

(Authoritative English Text of this Department Notification No. IPH-A-A(3)-7/2017, dated 27.09.2019 as required under clause (3) of Article 348 of the Constitution of India).

Government of Himachal Pradesh
Department of Irrigation & Public Health

No. IPH-A-A(3)-7/2017

Dated: Shimla-2, the

27.09.2019

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 Recruitment and Promotion Rules for the post of Process Engineer, Class-I (Gazetted) Technical Services in the Department of Irrigation and Public Health Department, Himachal Pradesh as per Annexure-"A" attached to the notification, namely:-

Short title and commencement :

1. (1) These rules may be called the Himachal Pradesh, Irrigation and Public Health Department, Process Engineer, Class-I (Gazetted) Technical Services Recruitment and Promotion Rules, 2019.
- (2) These rules shall come into force from the date of publication in the Rajpatra (e-Gazette) Himachal Pradesh.

BY ORDER

Dr. R.N.Batta

Secretary (IPH) to the
Government of Himachal Pradesh

Endst. No. IPH-A-A(3)-7/2017

Dated: Shimla-2, the

27.09.2019

Copy forwarded to:-

1. The Addl. Chief Secretary (Personnel) to the Govt. of Himachal Pradesh, Shimla-2
2. The Addl. Chief Secretary (Finance) to the Govt. of Himachal Pradesh, Shimla-2
3. The LR-cum-Principal Secretary (Law) to the Govt. of Himachal Pradesh, Shimla-2.
4. The Secretary, H.P. Public Service Commission, Nigam Vihar, Shimla-2.
5. The Engineer-in-Chief (IPH) Department, Jal Shakti Bhawan, Tutikandi Shimla-5.
6. The Controller, Printing & Stationery Department Himachal Pradesh Shimla-5.
7. The Guard File.

(Mahi Pal Verma)

Under Secretary (IPH) to the
Government of Himachal Pradesh
Phone No. 0177-2623454

ANNEXURE-“A”

RECRUITMENT AND PROMOTION RULES FOR THE POST OF PROCESS ENGINEER, CLASS-I (GAZETTED), TECHNICAL SERVICES IN THE DEPARTMENT OF IRRIGATION & PUBLIC HEALTH, HIMACHAL PRADESH.

1.	Name of post :	Process Engineer
2.	Number of post(s) :	05 (Five)
3.	Classification :	Class-I (Gazetted)
4.	Scale of pay :	i) <u>Pay band for regular incumbent(s):-</u> ₹15600-39100+ ₹5400 Grade pay ii) <u>Emoluments for contract employee(s):</u> ₹ 21000/-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
	<p>Provided that 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:</p> <p>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:</p> <p>Provided further that upper age-limit is relaxable for Scheduled Castes/ Schedule Tribes/Other Backward Classes and Other categories of persons to the extent permissible under the general or special order (s) of the Himachal Pradesh Government:</p> <p>Provided further that the employees of all Public Service Sector Corporations and Autonomous Bodies who happened to be Government servant 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 are/were subsequently appointed by such Corporations/Autonomous bodies and who are/were finally absorbed in the service of such Corporations/Autonomous bodies after initial constitution of the Public Sector Corporations / Autonomous bodies.</p> <p>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 or as the case may be.</p>	
7.	Minimum educational and other qualifications	(a) <u>Essential Qualification(s):</u>

	required for direct recruit (s) :	B.E. / B.Tech. Degree in any Engineering stream with Master Degree in Environmental Engineering from an Institute/ University duly recognized by the Central/State Government/ AICTE. (b) <u>Desirable Qualification(s):</u> Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.
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 the case of appointment on contract basis.
10.	Method(s) 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 regular basis or by recruitment on contract basis, as the case may be.
11	In case of recruitment by promotion / secondment / transfer, grade(s) from which promotion/ secondment/ transfer is to be made:	Not Applicable
12	If a Departmental Promotion /Confirmation Committee exists, what is its composition?	(a) <u>Departmental Promotion Committee:</u> Not Applicable (b) <u>Departmental Confirmation Committee:</u> As may be constituted by the 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	A candidate for appointment to any service or post must

