

(107)

(Authoritative English Text of this Department Notification No.Per(AP-B)B(2)-1/2016 dated 20-04-2018 as required under clause (3) of article 348 of the Constitution of India).

Government of Himachal Pradesh  
Department of Personnel (Appointment-II)

No. Per(AP-B)B(2)-1/2016

Dated Shimla-171002, 20th April, 2018

NOTIFICATION

In exercise of the powers conferred by proviso to article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Programmer, Class-I (Gazetted) in the Himachal Pradesh Staff Selection Commission as per Annexure "A" attached to this Notification; namely:-

- Short title and commencement.
1. (1) These rules may be called the Himachal Pradesh Staff Selection Commission, Programmer, Class-I (Gazetted) Recruitment and Promotion Rules, 2018.
  - (2) These rules shall come into force from the date of publication in the Rajpatra (e-gazette), Himachal Pradesh.

By Order


Vineet Chawdhary  
Chief Secretary to the  
Government of Himachal Pradesh

Dated Shimla-171002, the 20<sup>th</sup> April, 2018

No. Per(AP-B) B(2)-1/2016

Copy forwarded to:

1. The Secretary to HE Governor, Himachal Pradesh, Shimla-171 002.
2. Pr. PS-cum- A.S to Chief Minister, Himachal Pradesh, Shimla-171 002.
3. PS to Chief Secretary to the Government of Himachal Pradesh, Shimla-171 002.
4. The Secretary, H.P. Public Service Commission, Shimla-171 002.
5. The Secretary, H.P. Staff Selection Commission, Hamirpur-177 001 with five spare copies.
6. JLR-cum-Joint Secretary (Law) to the Government of Himachal Pradesh Shimla-171 002
7. The Deputy Secretary (AP-III)/Under Secretary {Finance (Regulations) Department} to the Govt. of HP Shimla-171002.
8. Branch Guard File/ Spare copies-20.

  
20/4/18  
(Amarjeet Singh)  
Special Secretary (Personnel) to the  
Government of Himachal Pradesh  
Tel. No. 0177-2622132



RECRUITMENT AND PROMOTION RULES FOR THE POST OF PROGRAMMER (GAZETTED) CLASS-I, IN HIMACHAL PRADESH STAFF SELECTION COMMISSION, HAMIRPUR.

- 1. Name of post Programmer
- 2. Number of post 01 (one)
- 3. Classification Class-I (Gazetted)
- 4. Scale of pay (I) Pay band for regular incumbent(s): ₹ 10300-34800 + ₹ 5000 Grade pay  
(II) Emoluments for Contract employee(s): ₹ 15,300/- per month as per details given in Col. No. 15-A

5. Whether "Selection" post or "Non-selection" post Not applicable

6. Age for direct recruitment Between 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 adhoc or on contract basis:

Provided further that if a candidate appointed on adhoc basis or on contract basis had become over-age 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 adhoc 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 constitution 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 after initial constitution of the Public Sector Corporations/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 applications or notified to the Employment Exchanges, as the case may be.



7. Minimum Educational & other qualifications required for direct recruit(s)
- (a) Essential Qualification (s):  
MCA or B.E./ B. Tech. Degree in information Technology/Computer Science Engineering with programming as an essential component of the degree course from a recognized University or from an Institute duly recognized by the Central/H.P. Government.
- OR
- “B” LEVEL Course from DOEACC/NET Society.
- (b) Desirable qualification (s):
- Knowledge of customs, manners and discipline of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.
  - At least 3 (three) years experience as Programmer or its equivalent post from Government office/ semi Government Organization/Private Sector after acquiring essential qualification.
8. Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s)
- Age: Not Applicable
- Educational Qualification : Not Applicable
9. Period of probation, if any
- (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.
- (b) No probation in case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.
10. Method of recruitment, whether by direct recruitment or by promotion/ secondment/transfer and the percentage of post(s) to be filled in by various methods:
- 100 % 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/ transfer, grade from which promotion/ secondment / transfer is to be made: Not Applicable

12. If a Departmental Promotion/Confirmation Committee exists, what is its composition ? (a) Departmental Promotion Committee: Not Applicable (b) Departmental Confirmation Committee: As may be constituted by Government from time to time.

