



(Authoritative English Text of this Government Notification No. Agr-A A(3)5/2005-Part-I, dated ~~13-3-2018~~ as required under article 348 of the Constitution of India).

**Government of Himachal Pradesh
Department of Agriculture.**

No.Agr.A-A(3)5/2005-Part-I, Dated Shimla-171002, the 13 th March 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 the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Sub-Divisional Soil Conservation Officer, Class-I (Gazetted) (Non-Ministerial Services) in the Department of Agriculture, Himachal Pradesh, as per Annexure-"A" attached to this notification namely :-

Short title and commencement:	1. (1) These rules may be called the Himachal Pradesh, Agriculture Department, Sub-Divisional Soil Conservation Officer, Class-I (Gazetted) (Non-Ministerial Services) Recruitment and Promotion Rules, 2018 . (2) These rules shall come into force from the date of publication in the Rajpatra , Himachal Pradesh .
Repeal and savings:	2.(1) The Himachal Pradesh Agricultural Services Class-II, Recruitment and Promotion Rules,1973 notified vide this Department Notification No.16-55/69-Agr.(Sectt), dated 2.11.1973 as amended from time to time are hereby repealed to the extent that these pertains to the post of Assistant Soil Conservation Officer, Class-II(Gazetted).

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	(2) Notwithstanding such repeal any appointment made or anything done or any action taken under the rules so repealed under sub-rule(1) supra shall be deemed to have been validly made, done or taken under these rules.
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By Order

(Dr.Shrikant Baldi)
Additional Chief Secretary(Agr.)to the
Government of Himachal Pradesh.

Endst. No. As above, dated Shimla-171002, the
Copy is forwarded to the following :-

13 th March, 2018.

1. The Principal Secretary(Finance) to the Government of H.P. Shimla-2.
2. The Principal Secretary(Pers.)to the Government of H.P. Shimla-2.
3. The Additional Secretary(GAD) to the Government of H.P. Shimla-171002.
4. The ALR-cum-Additional Secretary(Law) to the Government of H.P. Shimla-2.
5. The Secretary, H.P. Public Service Commission, Shimla-2 w.r.t. his letter No.1-6/98-PSC-Part, dated 22.12.2017.
6. The Controller, P&S, H.P. Shimla-171005 for publication in the Rajpatra.
7. The DLR-cum-Deputy Secretary(Official Language) to the Govt. of H.P.
8. The ALR-cum-Under Secretary(Official Language) to the Govt. of H.P.
9. The Senior Law Officer (Official Language)Law Department, H.P. Secretariat, Shimla-171002.

Naresh

(Naresh Thakur)
Joint Secretary(Agr.)to the
Government of Himachal Pradesh.

Annexure "A"

RECRUITMENT AND PROMOTION RULES FOR THE POST OF SUB DIVISIONAL SOIL CONSERVATION OFFICER CLASS-I (GAZETTED), IN THE DEPARTMENT OF AGRICULTURE.

1.	Name of the post:	Sub Divisional Soil Conservation Officer
2.	Number of posts:	21 (Twenty one)
3.	Classification:	Class-I (Gazetted) (Non-Ministerial Services)
4.	Scale of pay:	<p>(I) Pay band for regular incumbent(s): ₹ 10300-34800+5000 Grade Pay</p> <p>(II) Emoluments for Contractual Employee(s): ₹ 15,300/- per month as per details given in Col. No. 15-A.</p>
5.	Whether "Selection" post or "Non-Selection" post;	Selection.
6.	Age for direct recruitment :	<p>18 to 45 years:</p> <p>Provided that the upper age limit for direct recruits shall 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 or on contract basis had become overage 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 Caste/ Scheduled 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 employee of all the Public Sector Corporations and Autonomous Bodies who happened to be Government Servants before absorption in Public Sector Corporation/ Autonomous Bodies at the time of initial constitution of such Corporations/ Autonomous Bodies shall be allowed age concession in direct</p>

