

**FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT**

**NOTIFICATION**

*Shimla-171002, the 31st December, 2014*

**No. FDS-A(3)-1/2009.**—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Inspector Grade-I, Class-III, (Non-Gazetted) in the Himachal Pradesh Food, Civil Supplies and Consumer Affairs Department as per Annexure-“A” attached to this notification, namely:—

**1. Short title and commencement.**—(1) These rules may be called the Himachal Pradesh Food, Civil Supplies and Consumer Affairs Department Inspector Grade-I, Class-III, (Non-Gazetted), Recruitment and Promotion Rules, 2014.

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

**2. Repeal and Savings.**—(1) The Himachal Pradesh Food, Civil Supplies & Consumer Affairs Department, Inspector Grade-I, Class-III (Non-Gazetted) Recruitment and promotion Rules, 2007 notified vide notification No. FDS-A(1)(3)-11/86-III dated 21st May, 2007 and as amended from time to time are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or any thing done or any action taken under the rules so repealed under rule-2(1) supra shall be deemed to have been validly made, done or taken under these rules.

By order,  
R. D. DHIMAN  
*Principal Secretary (FCS&CA).*

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF INSPECTOR GRADE-I, CLASS-III, (NON-GAZETTED) IN THE DEPARTMENT OF FOOD CIVIL SUPPLIES & CONSUMER AFFAIRS, HIMACHAL PRADESH**

1. **Name of the Post.**— Inspector Grade-I.
2. **Number of Post(s).**—83 (Eighty Three).
3. **Classification.**—Class -III (Non-Gazetted).
4. **Scale of Pay.**—(i) **Pay Scale for regular incumbents:** Pay Band ₹ 10300+34800+ ₹ 3600 Grade Pay  
(ii) **Emoluments for Contract employees.**— ₹ 13900/- as per details given in Col. 15-A.
5. **Whether "Selection" Post or "Non Selection post".**—Not applicable
6. **Age for direct recruitment.**—As may be prescribed for direct recruitment in the Himachal Pradesh Subordinate Allied Services/posts (Class-III) (Non-Gazetted) Direct Recruitment Rules, 2007, as amended from time to time.

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 basis 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 adhoc or contract appointment;

Provided further that the upper age limit is relaxable 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 Government servants before absorption in Public Sector/ Corporations/ Autonomous Bodies at the time of initial constitutions 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 Corporations/ 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.

- (1) 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.
- (2) Age and experience in the case of direct recruitment relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

**7. Minimum educational and other qualifications required for direct recruit(s).—(a) ESSENTIAL QUALIFICATIONS:** As may be prescribed for direct recruitment in the Himachal Pradesh Subordinate Allied Services/ posts (Class-III) (Non-Gazetted) Direct Recruitment Rules, 2007, as amended from time to time.

**(b) Desirable qualifications.**—Knowledge of customs, manners and dialects of Himachal Pradesh 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 promotee(s).—Age:** Not applicable

**Educational Qualification:** Yes, as prescribed in Col. 11 below.

**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, secondment, transfer and the percentage of posts to be filled in by various methods.**—(i) 75% by direct recruitment on regular basis or by recruitment on contract basis as the case may be.

(ii) 25% by transfer/placement.

**11. In case of recruitment by promotion, secondment, transfer, grade from which promotion /transfer is to be made.**—(a) By transfer/placement (strictly on the basis of seniority subject to fitness) from amongst the Common Clerical Cadre (which includes Clerks/Junior Assistants) who possess educational qualification of 10+2 with 5(five) years regular service or regular combined with continuous adhoc service, if any, Common Clerical Cadre.

.....20%

(b) By transfer/placement (strictly on the basis of seniority subject to fitness) from amongst the the Junior Scale Stenographer(s) who possess educational qualification of 10+2 with 05 years regular service or regular combined with continuous adhoc service, if any, in the grade.

.....05%

Provided that for the filling up the posts of Inspector Grade-I, the following 20 point roster shall be followed:—

Roster Point(s) No.	Category
1st, 5th, 9th & 13th	Common Clerical Cadre
17th	Junior Scale Stenographer
2nd, 3rd, 4th, 6th, 7th, 8th, 10th, 11th, 12th, 14th, 15th, 16th, 18th, 19th & 20th .	Direct Recruitment.

**Note.**—The roster will be rotated after every 20<sup>th</sup> vacancy till representation to all the categories is achieved up to the prescribed percentage in cadre of Inspector Grade-I. Thereafter the vacancy will be filled up from the category which vacates the post.

- (I) Provided that for the purpose of promotion every employee shall have to serve at least one term in the Tribal/Difficult areas subject to adequate number of post(s) available in such areas; Provided further that proviso supra (I) shall not be applicable in the case of those employees who have five years or less service, left for superannuation.

Provided further that Officers/Officials who have not served at least one tenure in Tribal/Difficult area shall be transferred to such areas 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 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:

1. District Lahaul & Spiti
  2. Pangi and Bharmour Sub-Divisions of Chamba District.
  3. Dodra Kawar Area of Rohru Sub-Division.
  4. Pandrah Bis Pargana, Munish Darkali and Kashapat Gram Panchayats of Rampur Bushahr Tehsil of Distt. Shimla.
  5. Pandra Bis Pargana of Tehsil Nirmand 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 Patwar Circles of Bali-Chowki sub-Tehsil. Jharwar, Kutgarh, Graman, Devgarh Trailla, Ropa, Kathog, Silh Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circles of Padhar Tehsil, Chiuni, Kalipar, Mangrah, Thach Bagra, North Magru and South Magru Patwar Circles of Thunag Teshil and Batwara Patwar Circle of Sunder Nagar Tehsil of Mandi District.
- (I) 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;

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 provision 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 3 years or that prescribed in the R&P 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 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 Ex-Servicemen (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, continuous adhoc 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 adhoc appointment /promotion had been made after proper selection and 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 Government from time to time.

