

Provided that the upper age limits for direct recruits will not be applicable to the candidates already in service of the government including those who have been appointed on *ad hoc* or on contract basis :

Provided further that if a candidate appointed on *ad hoc* 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 *ad hoc* or contract appointment :

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other categories of person to the extent permissible under the general or special orders of the Himachal Pradesh Government :

Provided further that the employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in the public sector Corporation/Autonomous bodies at the time of initial constitution of such corporation/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 and are/were finally absorbed in the service of such corporation / Autonomous bodies after initial constitution of the public sector corporations/autonomous bodies.

Note-1.—Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) are advertised for inviting applications or notified to the Employment Exchange as the case may be.

Note-2.—Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission in case of the candidate otherwise well qualified.

Essential:—(i) Professional Degree in Law from recognised University in India or its equivalent.

(ii) Seven years practice as an Advocate or a District

ANNEXURE I

Recruitment and Promotion Rules for the post of Assistant Advocate-General (Class-I) in the Department of Home Office of the Advocate-General, State of Himachal Pradesh)

1. Name of the post	Assistant Advocate-General
2. Number of posts	Four (4)
3. Classification	Class-I (Gazetted)
4. Scale of pay	Rs. 2000—2300
5. Whether selection or non-selection post	Selection

7. Minimum educational and other qualifications required for direct recruitment.

Attorney fulfilling the qualifications prescribed in sub-section (5) of Section 24 of Code of Criminal Procedure.

Desirable Qualifications :

Knowledge of customs, manner and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

Age : No
E.Q. Yes

8. Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees.

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, transfer and the percentage of vacancies to be filled in by various methods.

50% by promotion, and 50% by direct recruitment.

11. In case of recruitment by promotion, deputation/transfer, grades from which promotion/deputation/transfer is to be made.

By promotion from amongst the Law Officers having at least 7 years regular service or regular service combined with *ad hoc* (rendered upto 31-12-1983, if any, in the office of Advocate General, H.P.) service in the grade.

Note.—In all cases of promotion *ad hoc* service rendered in the feeder post upto 31-12-1983, 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 :—

(a) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* service rendered upto 31-12-1983) 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 persons 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 & 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 shall also become eligible for consideration for such promotion.

(b) Similarly, in all cases of confirmation, *ad hoc* service rendered in the post upto 31-12-1983 if any, prior to the regular appointment against such post shall be taken into account towards the length of service :

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

(c) *Ad hoc* service rendered after 31-12-1983 shall not be taken into account for confirmation/promotion purposes.

Note-2.—Provisions of Rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under Rule 2 are increased. To be presided by the Chairman, H. P. Public Service Commission or a Member thereof, to be nominated by him.

12. If a Departmental Promotion Committee exists, what is its composition.

13. Circumstances under which the H.P. P.S.C. is to be consulted in making recruitment.

14. Essential requirements for a direct recruit.

As required under the Law.

A candidate for appointment to any service or post must be :—

- A citizen of India, or
- A subject of Nepal, or
- A subject of Bhutan, or
- A Tibetan refugee who crossed over to India before the 1st January, 1962, with the intention of permanently settling in India.
- A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanent settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Govt. of India.

A candidate in whose case a certificate of eligibility necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government 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 voce test; and 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 a 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 this service shall be subject to orders regarding reservation in the services for scheduled Castes/Scheduled Tribes/Backward Classes or other categories of persons issued by the H. P. Government from time to time.

17. Power to relax

Where the State Government is of the opinion that it is necessary or expedient so to do, it may be 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 persons or posts.

18. Departmental Examination.

(1) Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination 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 purposes of (i) Crossing the efficiency bar next due and (ii) Confirmation in the service after completion of probationary period.

(2) An officer on promotion to the 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.

(3) The Government may in consultation with the H.P. Public Service Commission, grant in exceptional circumstances and for the reasons to be reduced to writing, exemption in accordance with the Departmental Examination Rules, to any class or category of persons from the departmental examination in whole or in part provided the such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

By order,
KANWAR SHAMSHER SINGH,
Commissioner-cum-secy.