

R&P Rules –Registrar

AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION NO.IPH (A) (3)-11/94-II DATED 11.7.1997 AS REQUIRED UNDER ARTICLE 348 (3) OF THE CONSTITUTION OF INDIA.

Government of Himachal Pradesh
Irrig. & P. H.. Department.

.No.IPH.(A)(3)-11/94-II

Dated : Shimla-171002,the11.7.97.

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 Registrar (Class-11, Gazetted) in Irrigation and Public Health Department as per Annexure-1 attached to this notification namely :-

SHORT TITLE AND COMMENCEMENT:

1. (i) These rules may be called Himachal Pradesh Irrigation and Public Department, Registrar (Class-11,Gazetted) Recruitment and Promotion Rules, 1997.
- (ii) These rules shall come into force from the date of publication in Rajpatra, Himachal Pradesh.

REPEAL & SAVINGS:2.

- (i) The Recruitment and Promotion Rules for the post of Registrar (Class-II, Gazetted) in the HP. PWD., notified vide Notification No.PWE-147-7/62-204-39-E dated 21.7.66 and made applicable in the Irrigation and Public Health Department at the time of bifurcation of this Department vide Notification No. PBW-2 (B) (13) 20/84 dated 27.4.94 and as amended from time to time are hereby repealed to the

extent these were applicable to the post of Registrar in IPH Department.

- (2) Notwithstanding such repeal any appointment made, or any thing done or any action taken under the relevant rules so repealed under sub-rule-2 (i) supra, shall be deemed to have been validly made or done or taken under these rules.

BY ORDER,

Commissioner-cum-Secy.(IPH)to the
Government of Himachal Pradesh.

No.IPH.(A) (3)-11/94-II

Dated: Shimla-171002, the 11.7.97.

Copy forwarded for information and necessary action to :-

1. All the Secretaries to the Government of Himachal Pradesh Shimla-2.
2. All the Heads of Departments in Himachal Pradesh.
3. The Engineer-in-Chief, Irrigation & Public Health Department, Shimla-1.
4. The Chief Engineer (N) Irrigation & Public Health Department, Dharamshala.
5. All the Superintending Engineers /Executive Engineers in Irrigation & Public Health Department in H.P.
6. The Secretary, H.P. Public Service Commission, Shimla-2.
7. The Secretary, Himachal Pradesh, Vidhan Sabha Shimla-4.
8. The Assistant Controller, Printing & Stationery, H.P.Govt. Printing Press, Shimla-171003. He is requested to publish the E&P Rules of IPH Subordinate (Class-II), Gazetted) Recruitment and Promotion, Rules-1997 in the Himachal Pradesh, Rajpatra.

Sd./-

Additional Secretary (IPH) to the
Govt. of Himachal Pradesh..

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ANNEXURE-1.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF REGISTRAR
(GAZETTED) CLASS-II IN THE DEPARTMENT OF IRRIGATION & PUBLIC
HEALTH HIMACHAL PRADESH.

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|----|---|---|
| 1. | Name of the post: | Registrar |
| 2. | Number of posts. | 1 (One) |
| 3. | Classification: | Class-II (Gazetted) |
| 4. | Scale of pay
(be given in expended
notation): | Rs.2410-70-2550-75-3000-100-4000. |
| 5. | Whether Selection post
or Non-Selection post :: | Selection. |
| 6. | Age for direct
Recruitment: | Not applicable. |
| 7. | Minimum educational
and other qualifications
required for direct
recruits: | Not applicable. |
| 8. | Whether age and
educational qualifications
prescribed for direct
recruits will apply in the
case of the promotees : | Not applicable. |
| 9. | Period of probation,
if any: | 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. |

10. Method of recruitment, whether by direct recruitment or by promotion deputation, transfer and the percentage of vacancies to be filled in by various methods: 100 % by promotion.
11. In case of recruitment by promotion, deputation, transfer, grade from which promotion / deputation /transfer is to be made By promotion from amongst the Vigilance officer/Superintendent Grade-1 with 3 years regular service or regular combined with continuous adhoc (rendered upto 31.3.1991) service in the grade.”

In all cases of promotion, the adhoc service rendered in the feeder post upto 31.3.1991, 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 condition:-

- Note: (i) that in cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis up to 31.3.1991) 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 and promotions Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the recruitments of the proceeding 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-serviceman recruited under the provisions of Rules-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 there under or recruited under the provisions of Rule-3 of Ex-Serviceman (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there under.

Note: (2) Similarly, in all cases of confirmation, adhoc service rendered on the feeder post upto 31.3.1991, if any, prior to the regular appointment against such post shall be taken into account towards the length of service,

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered upto 31.3.1991 shall remain unchanged.