**13. Circumstances under which the H.P.P.S.C. to be consulted in making recruitment.**—As required under the Law.

**14. Essential requirements 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 case of direct recruitment shall be made as per selection procedure given in Schedule-A attached to the Himachal Pradesh Subordinate Allied Services/posts (Class-III) (Non-Gazetted) Direct Recruitment Rules, 2007, as amended from time to time, by the Himachal Pradesh Public Service Commission.

**15(A) Selection for appointment to the post by contract appointment.**—Notwithstanding anything contained in these Rules, contract appointments to the post will be made subject to the terms and conditions given below:—

**(I) CONCEPT:**

- (a) Under this policy, the Inspector Grade-I, in the Department of Food, Civil Supplies and Consumer Affairs, 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) **POST FALLS WITHIN THE PURVIEW OF HPPSC.**—The Director, Food, Civil Supplies & Consumer Affairs after obtaining the approval of the Government to fill up the vacant post on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Public Service Commission.

(c) The selection will be made in accordance with the eligibility conditions prescribed in these R&P Rules.

**(II) CONTRACTUAL EMOLUMENTS:**

The Inspector Grade-I appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 13,900/- per month (which shall be minimum of the pay band + grade pay). An amount of Rs. 417/-(3% of the minimum of the pay band + grade pay of 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 Director, Food, Civil Supplies & Consumer Affairs, Himachal Pradesh will be Appointing and disciplinary authority.

**(IV) SELECTION PROCESS:**

Selection for appointment to the post in case of contract appointment shall be made as per selection procedure given in Schedule-A attached to the Himachal Pradesh Subordinate Allied Services/posts (Class-III) (Non-Gazetted) Direct Recruitment Rules, 2007, as amended from time to time, by the Himachal Pradesh Public Service Commission.

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

As may be constituted by the concerned recruiting agency i.e. H.P. Public Service Commission 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 & CONDITIONS:**

(a) The contractual appointee will be paid fixed contractual amount @ Rs. 13900/- per month (which shall be minimum of the pay band + grade pay) The contract appointee will be entitled for increase in contractual amount @ Rs. 417/-(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 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's casual leave after putting one month's service. However, the contract employees will also be entitled for 16 weeks Maternity Leave, 10 day's Medical Leave and 05 days Special Leave. He/she shall not be entitled for Medical Reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

Provided that the 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 candidates pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidates will be re-examined for the 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 rates as applicable to regular counter part officials 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 the case of contract appointees. They will be entitled for emoluments etc. as detailed in this Column.

**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 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 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).

FORM OF CONTRACT / AGREEMENT TO BE EXECUTED BETWEEN THE INSPECTOR GRADE-I AND THE GOVERNMENT OF HIMACHAL PRADESH THROUGH DIRECTOR, FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS, HIMACHAL PRADESH.

This agreement is made on this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ Between Sh./Smt.-----S/o/D/oShri-----

R/O \_\_\_\_\_

Contract appointee (hereinafter called the FIRST PARTY), The Governor of Himachal Pradesh through Director, Food, Civil Supplies & Consumer Affairs, Himachal Pradesh. (here-in-after referred to as the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid and the FIRST PARTY has agreed to serve as Inspector Grade-I on contract basis on the following terms and conditions:—

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Inspector Grade-I on contract basis for a period of one year commencing on 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 extension/renewal of contract period on year to year basis the Head of Department 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. 13,900/- per month (which shall be equal to minimum of the pay band + grade pay).
3. The service of the FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case of performance/ conduct of contract appointee is not found good or if a regular incumbent is appointed/ posted against the vacancy for which the first party was engaged on contract.
4. Contract Appointee will be entitled for one day's casual leave after putting one month service. However, the contract employee will also be entitled for 16 weeks Maternity Leave, 10 day's Medical Leave and 5 days Special Leave. He/she shall not be entitled for Medical Reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

Provided that the un-availed Casual Leave and Medical Leave and Special Leave can be accumulated up to the calendar year and will not be carried forward for the next calendar year.

5. Unauthorized absence from duty without the approval of the controlling officer shall automatically lead to the termination of the contract. However, in exceptional case 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.

6. 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.
7. Selected candidate will have to submit a certificate of his/ her fitness from a Government/Registered Medical Practitioner. In case of woman candidate's pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The woman candidate should be re-examined for fitness from an authorized Medical Officer/Practitioner.
8. Contract appointee shall be entitled to TA/DA if required to go on tour in connection with his official duties at the same rate as applicable to regular counter-part official at the minimum of the pay scale.
9. The employees Group Insurance Scheme as well as EPF/ GPF will not be applicable to contractual appointee(s).

IN THE 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 & full Address )

2. ....

.....

( Name and Full Address )

(Signature of FIRST PARTY)

IN THE PRESENCE OF WITNESS

1. ....

.....

( Name & full Address )

2. ....

.....

( Name and Full Address )

(Signature of SECOND PARTY)

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