारीख 11.05.1973 को प्रकाशित दी हिमाचल प्रदेश एडमिनिस्ट्रेटिव सर्विस रूल्स, 1973 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं; अर्थात् :-

संक्षिप्त नाम और प्रारम्भ।	1.(1)	इन नियमों का संक्षिप्त नाम दी हिमाचल प्रदेश एडमिनिस्ट्रेटिव सर्विस (प्रथम संशोधन) नियम, 2023 है।
	(2)	ये नियम राजपत्र (ई-गजट), हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।
नियम 8 का संशोधन।	2.	दी हिमाचल प्रदेश एडमिनिस्ट्रेटिव सर्विस रूल्स, 1973 (जिसे इसमें इसके पश्चात, "उक्त रूल्स", कहा गया है) के रूल 8 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :- "Registers to be maintained:-The following registers of selected candidates shall be maintained by the Chief Secretary, namely:- (a) Register A-I of Tehsildars selected as candidates ; (b) Register A-II of officers mentioned in clause (c) of sub-rule(1) of rule 7, selected as candidates; (c) Register A-III of officers mentioned in clause(d) of sub-rule(1) of rule7, selected as candidates; and (d) Register B of persons selected as candidates as a result of competitive examination."
नियम 9 का संशोधन।	3.	"उक्त रूल्स", के रूल 9 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :- "Selection Committee:- 1. Recruitment under clauses (b),(c) & (d) of sub-rule(1) of rule 7 shall be made on the recommendation of a Selection Committee (hereinafter referred to as the Committee) consisting of:-

		<p>(i) The Chairman or a Member of the Commission Chairman</p> <p>(ii) The Chief Secretary or the Secretary to the Government of Himachal Pradesh.Member; and</p> <p>(iii) The Administrative Secretary to the Government of Himachal Pradesh in the department of Personnel. Member</p>
		<p>(2) (i) The Committee shall consider from time to time the cases of officers eligible for appointment to the service who have opted for consideration for promotion except those officers who have been debarred from consideration in terms of Rule 17 and prepare three separate lists of officers according to the percentage fixed under clause(b), (c) &(d) of sub-rule(1) of rule(7). Each list shall contain the names of the selected candidates twice the number of vacancies available at the time of selection and likely to occur during the next year for each category under clause (b),(c) &(d) of sub-rule(1) of Rule(7).</p>
		<p>(ii) The selection for inclusion in the lists shall be based on merit and suitability in all respects for appointment to the service with due regard to seniority.</p>
		<p>(iii) For purposes of selection of candidates under clause (d) of sub-rule(i) of rule 7 a combined seniority list of all the categories of officers mentioned thereunder shall be prepared on the basis of their length of service in the grade.</p>
		<p>(iv) For preparation of the combined seniority list under clause (iii), the following principles shall be observed even if it may involve a departure from the principle of length of regular service as mentioned in the said clause(iii):-</p> <p>(a) Inter-se seniority of officers within each category shall be maintained.</p> <p>(b) For determination of the inter-se seniority of the incumbents of the posts of the categories mentioned in clause(d) of sub-rule(1) of rule 7 (including the proviso)of the main rules, deemed dates as understood for the purpose of the KLM formula as used in the integration of the services after the reorganization of the Punjab in 1966, shall be made use of wherever necessary.</p>
		<p>(c) Wherever in the categories mentioned in clause (d) of sub-rule(1) of rule 7 (including the proviso) of the main Rules, more than one category of posts exist in some Departments and wherever in the notified Recruitment and Promotion Rules of the Department, a channel of promotion was/is provided from one category of such posts to another within the same Department, the eligible incumbents of the lower category shall be placed enblock below the eligible incumbents of the higher category before 'deemed dates' under the KLM formula as laid down in (b) above are applied.</p>
		<p>(d) In case of Officers who have had held on an officiating or substantive basis, more than one post included in Rule 7(1)(d) (Including the proviso) of the main Rules, the date of appointment in the lowest of such category/ post shall be taken</p>

