

[Authoritative English text of Government Notification No. Per (AP)-C-A (3)-2/2012-I Dated 30-03-2016 as required under clause (3) of Article 348 of the Constitution of India].

Government of Himachal Pradesh
Department of Personnel
Appointment-III

No Per (AP)-C-A (3)-2/2012-I

Dated: Shimla-2, the 30 March, 2016

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, Department of Personnel, Junior Scale Stenographer/Senior Scale Stenographer, Class-III (Non-Gazetted) Common Direct Recruitment and Promotion Rules, 2011 notified vide this Department Notification No. Per (AP)-C-A(3)-5/2010, dated the 14th February, 2011, namely:-

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|-------------------------------|-----|--|
| Short title and commencement. | 1. | (1) These rules may be called the Himachal Pradesh, Department of Personnel, Junior Scale Stenographer/Senior Scale Stenographer, Class-III (Non-Gazetted) Common Direct Recruitment and Promotion (Forth Amendment) Rules, 2016. |
| | (2) | They shall come into force from the date of publication in the Rajpatra, Himachal Pradesh. |
| Amendment of Annexure-"II" | 2. | In Annexure-"II" appended to the Himachal Pradesh, Department of Personnel, Junior Scale Stenographer/Senior Scale Stenographer, Class-III (Non-Gazetted) Common Direct Recruitment and Promotion Rules, 2011 for the existing provisions against Col. No. 11, the following shall be substituted namely:- |

(a) In the Departments where the post of Junior Scale Stenographer exists -

By promotion from amongst the Junior Scale Stenographers subject to possessing of educational qualification as prescribed for direct recruitment against Column No. 7 (a) above with five years regular service or regular combined with the continuous adhoc service rendered, if any in the grade:

Provided that if Junior Scale Stenographer does not possess recognized qualification of graduation but is otherwise eligible shall be considered for promotion to the post of Senior Scale Stenographer subject to the condition that he/she shall have to acquire qualification of graduation by 30-6-2017 and will be eligible to draw his/her annual increment from due dates only after acquiring the qualification of graduation, failing which he/ she shall be reverted to the post of Junior Scale Stenographer and shall be considered for promotion in future only after acquiring the requisite qualification:

Provided further that the above condition shall not be applicable in the case of those Junior Scale Stenographers whose date of superannuation is on or before 30-06-2017.

Provided further that the Junior Scale Stenographers who have already been promoted as Senior Scale Stenographers as per the pre-amended provision of the Rules shall remain senior to those Senior Scale Stenographers who will be promoted after coming into force of this rule irrespective of the fact that the earlier promoted Senior Scale Stenographers were junior to them in the cadre of Junior Scale Stenographer.

(b) In the department where the post of Junior Scale Stenographer does not exist but the post of Steno Typist exists:-

By promotion from amongst the Steno typists subject to possessing of educational qualification as prescribed for direct recruitment against Column No. 7 (a) above with ten years regular service or regular combined with the continuous

ad hoc service rendered, if any, in the grade:

Provided that if Steno Typist does not possess recognized qualification of graduation but is otherwise eligible shall be considered for promotion to the post of Senior Scale Stenographer subject to the condition that he/she shall have to acquire qualification of graduation within six years of commencement of this amended provision and will be eligible to draw his/her annual increment from due dates only after acquiring the qualification of graduation failing which he/she shall be reverted to the post of Steno Typist and shall be considered for promotion in future only after acquiring the requisite qualification:

Provided further that the above condition shall not be applicable in the case of those Steno Typists whose date of superannuation is within six years of commencement of this amended provision:

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 1 supra the "term" in Tribal/Difficult areas 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 1, supra the Tribal/Difficult Areas shall be as under:-

- i) District Lahaul & Spiti.
- ii) Pangl and Bharmour Sub Division of Chamba District.
- iii) Dodra Kwar Area of Rohru Sub-Division.

- iv) Pandrah Bis Pargana, Munish Darkali and Gram panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
- v) Pandrah Bis Pargana of Kullu District.
- vi) Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
- vii) District Kinnaur.
- viii) Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shilal Tehsil, in Sirmour District.
- ix) Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaint, Mathyant, 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.

(3) 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:

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 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 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 person(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-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 Rule-3 of Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of seniority thereunder.

(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 Recruitment & Promotion Rules:

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.

By order,

Tarun Shridhar

Addl. Chief Secretary (Personnel) to the
Government of Himachal Pradesh

Endst. No. Per (AP)-C-A (3)-2/2012-I Dated: Shimla-2, the 30 March, 2016.

1. All the Additional Chief Secretaries/ Principal Secretaries/ Secretaries/ Special Secretaries/ Additional Secretaries/ Joint Secretaries/Deputy Secretaries/ Under Secretaries to the Govt. of H.P. Shimla-02.
2. All the Divisional Commissioners in Himachal Pradesh.
3. All the Heads of Departments in Himachal Pradesh.
4. All the Deputy Commissioners in Himachal Pradesh.
5. The Under Secretary, H.P. Public Service Commission, Shimla-2 with reference to his letter No.1-3/83-PSC-Part, dated 23-01-2016.
6. The Secretary, H.P. Subordinate Services Selection Board, Hamirpur.
7. Deputy Legal Remembrance-cum-Deputy Secretary (Law) to the Govt. of Himachal Pradesh.

8. Assistant Legal Remembrance-cum-Under Secretary(Law) to the Government Himachal Pradesh, Shimla-2
9. Sr. Law Officer, Law Department (Rajbhasha-Khand) Himachal Pradesh Secretariat, Shimla-2.
10. 100 spare copies.



(Ram Singh Ranot)
Under Secretary (Personnel) to the
Government of Himachal Pradesh.
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