

No.PER(AP)-C-B (2)-2/2015
Government of Himachal Pradesh
Department of Personnel (AP-III).

From

The Chief Secretary to the
Government of Himachal Pradesh.

To

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. All the Divisional Commissioners in H.P.
3. All the Deputy Commissioners in H.P.
4. All the Heads of the Departments in H.P.
5. All the Chairmen/Managing Directors/Secretaries & Registrars of all the Public Sector Undertakings/Corporations/Boards/Universities, etc. in H.P.

Dated: Shimla-171002, the

3rd April, 2023

Subject:- Candidates recommended by the PSC/SSC for appointment to State Services/posts-delay in joining revival of offer of appointment after their cancellations-determination of seniority thereof.

Madam/Sir,

I am directed to refer to the letter of even number dated 09.09.2016 on the subject cited above and to say that these instructions have been issued on the analogy of Government of India, Department of Personnel & Training OM's dated 06.06.1978 and 09.08.1995 to govern the matters regarding validity period of offer of appointment and determination of seniority. These instructions lay down that the offer of appointment would lapse if a candidate does not join within the specified period. It would be deemed to have also lapsed after the expiry of six months from the date of issue of the original offer of appointment, on the basis of selection made for direct recruitments, through recruiting agencies and appointments made by the State Government.

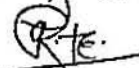
2. The Hon'ble High Court of Himachal Pradesh, in CWP No.5707 of 2022-titled as Poonam Kumari versus State of Himachal Pradesh & others in Para-24 of the Order dated 19.12.2022 has directed to examine the issue thoroughly as the instructions dated 09.09.2016 do not touch upon the issue to extend the joining time in cases of such candidates who are pursuing their higher studies at the time of offer of appointment.

3. After due consideration, it has been decided by the State Government to devise a uniform procedure to govern the period of extension in joining time beyond six months, in cases of such candidates who are pursuing their higher studies at the time of issue of offer of appointment, as under:-

- i. Extension may be considered to be granted in rare and exceptional circumstances if pursuit of higher studies is in the interest of the department and public at large. There should be uniformity and no discrimination.
- ii. The above consideration would be objective, rational, conditional and subject to the applicability and enforcement of the provisions of instructions dated 09.09.2016 of this Departments governing revival of offer of appointment and determination of seniority.
- iii. In case of contractual employees, the period of extension in joining time granted on account of pursuit of higher studies shall not be counted for regularization and he/she shall be placed at the bottom of the contractual appointees of the year in which joins the post.
- iv. No department will grant/seek exemption or relaxation in departure from the principles laid down as above.

4. These instructions may be brought to the notice of the all concerned for compliance in letter and spirit and are available on the website www.himachal.nic.in/personnel.

Yours faithfully,



(Balbir Singh)

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

Tele.: -0177-2880851

34 April, 2023

Endst.No.PER(AP)-C-B (2)-2/2015 Dated: Shimla the
Copy forwarded for information and necessary action to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla-2.
2. The Registrar, H.P. High Court, Shimla-171001.
3. The Secretary, H.P. Public Service Commission, Shimla.



Deputy Secretary (Personnel) to the
Government of Himachal Pradesh