		<p>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 Corporation/Autonomous Bodies and are/were finally absorbed in the service of such Corporation/Autonomous bodies after initial constitution of the Public Sector Corporation/Autonomous Bodies.</p> <p><u>Note:-</u> 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 Exchange, as the case may be.</p>
7.	Minimum Educational and other Qualifications required for direct recruit(s):	<p>(a) <u>Essential Qualification:</u></p> <p>B.E. /B. Tech. Degree in Agriculture Engineering or Civil Engineering from a recognized university.</p> <p>(b) <u>Desirable Qualifications:</u></p> <p>(i) Master Degree in Agriculture Engineering from a recognized University.</p> <p>(ii) Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar condition prevailing in Himachal Pradesh.</p>
8.	Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s):	<p>Age : Not applicable</p> <p>Educational Qualifications: Not applicable</p>
9.	Period of probation, if any:	<p>i) Direct Recruitment/ Promotion:</p> <p>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.</p> <p>b) No probation in the case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.</p> <p>ii) Placement: No probation</p>

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:	i) 33⅓ % by Direct Recruitment on regular basis or by recruitment on contract basis, as the case may be. ii) 33⅓ % by promotion. iii) 33⅓ % by placement.
11.	In case of recruitment by promotion/ secondment/ transfer, grade(s) from which promotion/ secondment/ transfer is to be made:	i) 33⅓ % by promotion from amongst Junior Engineers (Degree holder) with three years' regular service or regular combined with continuous adhoc service if any, rendered in the grade and Junior Engineers (Diploma Holder) with seven years regular service or regular combined with continuous adhoc service if any, rendered in the grade in the percentage of 50:50 respectively. ii) 33⅓ % by placement from the common cadre of Agriculture Development Officers – Subject Matter Specialist or its equivalent. For the purpose of placement/promotion/direct recruitment, the following 6 points roster shall be followed:- <ol style="list-style-type: none"> 1. ADO(By placement) 2. Junior Engineer (Degree) 3. Direct 4. ADO(By placement) 5. Junior Engineer (Diploma) 6. Direct The roster will be rotated after every 6 points.
	(I) Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/Difficult/Hard areas and remote/rural 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 except posting/ transfer in remote/rural area. However, this condition of five years	

shall not be applicable in cases of promotion:

Provided further that Officers/Officials who have not served atleast one tenure in Tribal/Difficult/Hard areas and remote/rural areas shall be transferred to such area strictly in accordance with his/her seniority in respective cadre.

Explanation I:- For the purpose of proviso I supra the “term” in Tribal/Difficult areas/Hard areas/ remote/rural areas shall mean normally three years or less period of posting in such areas keeping in view the administrative exigencies/ convenience.

Explanation II:- For the purpose of proviso I supra the Tribal/Difficult Areas shall be as under:-

1. District Lahaul & Spiti.
2. Pangi and Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Mathyani, 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.

Explanation III:- For the purpose of proviso(I) supra the Remote/Rural Areas shall be as under:

- (i) All stations beyond the radius of 20 Kms. from Sub Division/Tehsil headquarter.
- (ii) All stations beyond the radius of 15 Kms. from State Headquarter and District head quarters where bus service is not available and on foot journey is more than 3 (three) Kms.

- (iii) Home town or area adjoining to area of home town within the radius of 20 Kms. of the employee regardless of its category.

(II) 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 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:

- (i) 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 further 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 Service) 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 H.P. Technical Services) Rules, 1985 and having been given the benefit of seniority there under.

- (ii) Similarly, in all cases of confirmation, continuous adhoc service rendered on the feeder post if any, prior to the regular appointment against such post 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 R&P Rules:

