

(Authoritative English Text of the Department Notification No. Per (AP)-C-A (3)-2/2016, dated 24-07-2017 as required under clause (3) of article 348 of the Constitution of India).

Government of Himachal Pradesh  
Department of Personnel (AP-III)

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No. Per (AP)-C-A (3)-2/2016

Dated: Shimla-171002,

24-07-2017.

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 Common Recruitment and Promotion Rules for the post of Clerk, Class-III (Non-Gazetted) Ministerial Services in various Departments of the Government of Himachal Pradesh as per Annexure-"A" attached to this notification, namely:-

Short title,  
commencement and  
application.

1. (1) These rules may be called the Himachal Pradesh, Department of Personnel, Clerk, Class-III (Non-Gazetted), Ministerial Services, Common Recruitment and Promotion Rules, 2017.
- (2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.
- (3) These rules shall be applicable to all the Government Departments of Himachal Pradesh, except Vidhan Sabha Secretariat, High Court of H.P. and H.P. Public Service Commission.

Repeal and savings

2. (1) The Himachal Pradesh, Department of Personnel, Clerk Class-III (Non-Gazetted), Ministerial Services, Common Recruitment and Promotion Rules, 2014 notified vide this Department Notification No.PER.(AP)-C-A(3)-7/2011, dated 15.05.2014, and published in the Rajpatra of Himachal Pradesh on 29<sup>th</sup> May, 2014 are hereby repealed.
- (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub-rule (1) supra, shall be deemed to have been validly made or done or taken under these rules.

By order,

(Tarun Shiridhar)  
Addl. Chief Secretary (Personnel) to the  
Government of Himachal Pradesh.

## Annexure-"A"

### Common Recruitment & Promotion Rules for the posts of Clerk, Class-III (Non-Gazetted) Ministerial Services in various Departments of Himachal Pradesh Government

1. Name of Post : Clerk
2. Number of Posts : As sanctioned and may be sanctioned by the Government from time to time in the concerned Departments.
3. Classification : Class-III (Non-Gazetted) Ministerial Services.
4. Scale of Pay :
  - (i) Pay Band for regular incumbent(s):  
Pay Band- ₹ 5910-20200/- + ₹ 1900/- Grade Pay ✓
  - (ii) Pay Band after two years of regular service:  
Pay Band- ₹ 10300-34800/- + ₹ 3200/- Grade Pay
  - (iii) Pay Band- ₹ 10300-34800/- + ₹ 3600/- Grade Pay to be given to the 50% of the total number of posts of Clerks in the cadre after minimum 5 years of regular service as Clerk in the cadre and the incumbent of these posts shall be designated as Junior Assistant by placement.
  - (iv) Emoluments for Contract Employee(s):  
₹ 7810/- as per details given in Col. No. 15-A.
5. Whether "Selection" Post or "Non-Selection" Post : Non-Selection.
6. Age for direct recruitment : Between 18 to 45 years:

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

Provided further that if a candidate appointed on adhoc or on contract basis had become over-age 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:

Provided further that upper age limit is relaxable for Scheduled Castes/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:

Provided further that the employees of all the Public Sector Corporations and Autonomous Bodies who happened to be Government Servant before absorption in Public Sector Corporations/Autonomous Bodies at the time of initial constitution of such Corporations/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 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 constitution of the Public Sector Corporations/Autonomous Bodies.

Note: 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, as the case may be.

7. Minimum Educational and other qualifications required for direct recruit(s):
- a) ESSENTIAL QUALIFICATION :
- (i) Should have passed 10+2 Examination or its equivalent from a recognized Board of School Education/University.
  - (ii) Should possess a minimum speed of 30 words per minute in English typewriting or 25 words per minute in Hindi typewriting on Computer:

Provided that visually impaired persons recruited under 1% quota shall be imparted necessary basic training including computer training by the Department concerned through Composite Regional Centre (CRC), Sundernagar or NIVH, Dehradun or CTC, Ludhiana instead of passing typing test. They shall have to complete the above training during which three chances will be afforded. If the



incumbent fails to qualify the same his /her services shall be terminated. However, the incumbents already in the service shall be afforded sufficient number of chances to complete the aforesaid training.

Provided further that physically handicapped persons who are otherwise qualified to hold clerical post as certified being unable to type, by the Medical Board may be exempted from passing the typing test. The term, physically handicapped persons does not cover those who are visually handicapped or who are hearing handicapped but cover only those whose physical disability/ deformity permanently prevents them from typing.

The above criteria for grant of exemption from passing the typing test shall also be applicable to the Skill Test Norms on Computers.

iii) Should have the knowledge of 'Word Processing' in Computer as prescribed by the Recruiting Authority.

b) DESIRABLE QUALIFICATION (S):

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

8. Whether age and educational qualification (s) prescribed for direct recruit(s) will apply in the case of the promote(s):

Age : Not Applicable.

Educational Qualifications } Yes. As prescribed in Col. No. 7. above & in Column No. 11 below.

9. Period of Probation, if any :

Direct recruitment/Promotion.

- (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.
- (b) No probation in case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.