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		into account for determining seniority within the Department according to sub-rule(c) of Rule 9(2)(iv) irrespective of the fact whether the officer has /has not his/ her lien in such post/category.																								
		<p>(e) In case where two or more officers have equal length of regular service in the grade determined on the basis of date of appointment/deemed date, the seniority shall be determined according to their age, the older officer shall be considered senior to the younger one.</p> <p>(f) In case of any doubt or difficulty in preparation of the combined seniority list, the matter shall be decided by the Selection Committee in its discretion and such decision(s) of the Selection Committee shall be final</p> <p>Note (i) For the removal of doubts, it is declared that any selection/ appointment made to the service under the main Rules on the basis of the recommendations of the Selection Committee shall be deemed always to have been valid and in accordance with these rules which shall be deemed to have come into force on 15th March, 1973; provided that the selection/ appointment so made is in conformity with these rules.</p> <p>(ii) Definition: In these rules unless there is anything repugnant in the context, 'main rules' shall mean the Himachal Pradesh Administrative Service Rules, 1973.</p> <p>(3) The names of persons included in the lists shall be arranged in the order of merit.</p> <p>(4) The lists so prepared along with the relevant record shall be forwarded by the Committee to the Government. The Government shall send the lists along with the record to the Commission and obtain its concurrence whereafter the lists shall be considered final.</p> <p>(5) These lists shall remain operative for one year from the date of their approval by the Commission."</p>																								
नियम 15 का संशोधन।	4.	<p>"उक्त रूल्स", के रूल 15 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-</p> <p><u>"Appointment of registered candidates to the service:-</u></p> <p>The Governor shall make appointments to the service in pursuance of Rule 6 and subject to provisions of sub-rule (5) of rule 9 and rule 12 from amongst candidates entered on the various registers in rotation as follows:-</p> <table border="0"> <tr> <td>1. From Register B</td> <td>One candidate</td> </tr> <tr> <td>2. From Register B</td> <td>One candidate</td> </tr> <tr> <td>3. From Register A-I</td> <td>One candidate</td> </tr> <tr> <td>4. From Register B</td> <td>One candidate</td> </tr> <tr> <td>5. From Register A-II</td> <td>One candidate</td> </tr> <tr> <td>6. From Register B</td> <td>One candidate</td> </tr> <tr> <td>7. From Register A-I</td> <td>One candidate</td> </tr> <tr> <td>8. From Register B</td> <td>One candidate</td> </tr> <tr> <td>9. From Register A-II</td> <td>One candidate</td> </tr> <tr> <td>10. From Register B</td> <td>One candidate</td> </tr> <tr> <td>11. From Register A-I</td> <td>One candidate</td> </tr> <tr> <td>12. From Register A-III</td> <td>One candidate</td> </tr> </table>	1. From Register B	One candidate	2. From Register B	One candidate	3. From Register A-I	One candidate	4. From Register B	One candidate	5. From Register A-II	One candidate	6. From Register B	One candidate	7. From Register A-I	One candidate	8. From Register B	One candidate	9. From Register A-II	One candidate	10. From Register B	One candidate	11. From Register A-I	One candidate	12. From Register A-III	One candidate
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	<p>and thereafter in the same rotation beginning again from Register B:</p> <p>Provided that all such appointments shall in the first instance be either officiating or substantive provisional;</p> <p>Provided that percentage of Officers belonging to particular register shall not exceed that provided in Rule 7. The roster will continue to be operative as usual, but the particular roster point of a particular category shall be deemed to have been extinguished in case the prescribed percentage of the said category has already been reached at that point of time. The roster point for the said particular category will, however, be considered for revival at the next point earmarked for that category and in case at that point too there is excess in percentage for that category, the revival of the roster will be postponed to the next point and so on, the real revival being at the stage at which the actual representation to that category falls short of the prescribed percentage."</p>
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आदेश द्वारा,