	a direct recruitment:	be a citizen of India.
15	Selection for appointment to the 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 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 a 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:	<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>(I) <u>CONCEPT:</u> (a) Under this policy the Process Engineer, in the Department of Irrigation & Public Health, Himachal Pradesh will be engaged on contract basis initially for one year, which may be extendable on year to year basis:</p> <p>Provided that for further 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 this period of contract is to be renewed/extended.</p> <p>(b) <u>POST FALLS WITHIN THE PURVIEW OF HPPSC :</u> The Secretary (IPH) to the Government of Himachal Pradesh after obtaining the approval of the Government to fill up the vacant post(s) on contract basis will place the requisition with the concerned recruiting agency i.e. Himachal Pradesh Public Service Commission.</p> <p>(c) The selection will be made in accordance with the eligibility conditions prescribed in these rules.</p> <p>(II) <u>CONTRACTUAL EMOLUMENTS:</u> The Process Engineer appointed on contract basis will be paid consolidated fixed contractual amount @ ₹21000/- P.M. (which shall be equal to minimum of the pay band+ grade pay). An amount of ₹630/- (3% of the minimum of pay band plus 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.</p> <p>(III) <u>APPOINTING/ DISCIPLINARY AUTHORITY:</u> The Secretary (IPH), Himachal Pradesh will be appointing and disciplinary authority.</p>

(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 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 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. Himachal Pradesh Public Service Commission, Shimla.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. Himachal Pradesh Public Service Commission, Shimla, 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 @ ₹ 21000/- per month (which shall be equal to minimum of the pay band + grade pay). The contract appointee will be entitled for increase in contractual amount @ ₹ 630/- (3% of the minimum of the pay band plus 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. In case the contract appointee is not satisfied with the termination orders issued by the Appointing Authority, he /she may prefer an appeal before the Appellate Authority who shall be higher in rank to the Appointing Authority, with in a period of 45 days, from the date on which a copy of termination orders is delivered to him/her.
- (c) Contract appointee will be entitled for one-day's casual leave after putting one-month service, 10 days medical leave and 5 days 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 days during 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 reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

Un-availed Casual Leave, Medical Leave & Special Leave can be accumulated upto 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 unauthorized 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 contract appointee shall not be entitled for contractual amount for this period of absence from duty:

Provided that he/she 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 have completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.
- (f) Selected candidate will have to submit a certificate of his/her fitness issued by a Medical Board in the case of a Gazetted Government servant and by Government Medical Officer in the case of a Non-Gazetted Government servant. In case of women candidates who are to be appointed against posts carrying hazardous nature of duties, and in case they have to complete a period of training as a condition of service, such woman candidate, who as a result of tests is found to be pregnant of twelve weeks' standing or more shall be declared temporarily unfit and her appointment shall be held in abeyance until the confinement is over. Such woman candidate be re-examined for medical fitness six weeks after the date of confinement, and if she is found fit on production of medical fitness certificate from the authority as specified above, she may be appointed to the post kept reserved for her.
- (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 official

		<p>at the minimum of 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 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).</p>
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	Powers 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 the these Rules with respect to any class or category of person(s) or post(s).

ANNEXURE-“B”

Form of contract/agreement to be executed between the Process Engineer and the Government of Himachal Pradesh through Secretary (IPH)

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 Secretary (IPH) (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 PROCESS ENGINEER on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a PROCESS ENGINEER for a period of one 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:

Provided that for-further extension/renewal of contract period the concerned HOD shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then the period of contract is to be renewed/extended.

2. The consolidated fixed contractual amount of the PROCESS ENGINEER will be @ ₹ 21000/-per month (which shall be equal to minimum of the pay band+ grade pay). An amount of ₹ 630/-(3%) of the minimum of 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.
3. The service of 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. In case the contract appointee is not satisfied with the termination orders issued by the Appointing Authority, he/she may prefer an appeal before the Appellate Authority who shall be higher in rank to the Appointing Authority, with in a period of 45 days, from the date on which a copy of termination orders is delivered to him/her.

4. Contract appointee will be entitled for one day's casual leave after putting one month's service, 10 days' medical leave and 5 days' 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 days'(irrespective of number of surviving children) during 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.

Un-availed casual leave, medical leave & special leave can be accumulated upto 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 un-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.

6. An official appointed on contract basis who have completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative ground.
7. Selected candidate will have to submit a certificate of his/her fitness issued by a Medical Board in case of a Gazetted Government servant and by Government Medical Officer in the case of a Non-Gazetted Government servant. In case of women candidates who are to be appointed against posts carrying hazardous nature of duties, and in case they have to complete a period of training as a condition of service, such woman candidate, who as a result of tests is found to be pregnant of twelve weeks' standing or more shall be declared temporarily unfit and her appointment shall be held in abeyance until the confinement is over. Such woman candidate be re-examined for medical fitness six weeks after the date of confinement, and if she is found fit on production of medical fitness certificate from the authority as specified above, she may be appointed to the post kept reserved for her.

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).

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 :

I

.....

(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)