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| 12. If a Departmental promotion committee exists, what is its Composition: | As may be constituted by the Government.. from time to time. |
| 13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment: | As required under the Law. |
| 14. Essential requirement for direct recruitment: | Not applicable. |
| 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 viva-voca test if the Himachal Pradesh Public Service Commission or other recruiting authority as the case may be, so consider necessary or expedient by a written test or practical test, the standard / syllabus, etc. of which, will be determined by the Commission / other recruiting authority as the case may be. |
| 16. Reservation: | The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes / Scheduled |

Tribes / Backward Classes / Other Categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination:

- (i) Every member of the service shall pass a Departmental Examination as prescribed in the Departmental Examination as Rules, 1976 as amended from time to time, failing which he shall not be eligible to:-
- (i) Cross the Efficiency Bar next due.
 - (ii) Confirmation in the service even after completion of probationary period, and
 - (iii) Promotion to the next higher post;

Provided that an Officer who has qualified the Departmental Examination in whole or in part prescribed under any Rules before the notification of these Rules shall not be required to qualify the whole or in part, of the examination as the case may be;

Provided further that an Officer for whom no Departmental Examination was prescribed prior to the Notification of these Rules and who has attained the age of 45 years on the 1st March, 1976 shall not be required to qualify the Departmental Examination prescribed under these Rules.

Provided further that an Officer for whom no Departmental Examination was prescribed prior to the notification of these Rules and who had not attained the age of 45 years on 1.3.1976 shall not be required to qualify the Departmental Examination prescribed under these Rules after attaining the age of 50 years for the purpose of (i) Crossing of Efficiency Bar next due and (ii) Confirmation in the service after completion of probationary period.

An Officer on promotion to higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be recorded in writing, exemption in accordance with the Departmental Examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

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 H.P.PSC. relax any of the provisions of these Rules with respect to any Class or Category of persons or posts.

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AMMENDMENT

(Authoritative English text of Notification No. IPH(A) (3)-11/94, dated 10.4.2002 as required under Clause (3) Article- 348 of the Constitution of India).

Government of Himachal Pradesh
Irrigation & Public Health Department

No.IPH.(A) (3)-11/94,Dated, Shimla-2, the 10th. April,2002.

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 to amend the Himachal Pradesh Irrigation & Public Health Department, Registrar Class-II (Gazetted) Recruitment and Promotion Rules, 1997 notified vide this Department notification of even number dated 11.7. 1997 namely:-

SHORT TITLE AND 1.
COMMENCEMENT:

- (1) These rules may be called Himachal Pradesh, Irrigation and Public Health Department Registrar Class-I (Gazetted) Recruitment and Promotion (First amendment) Rules, 2002.
- (2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

Amendment of short title: 2. In short title of the Himachal Pradesh, Irrigation & Public Health Department Registrar (Class-II-Gazetted) Recruitment and Promotion Rules, 1997 (hereinafter referred to as the "said Rule" for the word, sign and Roman figure "Class-II" the words signs and Roman figure "Class-I" shall be substituted.

Amendment of Annexure 'A'

- (3) (a) In Annexure 'A' to the said Rules in Col. No.3 for the word sign and Roman figure "Class-II" the word sign and Roman figure "Class-I" shall be substituted.
- (b) For the existing provision against Col. No. 4 the following shall be substituted namely
Rs.7880-220-8100-275-10300-340-11600.
- (c) For the existing title against Col. No.10 the following shall be substituted namely:-

“Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percent of posts to be filled in by various method.”

- (d) For the existing provision against Col. No. 11 the following shall be substituted namely:-

By promotion from amongst the Vigilance Officer / Superintendent Gr.-I with 3 years regular service or regular combined with continuous adhoc(rendered up to 31.3.98) service in the grade.

- (1) In all cases of promotion, the continuous adhoc service rendered in the feeder post up to 31.3.1998, 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 condition 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:-
- (i) 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 up to 31.3.1998) 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 and 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 proceeding 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 there under be recruited under the provisions of Rule-3 of Ex-servicemen (Reservation of vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there under;

- (2) Similarly, in all cases of confirmation, continuing adhoc service rendered in the feeder post up to 31.3.1998, if any, prior to the regular appointment / promotion against such posts shall be taken into account towards the length of service, if the adhoc appointment / promotion against such posts had been made after proper selection and in accordance with the provisions of the R&P Rules.

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered up to 31.3.1998 shall remain unchanged.

- (e) For the existing provision against Col. No. 17 the following shall be substituted namely:-

“Every member of the service shall pass the Departmental Examination as prescribed in the Departmental Examination Rules, 1997.”

By order
FC-cum-Secretary (IPH) to the
Govt. of Himachal Pradesh.

Endst. No. As above.

Dated: 10.4.2002.

Copy forwarded to:-

1. All the Secretaries to the Govt. of H.P.
2. All the Heads of Deptt., in H.P.
3. The Controller, Printing & Stationery, H.P. Govt. Press, Shimla-5, for Publication in the Rajpatra.
4. The Secretary, H.P. Public Service Commission, Shimla-2.
5. The Engineer-in-Chief, I&PH Deptt., Shimla-1 with spare copies.
6. All the Chief Engineers I&PH Department, H.P.
7. The Sr. Law Officer (English / Hindi) HP. Secretariat Shimla-2.
8. Guard file.

Sd./-
Joint Secretary (IPH) to the
Govt. of Himachal Pradesh.