प्रबोध सक्सेना
मुख्य सचिव

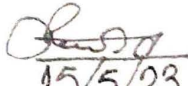
हिमाचल प्रदेश सरकार।

पृष्ठांकन संख्या: यथोपरि। तारीख शिमला-171002
प्रतिलिपि निम्नलिखित को प्रेषित है:-

15 मई, 2023

1. समस्त प्रधान सलाहकार, हिमाचल प्रदेश, शिमला-171002
2. प्रधान सचिव, माननीय मुख्य मंत्री, हिमाचल प्रदेश, शिमला-171002
3. प्रधान सचिव (सामान्य प्रशासन) हिमाचल प्रदेश सरकार शिमला-171002 को मन्त्रीमण्डल की बैठक दिनांक 01.03.2023 द्वारा अनुमोदित मद संख्या 3 की अनुपालना में।
4. समस्त प्रधान सचिव/सचिव हिमाचल प्रदेश सरकार, शिमला-171002
5. समस्त मण्डलायुक्त एवं उपायुक्त हिमाचल प्रदेश।
6. प्रधान महालेखाकार (आडिट) हिमाचल प्रदेश, शिमला-171003
7. प्रधान महालेखाकार (आडिट एव व्यय) हिमाचल प्रदेश, शिमला-171003
8. प्रधान निजी सचिव, माननीय मुख्य मंत्री, हिमाचल प्रदेश, शिमला-171002
9. उप विधि परामर्शी एवं उप सचिव (विधि), हिमाचल प्रदेश, शिमला-171002
10. उप विधि परामर्शी एवं उप सचिव (विधि -राजभाषा)हिमाचल प्रदेश सरकार, शिमला-171002
11. वरिष्ठ निजी सचिव, मुख्य सचिव, हिमाचल प्रदेश सरकार, शिमला-171002.
12. संरक्षण नस्ति/अतिरिक्त प्रतियाँ।

अतिरिक्त प्रतियाँ


15/5/23

(अमरजीत सिंह)

विशेष सचिव(कार्मिक)

हिमाचल प्रदेश सरकार।

सुखविन्द सिंह

मुख्यमन्त्री
हिमाचल प्रदेश

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Authoritative English Text of this Department Notification No. Per(A-IV)-A(3)-1/2010-Part dated. ~~15-05-2023~~ as required under clause (3) of article 348 of the Constitution of India).

Government of Himachal Pradesh
Department of Personnel
Appointment -IV

No. Per (A-IV)-A (3)-1/2010-Part, dated Shimla-171002, the

15th May, 2023

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 following rules further to amend the Himachal Pradesh Administrative Service Rules, 1973, notified vide this department's Notification No.7-5/73-Dp-(Apptt.), dated 15.3.1973 and published in the Rajpatra (Extra Ordinary), dated 11.05.1973, namely:-

Short title and commencement.	1(1)	These rules may be called the Himachal Pradesh Administrative Service (First Amendment) Rules,2023.
	(2)	These rules shall come into force from the date of publication in the Rajpatra(e-Gazette) Himachal Pradesh.
Amendment of Rule -8	2.	For rule-8 of the Himachal Pradesh Administrative Service Rules, 1973, hereinafter referred to as the said rules; the following shall be substituted, namely:- "Registers to be maintained:- The following registers of selected candidates shall be maintained by the Chief Secretary, namely:- (a) Register A-I of Tehsildars selected as candidates ; (b) Register A-II of officers mentioned in clause (c) of sub-rule(1) of rule 7, selected as candidates; (c) Register A-III of officers mentioned in clause(d) of sub-rule(1) of rule7, selected as candidates; and (d) Register B of persons selected as candidates as a result of competitive examination".
Amendment of Rule-9	3.	For rule-9 of the said rules, the following shall be substituted namely:- <u>"Selection Committee:-</u> 1. Recruitment under clauses (b),(c) & (d) of sub-rule(1) of rule 7 shall be made on the recommendation of a Selection Committee (hereinafter referred to as the "Committee") consisting of:- (i) The Chairman or a member of the Commission Chairman;