Provided that inter-seniority as a result of confirmation after taking

	into account, adhoc service rendered shall remain unchanged.	
12.	If a Departmental Promotion/ Confirmation Committee exists, what is its composition:	<p>(a) <u>Departmental Promotion Committee:</u></p> <p>i) <u>For promotion:</u> DPC to be presided over by the Chairman, Himachal Pradesh Public Service Commission or a Member there to be nominated by him.</p> <p>ii) <u>For placement:</u> As may be constituted by the Government from time to time.</p> <p>(b) <u>Departmental Confirmation Committee:</u> As may be constituted by the Government from time to time.</p>
13.	Circumstances under which the Himachal Pradesh Public Service Commission (HPPSC) is to be consulted in making recruitment:	As required under the Law.
14.	Essential requirement for a 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 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></p> <p>(a) Under this rule, the Sub Divisional Soil Conservation Officer, Class-I (Gazetted) will be engaged on contract basis initially for one year, which may be extendable on year to year basis:</p> <p>Provided that for 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 his period of contract is to be renewed/extended.</p> <p>(b) <u>POST FALLS WITHIN THE PURVIEW OF HPPSC:-</u></p> <p>The ACS/Pr. Secretary/ Secretary Agriculture to the Govt. of H.P. after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. 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></p> <p>The Sub Divisional Soil Conservation Officer Class-I (Gazetted) appointed on contract basis will be paid consolidated fixed amount @ Rs.15300/-per month (which shall be equal to minimum of the pay band + grade pay). An amount of Rs. 459/- (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.</p>
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(III) APPOINTING/DISCIPLINARY AUTHORITY.

The ACS/Principal Secretary/Secretary (Agr.) to the Govt. of Himachal Pradesh will be the 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 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.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:-

As may be constituted by the concerned recruiting agency i.e. HPPSC 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 contract appointee will be paid fixed contractual amount @ Rs. 15300/- 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 @ Rs. 459/- (3% of the minimum of the pay band + grade pay of the post) for further extended years and no other allied benefits such as senior / selection scale etc. will be given.

(b)The service of the contract appointee will be purely on temporarily 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 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 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 reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

Un-availed casual leave, medical leave and 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 service 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 ground such period shall not be excluded while considering his/her case for regularization, but the incumbent shall have to intimate the controlling authority well in time. However, Contractual Officers shall not be entitled for any 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 officer appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever

		<p>required on administrative grounds.</p> <p>(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 shall be re-examined for the fitness from an authorized Medical Officer/Practitioner.</p> <p>(g) Contractual officer 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 officer at the minimum of pay scale.</p> <p>(h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension Rules and 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 service shall pass a Departmental Examination as prescribed in the Himachal Pradesh Departmental Examination Rule, 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 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
SUB DIVISIONAL SOIL CONSERVATION OFFICER AND THE
GOVERNMENT OF H.P. THROUGH THE ACS/PR. SECY/SECY
(AGRICULTURE) TO THE GOVERNMENT OF HIMACHAL PRADESH.**

This agreement is made on this.....day of in the
year.....Between Shri/Smt.....S/o, D/o Shri.
.....R/o.....

..... contract appointee (hereinafter called the FIRST PARTY), AND The Governor,
Himachal Pradesh through ACS/Pr. Secy./Secy (Agriculture) to the Govt. of Himachal
Pradesh, Shimla-2 (here-in-after referred to as the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the
FIRST PARTY has agreed to serve as a Sub Divisional Soil Conservation Officer (Non
Ministerial Services) on contract basis on the following terms & conditions: -

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a
Sub Divisional Soil Conservation Officer for a period of 1 year commencing on the
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 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 contractual amount of the FIRST PARTY will be Rs...../- per month.
- 3 The service of the FIRST PARTY will be purely on temporarily basis. The
appointment is liable to be terminated in case the performance/conduct of the contract
appointee is not found satisfactory.
- 4 The Contractual Sub Divisional Soil Conservation Officer 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 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 reimbursement and LTC etc. No leave of any other kind except above is
admissible to the contract appointee.

Un-availed casual leave, medical leave and special leave can be
accumulated upto the calendar year and will not be carried forwarded 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 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, 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 prevailing instructions of the Government.

6. An officer appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based 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 candidates pregnant beyond twelve weeks will render her temporarily unfit until the confinement is over. The women candidate shall be re-examined for fitness from an authorized Medical Officer/Practitioner.
8. Contractual officer 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 the regular counter-part officer 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:

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

(Signature of the FIRST PARTY)

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

(Signature of the SECOND PARTY)

Endst. No. Agr.H (I) (B) 15-11/2018

Dated Shimla-5, the

MAR 2018

Copy forwarded to All the Controlling Officer/Head Offices of Agriculture Department H.P.


Director of Agriculture,
Himachal Pradesh.