

13. परिस्थितियां जिन में हिमाचल प्रदेश लोक सेवा आयोग से भर्ती करने के लिए परामर्श लिया जाना है। जैसा विधि द्वारा अपेक्षित हो।
14. सीधी भर्ती किये जाने वाले व्यक्तियों के लिए अनिवार्य अपेक्षा। लागू नहीं।
15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन। लागू नहीं।
16. आरक्षण उक्त सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/अन्य पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिये सेवा में आरक्षण की बाबत जारी किये गये अनुदेशों के अधीन होगी।
17. विभागीय परीक्षा सेवा में प्रत्येक सदस्य को विभागीय परीक्षा नियम, 1997 में यथाविहित विभागीय परीक्षा पास करनी होगी।
18. शिथिल करने की शक्ति जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां यह कारणों को लिखित में अभिलिखित करके, और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की बाबत, शिथिल कर सकेगी।

[Authoritative English text of this Department Notification No. Home-B(A) 3-3/2006, dated 3-11-2006 as required under clause (3) of Article 348 of the Constitution of India].

HOME DEPARTMENT

NOTIFICATION

Shimla-2, the 3rd November, 2006

No. Home-B(A) 3-3/2006.—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 Administrative Officer (Class-I Gazetted), in the Office of Advocate General, Himachal Pradesh as per Annexure-“A” attached to this Notification, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Advocate General Office Administrative Officer (Class-I, Gazetted) Recruitment and Promotion Rules, 2006.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

By order,

S. VIJAY KUMAR,
Principal Secretary (Home).

ANNEXURE-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ADMINISTRATIVE OFFICER CLASS-I (GAZETTED) IN THE OFFICE OF ADVOCATE GENERAL, HIMACHAL PRADESH

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|---|--|
| 1. Name of the post | Administrative Officer |
| 2. Number of post (s) | 1 (One) |
| 3. Classification | Class-I (Gazetted) (Ministerial Services). |
| 4. Scale of pay | Rs. 7880-220-8100-275-10300-340-11660. |
| 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 recruit(s). | <i>Essential Qualification(s)</i> :
Not applicable.

<i>Desirable Qualification(s)</i> :
Not applicable. |
| 8. Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s). | <i>Age</i> : Not applicable
<i>Educational Qualification</i> : 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(s) of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of post(s) 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 Superintendent Grade-I with three years services regular or regular combined with continuous <i>ad hoc</i> service rendered if any, in the grade. |

(1) In all cases of promotion, the continuous *ad hoc* service rendered in the feeder post, if any, prior to the 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 *ad hoc* appointment/promotion in the feeder category

had been made after following proper acceptable process of selection in accordance with the provisions of Recruitment and Promotion Rules:

Provided that in all cases where a junior person becomes eligible for consideration by virtue of his/her total length of service (including the service rendered on *ad hoc* 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 atleast 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 preceding proviso, the person(s) junior to him/her shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbent(s) ineligible for the consideration for promotion if the senior ineligible person(s) happened to be Ex-serviceman 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 the Ex-serviceman (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, *ad hoc* service rendered on the feeder post, if any, prior to the regular appointment/promotion against such post shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provisions of the Recruitment and Promotion Rules :

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

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 Himachal Pradesh Public Service Commission is to be consulted in making recruitment. As required under the law
14. Essential requirement for a direct recruitment. Not applicable
15. Selection for appointment to the post by direct recruitment. Not applicable
16. Reservation The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Other Back ward 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 Himachal Pradesh Departmental Examination Rules, 1997.
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 provisions of these Rules with respect to any class or category of person(s) or post(s).