

222

Authoritative English text of this Government Notification No. Agr.-A(3)-3/2005,  
dated 2.1.2010 as required under Article 348 (3) of the Constitution of India.

**Government of Himachal Pradesh  
Department of Agriculture**

No. Agr.-A(3)-3/2005

Dated Shimla-2, the 2.1.2010

**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 H.P. Public Service Commission is pleased to make the Recruitment & Promotion Rules for the post of Junior Engineer, Class-III (Non-Gazetted) in the Department of Agriculture, HP as per Annexure-A attached to this notification, namely :-

- |                              |   |      |  |
|------------------------------|---|------|--|
| Short title and Commencement | 1 | (i)  | These rules may be called the Himachal Pradesh Agriculture Department, Junior Engineer, Class-III (Non-Gazetted), Recruitment & Promotion Rules, 2009  |
|                              |   | (ii) | These rules shall come into force from the date of their publication in Rajpatra, HP.  |
| Repeal and Savings           | 2 | (i)  | The Himachal Pradesh Agriculture Department Junior Engineer, class-III (Non-Gazetted) R&P Rules, 1995 notified vide notification No. Agr.B(14)-2/91 dated 11.7.1995 are hereby repealed.   |
|                              |   | (ii) | Notwithstanding such repeal any appointment made or anything done or any action taken under the rules so repealed under sub-rule(i) <del>supra shall be deemed to have been validly made, done or taken under these rules.</del> |

By Order.

Secretary (Agr.) to the  
Government of Himachal Pradesh

Dated Shimla-2, 2.1.2010

Endst. No.: As above.

Copy is forwarded to the following:-

1. The Pr. Secretary(Finance) to the Govt. of H.P. Shimla-2
2. The Pr. Secretary(Pers.) to the Govt. of H.P. Shimla-2
3. The Special Secretary(GAD-C) to the Govt. of H.P.
4. Secretary, HP Public Service Commission, Shimla-2 w.r.t. his letter No. 1-6/98-PSC-Part Dated 29.10.09.
5. Sr. Law Officer, Law Department, H.P. Sectt. Shimla-2
6. The Director of Agriculture, H.P., Shimla-5
7. The Controller, P&S, Shimla-5 for publication in the Rajpatra.

Deputy Secretary (Agr.) to the  
Government of Himachal Pradesh

**"Annexure-A".**

**RECRUITMENT & PROMOTION RULES FOR THE POST OF JUNIOR ENGINEER (NON GAZETTED) CLASS-III IN THE DEPARTMENT OF AGRICULTURE, HIMACHAL PRADESH.**

1	Name of the post	:	Junior Engineer
2	Number of posts	:	83(Eighty three)
3	Classification	:	Class-III (Non-Gazetted) Non Ministerial Service
4	Scale of pay	:	i) Pay scale for regular incumbents Rs. 5800-200-7000-220-8100-275-9200. ii) Emoluments for contracts employees (Rs. 5800+2900=8700 as per detail given in col. No. 15-A)
5	Whether Selection post or non-selection post	:	Non Selection
6	Age for direct recruitment	:	Between 18 & 45 years

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Govt. including those who have been appointed on adhoc or on contract basis.

Provided further that if a candidate appointed on adhoc basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such adhoc or contract appointment.

~~Provided further that upper age limit or relaxation 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 Govt. servants before absorption in Public Sector Corporation/Autonomous Bodies at the time of initial constitutions of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Govt. servants. This concession will not, however, be admissible to such staff of the Public Sector Corporation/Autonomous Bodies who were/are subsequently appointed by such Corporation/Autonomous Bodies and who are/were finally absorbed in the service of such corporations/Autonomous Bodies after initial constitutions of the Public Sector Corporations/Autonomous Bodies.

- i. 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.
- ii. Age and experience in the case of direct recruitment relax-able at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

7	Minimum Educational & other qualifications required for direct	a) <b>ESSENTIAL:-</b> Degree in Agriculture Engineering/Civil Engineering or diploma in Civil
---	--	---



	recruitment.	Engineering. <b>b) DESIRABLE QUALIFICATION:-</b> Knowledge of customs, manners and dialects of H.P. and suitability for appointment in the peculiar conditions prevailing in the Pradesh.
8	Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees	i) <b>AGE.....</b> <b>N.A.....</b> ii) <b>EDUCATIONAL QUALIFICATION.....</b> <b>N.A....</b>
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 posts to be filled in by various methods.	(i) 25% by direct recruitment on a regular basis or by recruitment on contract basis. (ii) 25% batch-wise basis or by recruitment on regular basis or by recruitment on contract basis. (iii) 50% by promotion failing which by direct recruitment on regular basis or by recruitment on contract basis.  The contract employees will get emoluments as given in column No. 15(A) and will be governed by service conditions as specified in the said column.
11	In case of recruitment by promotion, deputation, transfer, grade from which promotion/deputation/transfer is to be made.	By promotion from amongst the Surveyors who possess 8 years, regular service or regular combined with continuous adhoc service rendered if any in the grade. 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 less service, or 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 I supra the "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 I supra, the Tribal/Difficult Areas shall be as under:-