13. Circumstances under which the Himachal Pradesh Public Service Commission (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 or if the Himachal Pradesh 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 the screening test (Objective type)/ written test 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.

15 -A Selection for appointment to the post by contract appointment Notwithstanding anything contained in these Rules, contract appointments to the post will be made subject to the terms and conditions given below:-

(I) CONCEPT:

(a) Under this policy the Programmer, Himachal Pradesh Staff Selection Commission, Hamirpur, 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 Secretary, Himachal Pradesh Staff Selection Commission, Hamirpur, shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then the period of contract is to be renewed/extended.

(b) POST FALLS WITHIN THE PURVIEW OF HPPSC:

The Administrative Secretary (Personnel) to the Government of Himachal Pradesh after obtaining the approval of the Government for filling up the vacant post(s) on contract basis will place the requisition with the concerned recruiting agency i.e. the 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 EMOULMENTS:

The Programmer appointed on contract basis will be paid consolidated fixed contractual amount @ ₹ 15,300/- P.M. (which shall be equal to initial of the pay band + grade Pay). An amount of ₹459/- (3% of 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 Administrative Secretary (Personnel) 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 will be made on the basis of interview/personality test or if considered 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. the 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 @ ₹ 15,300/- per month (which shall be equal to initial of the pay in the pay band + grade pay). The Contract appointee will be entitled for increase in contractual amount @ ₹ 459/- (3% of 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, 10 day's Medical Leave and 5 day's special leave, in a calendar year. A female contract appointee with less than two surviving children may be granted maternity leave for 180 days. A female contract appointee shall also be entitled for maternity leave not exceeding 45 day's (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. A contract employee shall not be entitled for medical re-imburement 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 up-to 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 an authorized absence from duty were 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 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 basis wherever required on administrative ground.
- (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 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 counterpart officials at the minimum of the 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. The Employees Group Insurance Scheme as well as EPF/GPF will also not be applicable to contract appointee(s).

16. Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes / Scheduled Tribes / Other Backward Classes / Other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination

Every member of the service shall pass a Departmental Examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1997, as amended from time to time.



18. Power to relax

Where the State Government 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 post(s).

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Form of contract agreement to be executed between the Programmer and the Government of Himachal Pradesh through Administrative Secretary (Personnel) to the Government of Himachal Pradesh.

This agreement is made on this ..... 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 Administrative Secretary (Personnel) to the Government of Himachal Pradesh (here-in-after the SECOND PARTY). Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a **Programmer** on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a **Programmer** 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 ₹ 15,300/- per month (which shall be equal to minimum of the pay band plus grade pay). The contract appointee will be entitled for increased in contractual amount @ ₹ 459/- (3%) of minimum of the 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.
3. The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the work and conduct of the contract appointee is not found good/satisfactory.
4. The contractual Programmer will be entitled for one day's casual leave after putting one month service, 10 day's Medical Leave and 5 day's special leave, in a calendar year. A female contract appointee with less than two surviving children may be granted maternity leave for 180 days. A female contract appointee shall also be entitled for maternity leave not exceeding 45 day's (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 re-imburement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.  
Provided that un-availed Casual Leave, Medical Leave and Special Leave can be accumulated up to 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 an authorized absence from the duty were 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 submit 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 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 candidate pregnant beyond 12 weeks will render her temporally unfit till the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/Practitioner.
  8. Contract appointee will be entitled to TA/DA if required to go on tour in connection with his official duties at the same rate as applicable to regular officials at the minimum of pay scale.
  9. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the contractual appointee (s).

**IN WITNESS the FIRST PARTY AND SECOND PARTY** have herein 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)

IN THE PRESENCE OF WITNESS:

1.....  
.....  
(Name and Full Address)

(Signature of the SECOND PARTY)

2.....  
.....  
(Name and Full Address)



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

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IN THE PRESENCE OF WITNESS:

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(Name and Full Address)

(Signature of the FIRST PARTY)

2.....  
.....  
(Name and Full Address)

IN THE PRESENCE OF WITNESS:

1.....  
.....  
(Name and Full Address)

(Signature of the SECOND PARTY)

2.....  
.....  
(Name and Full Address)