		<p>(ii) The Chief Secretary or the Secretary to the Government of Himachal Pradesh.Member; and</p> <p>(iii) The Administrative Secretary to the Government of Himachal Pradesh in the department of Personnel. Member</p>
		<p>(2) (i) The Committee shall consider from time to time the cases of officers eligible for appointment to the service who have opted for consideration for promotion excepting those officers who have been debarred from consideration in terms of Rule 17 and prepare three separate lists of officers according to the percentage fixed under clause (b), (c) & (d) of sub-rule(1) of rule (7). Each list shall contain the names of the selected candidates twice the number of vacancies available at the time of selection and likely to occur during the next year for each category under clause (b), (c) &(d) of sub-rule(1) of Rule(7).</p>
		<p>(ii) The selection for inclusion in the lists shall be based on merit and suitability in all respects for appointment to the service with due regard to seniority.</p>
		<p>(iii) For purposes of selection of candidates under clause (d) of sub-rule(i) of rule 7 a combined seniority list of all the categories of officers mentioned thereunder shall be prepared on the basis of their length of service in the grade.</p>
		<p>(iv) For the preparation of the combined seniority list under clause (iii), the following principles shall be observed even if it may involve a departure from the principle of length of regular service as mentioned in the said clause(iii):-</p> <p>(a) Inter-se seniority of officers within each category shall be maintained.</p> <p>(b) For the determination of the inter-se seniority of the incumbents of the posts of the categories mentioned in clause(d) of sub-rule(1) of rule 7 (including the proviso) of the main rules, deemed dates as understood for the purpose of the KLM formula as used in the integration of the services after the reorganization of the Punjab in 1966, shall be made use of wherever necessary.</p>
		<p>(c) Wherever in the categories mentioned in clause (d) of sub-rule(1) of rule 7 (including the proviso) of the main Rules, more than one category of posts exist in some Departments and wherever in the notified Recruitment and Promotion Rules of the Department, a channel of promotion was/is provided from one category of such posts to another within the same Department, the eligible incumbents of the lower category shall be placed enblock below the eligible incumbents of the higher category before 'deemed dates' under the KLM formula as laid down in (b) above are applied.</p>
		<p>(d) In case of officers who have had held on an officiating or substantive basis, more than one post included in Rule 7(1)(d) (Including the Proviso) of the main Rules, the date of appointment in the lowest of such category/ post shall be taken into account for determining seniority within the Department according to sub-rule(c) of Rule</p>