- a. District Lahaul & Spiti.
- b. Pangi and Bharmour Sub Division of Chamba District.
- c. Dodra Kwar Area of Rohru Sub-Division.
- d. Pandrah Bis Pargana, Mupish Darkali and Gram Panchayat Kasapat, Gram Panchyats of Rampur Tehsil of District Shimla.
- e. Pandrah Bis Pargana of Kullu District.
- f. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
- g. District Kinnaur.
- h. 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.

Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussain, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Traillia, Ropa, Kathog, Sidh-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.
--	---

(1) 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 being made after following proper acceptable process of selection in accordance with the provision 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 followed by regular service/appointment) in the feeder post in view of the provisions referred to above, all persons senior to him/her 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 the 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 the Ex-Serviceman (Reservation of Vacancies in the H.P. Technical Services) Rules, 1985 and having been given the benefit of seniority there under.

(2) 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 & in accordance with the provision of the R&P 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.		
12	If a Departmental Promotion Committee exists, what is its composition;	As may be constituted by the Govt. from time to time.
13	Circumstances under which the HPPSC 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 viva-voca test if H.P. 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.
15-A	Selection for appointment to the post by contract appointment	<p>Notwithstanding anything contained in these rules, contract appointments to the post shall be made subject to the terms and conditions given below:-</p> <p><b>(I) CONCEPT:-</b></p> <p>(a) Under this policy, the post of Jr. Engineer in the Agriculture Department H.P. will be engaged on contract basis initially for one year, which may be extendable on year to year basis.</p> <p><b>(b) Post Falls with in the purview of HPSSSB.</b> The Director of Agriculture, H.P. after obtaining the approval of the Govt. to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur.</p> <p>(c) The selection will be made in accordance with the eligibility condition prescribed in these Rules.</p> <p><b>(II) CONTRACTUAL EMOLUMENTS:-</b> The Jr. Engineer appointed on contract basis will be paid consolidated and contractual amount @ Rs. 8700/- PM An amount of Rs. 200/- (equal to the annual increase in minimum/initial start of pay scale of the post) as annual increase in contractual emoluments for the subsequent</p>

year(s) will be allowed if contract is extended beyond one year.

**(III) APPOINTING/DISCIPLINARY AUTHORITY:-**

The Director of Agriculture, HP will be the appointing and disciplinary authority.

**(IV) SELECTIONS PROCESS:-**

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voca test or if considered necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting agency i.e. HPSSSB, Hamirpur

**(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:-**

As may be constituted by the concerned recruiting agency i.e the H.P. Subordinate Service Selection Board, Hamirpur for direct recruitment and for batch wise recruitment 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. 8700/- PM (which shall be equal to the initial of pay scale + dearness pay The contract appointee will be entitled for increase in contractual amount @ Rs.200/-(equal to annual increase in the minimum initial start of the pay scale of the post) for further extended years and no other allied benefit such as senior/selection scale etc will be given.
- (b) The services 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) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He/She shall not be entitled for Medical Reimbursement & LTC etc. Only Maternity Leave will be given as per rules.
- (d) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the Contract. Contract



		<p>appointee shall not be entitled for contractual amount for the period of absence from duty.</p> <p>(e) Transfer of a contract appointee will not be permitted from one place to another in any case.</p> <p>(f) Selected candidate will have to submit a certificate of his/her fitness from a Govt./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 the fitness from an authorized Medical Officer/Practitioner.</p> <p>(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 officials at the minimum of the pay scale.</p> <p>(h) Provision of service rules like FR, SP, 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. They will be entitled for emoluments etc. as detailed in this Column.</p>
16	Reservation	The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Tribes/Other Backward Classes/Other Categories of persons issued by the H.P. Govt. from time to time.
17	Departmental Examination	N.A.
18	Powers of Relax	Where the State Govt. is of the opinion that it is necessary or expedient to do so, it may be order for reasons to be recorded in writing and in consultation with the HPPSC relax any of the provisions of these Rules with respect to any class or category of persons or posts.