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) 70% by direct recruitment on 'regular' basis or by recruitment on contract basis, as the case may be.
- ii) 20% by Limited Direct Recruitment from amongst the 'regular' Class-IV officials possessing 10+2 qualification, through competitive examination to be conducted by the H.P. Staff Selection Commission, Hamirpur, having five years regular service OR regular combined with continuous service rendered on daily wages or on contract basis, failing which by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be.
- iii) 10% by promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be:

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

i) 20% by limited direct recruitment from amongst the 'regular' Class-IV officials possessing 10+2 qualification through competitive examination to be conducted by the Himachal Pradesh Staff Selection Commission, Hamirpur, having five years regular service OR regular combined with continuous service rendered on daily wages or on contract basis. The eligible Class-IV officials will also qualify the typing test with the minimum speed of 25 words per minute in English Typewriting OR 20 words per minute in Hindi Typewriting on Computer to be conducted by the Staff Selection Commission, Hamirpur.

ii) 10% by promotion from amongst the Class-IV officials who have passed 10+2 examination or its equivalent from a recognized Board of School Education/ University and possess five years regular service or regular combined with continuous adhoc service rendered, if any, in the grade:

Provided that such Class-IV officials having qualification of Matric or its equivalent, shall not be rendered ineligible for promotion to the post of Clerk against 10% quota, who were in the cadre of Class-IV after attaining the age of 50 years:

Provided further that all the Class-IV officials so promoted as Clerks will qualify the typing test with a minimum speed of 25 words per minute in English Typewriting or 20 words per minute in Hindi Typewriting on computer within the probation period which will be conducted by the concerned Departments and the incumbents will get three chances during the probation period. If the candidate fails to qualify the typing test within the prescribed period, his probation period will be extended. During this period the incumbents will get one more chance. If the candidate



still fails to qualify the typing test in the extended period, he will be reverted from Clerk to Class-IV post.

For the purpose of promotion a combined seniority of eligible Class-IV officials on the basis of length of service without disturbing their cadre wise inter-se-seniority shall be prescribed.

Provided that for filling up the posts of Clerk the following 10 points recruitment roster shall be followed:-

Roster Point No.	Category
1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> , 6 <sup>th</sup> , 7 <sup>th</sup> , & 8 <sup>th</sup>	Direct recruit
5 <sup>th</sup> & 10 <sup>th</sup>	Limited Direct recruit
9 <sup>th</sup>	Promotee

Note:- The roster will be rotated after every 10 points till the prescribed percentage is achieved where after the point vacated will be filled up from the respective category to which the point belongs.

(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 Officer/Official who has 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 the respective cadre.

**Explanation I:-** For the purpose of proviso (I) supra the "term" in Tribal/Difficult/Hard area/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 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 conditions 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 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 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 thereunder or recruited under the provisions of rule-3 of Ex-Servicemen (Reservation of vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of seniority thereunder.

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

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

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| 12. | If a Departmental Promotion Committee exists, what is its composition:  | <u>Departmental Promotion/Confirmation Committee:</u><br><br>As may be constituted by the Govt. from time to time.                             |
| 13. | Circumstances under which the Himachal Pradesh Public Service Commission (H.P.P.S.C.) 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 the post by direct recruitment:  | Selection for appointment to the post in the case of direct recruitment shall be made on the basis of merit of written examination followed by |

evaluation as specified in **Appendix-I** appended to these rules, or if the Himachal Pradesh Public Service Commission or other recruiting agency/authority, as the case may be, so considers necessary or expedient on the basis of merit of written examination followed by evaluation as specified in **Appendix-I** appended to these Rules, preceded by a screening test (objective type) or practical test or skill test or physical test, the standard/ syllabus, etc. of which, will be determined by the Himachal Pradesh Public Service Commission/other recruiting agency/authority, as the case may be.

**15-A      Selection for appointment to the post by contract appointment :**

Notwithstanding anything contained in these rules, contract appointment to the post will be made subject to the terms and conditions given below:-

**(I) CONCEPT:**

- (a) Under this policy the Clerk in the Department \_\_\_\_\_ (Name of the Department) H.P. will be engaged on contract basis initially for one year, which may be extendable on year to year basis:

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.

- (b) The HOD (Designation of the appointing authority) 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/Himachal Pradesh Staff Selection Commission, Hamirpur.

- (c) The selection will be made in accordance with the eligibility conditions prescribed in these rules.

**(II) CONTRACTUAL EMOLUMENTS**

The Clerk appointed on contract basis will be paid consolidated fixed contractual amount @ ₹7810/-P.M (which shall be equal to minimum of the pay band+grade pay). An amount of ₹ 234/-(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.

**(III) APPOINTING/DISCIPLINARY AUTHORITY**

The Head of the Department (Designation of the appointing authority) will be the appointing & disciplinary authority.

**(IV) SELECTION PROCESS:**

Selection for appointment to the post in the case of contract appointment shall be made on the basis of merit of written examination followed by evaluation as specified in Appendix-I appended to these rules, or if considered necessary or expedient on the basis of merit of written examination followed by evaluation as specified in **Appendix-I** appended to these rules, preceded by a screening test (objective type) or practical test or skill test or physical test, the standard/ syllabus, etc. of which, will be determined by the concerned recruiting agency i.e. Himachal Pradesh Staff Selection Commission Hamirpur.

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

As may be constituted by the concerned recruiting agency i.e. Himachal Pradesh Staff Selection Commission, Hamirpur, from time to time.



**(VI) AGREEMENT:**

After selection of a candidate, he/she shall sign an agreement as per Appendix-"II" appended to these rules.

**(VII) TERMS AND CONDITIONS:**

- (a) The contractual appointee will be paid fixed contractual amount @ ₹ 7810/- P.M (which shall be equal to minimum of the pay band + grade pay). The contract appointee will be entitled for increase in contractual amount @ ₹234/-(3% of minimum of the pay band + grade pay of the post) for further extended years and no other allied benefits such as senior/selection scales etc. will be given.
- (b) The service 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) The contract appointee 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 135 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 re-imburement 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 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 un-authorized 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 per prevailing instructions of the Government.

- (e) An official 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.
- (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 fitness from an authorized Medical Officer/ Practitioner.
- (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 counter part official at the minimum of pay scale.
- (h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension Rules & 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).

- 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:      Not Applicable.
- 18      Power to Relax:      Where the State Govt. 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. 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).

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