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		9(2)(iv) irrespective of the fact whether the officer has /has not his/her lien in such post/category.																								
		<p>(e) In case where two or more officers have equal length of regular service in the grade determined on the basis of date of appointment/deemed date, the seniority shall be determined according to their age, the elder officer shall be considered senior to the younger one.</p> <p>(f) In case of any doubt or difficulty in the preparation of combined seniority list, the matter shall be decided by the Selection Committee in its discretion and such decision(s) of the Selection Committee shall be final</p> <p>Note (i) For the removal of doubts, it is declared that any selection/ appointment made to the service under the main Rules on the basis of the recommendations of the Selection Committee shall be deemed always to have been valid and in accordance with these rules which shall be deemed to have come into force on 15th March, 1973; provided that the selection/ appointment so made are in conformity with these rules.</p> <p>(ii) Definition: In these rules unless there is anything repugnant in the context, 'main rules' shall mean the Himachal Pradesh Administrative Service Rules, 1973.</p> <p>(3) The names of persons included in the lists shall be arranged in the order of merit.</p> <p>(4) The lists so prepared along with the relevant record shall be forwarded by the Committee to the Government. The Government shall send the lists along with the record to the Commission and obtain its concurrence whereafter the lists shall be considered final.</p> <p>(5) These lists shall remain operative for one year from the date of their approval by the Commission".</p>																								
Amendment of Rule-15	4.	<p>For rule-15 of the said rules, the following shall be substituted namely:- <u>"Appointment of registered candidates to the service:-</u></p> <p>The Governor shall make appointments to the service in pursuance of Rule 6 and subject to provisions of sub-rule (5) of rule 9 and rule 12 from among candidates entered on the various registers in rotation as follows:-</p> <table border="0"> <tr><td>1. From Register B</td><td>One candidate</td></tr> <tr><td>2. From Register B</td><td>One candidate</td></tr> <tr><td>3. From Register A-I</td><td>One candidate</td></tr> <tr><td>4. From Register B</td><td>One candidate</td></tr> <tr><td>5. From Register A-II</td><td>One candidate</td></tr> <tr><td>6. From Register B</td><td>One candidate</td></tr> <tr><td>7. From Register A-I</td><td>One candidate</td></tr> <tr><td>8. From Register B</td><td>One candidate</td></tr> <tr><td>9. From Register A-II</td><td>One candidate</td></tr> <tr><td>10. From Register B</td><td>One candidate</td></tr> <tr><td>11. From Register A-I</td><td>One candidate</td></tr> <tr><td>12. From Register A-III</td><td>One candidate</td></tr> </table> <p>and thereafter in the same rotation beginning again from Register B:</p>	1. From Register B	One candidate	2. From Register B	One candidate	3. From Register A-I	One candidate	4. From Register B	One candidate	5. From Register A-II	One candidate	6. From Register B	One candidate	7. From Register A-I	One candidate	8. From Register B	One candidate	9. From Register A-II	One candidate	10. From Register B	One candidate	11. From Register A-I	One candidate	12. From Register A-III	One candidate
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	<p>Provided that all such appointments shall in the first instance be either officiating or substantive provisional;</p> <p>Provided that percentage of officers belonging to particular register shall not exceed that provided in Rule 7. The roster will continue to be operative as usual, but the particular roster point of a particular category shall be deemed to have been extinguished in case the prescribed percentage of the said category has already been reached at that point of time. The roster point for the said particular category will, however, be considered for revival at the next point earmarked for that category and in case at that point too there is excess in percentage for that category, the revival of the roster will be postponed to the next point and so on, the real revival being at the stage at which the actual representation to that category falls short of the prescribed percentage."</p>
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By Order,


Prabodh Saxena
Chief Secretary to the
Government of Himachal Pradesh

Endst No. As above Dated Shimla-171002, the

15th May, 2023

Copy forwarded to:-

1. All the Principal Advisors to the Government of Himachal Pradesh, Shimla-171002.
2. The Principal Secretary to the Chief Minister, Himachal Pradesh, Shimla-171002.
3. The Principal Secretary (GAD) to the Government of Himachal Pradesh, Shimla-171002 in compliance to the approval of Item No.3 by the CMM in its meeting held on 01-03-2023.
4. All the Principal Secretaries/Secretaries to the Government of Himachal Pradesh, Shimla-171002.
5. All the Divisional Commissioners/Deputy Commissioner, Himachal Pradesh.
6. The Pr. Accountant General (Audit), Himachal Pradesh, Shimla-171003.
7. The Pr. Accountant General (A&E), Himachal Pradesh, Shimla-171003.
8. The Principal Private Secretary to the Chief Minister, Himachal Pradesh, Shimla-171002.
9. The DLR-cum- Deputy Secretary (Law-English) to the Government of Himachal Pradesh, Shimla-171002.
10. DLR-cum-Deputy Secretary (Law-Official Language) to the Govt. of Himachal Pradesh, Shimla-171002.
11. The Senior Private Secretary, O/o the Chief Secretary, Himachal Pradesh, Shimla-171002.
12. Guard file/spare copies.


15/5/23

(Amarjeet Singh)

Special Secretary (Personnel) to the
Government of Himachal Pradesh
Phone No.0177-2621894
email id:persbr4-hp@nic.in

Authenticated



Chief Minister
Himachal Pradesh