

R&P Rules-JE (Mech.)

(Authoritative English text of this Department Notification No.IPH-(A)(3)-18/94 dated 11.1.2002 as required under Clause (3) of Article 348.)

Government of Himachal Pradesh
Irrigation & Public Health Department

No.IPH (A) (3)-18 /94

Dated Shimla 171002, the 11th Jan.,2001.

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 Recruitment and Promotion Rules for the post of Junior Engineer (Mechanical) Class-III (Non-Gazetted) in Irrigation and Public Health Department, H.P. as per Annexure-'A' appended to this notification, namely: -

- Short title and Commencement:
1. (1) These rules may be called Himachal Pradesh Department of Irrigation & Public Health, Junior Engineer (Mech.) Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2001.
 - (2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.
- Repeal & Savings:
2. (1) The Recruitment and Promotion Rules in respect of the posts of Junior Engineer (Mech.) Himachal Pradesh Public Works Department, and made applicable to the posts of Junior Engineer (Mechanical) in the Department of Irrigation and Public Health Himachal Pradesh notified vide Public Works Department Notification No.1-81/72-PW, dated 18.1.79 are hereby repealed to the extent these are applicable to the said post in the Irrigation & Public Health Department.
 - (2) Notwithstanding such repeal, any appointment made or any action taken or any thing done under the rules so repealed under Rule-2 (1) supra shall be deemed to have been validly made or taken or done under these rules.

By order,
F.C.cum-Secretary (IPH) to the
Government of Himachal Pradesh.

No. IPH (A) (3)-18 / 94

Dated Shimla-2, the 11th Jan., 2002.

Copy forwarded for information and necessary action to:-

1. All Secretaries to the Government of Himachal Pradesh.
2. All the Heads of Department in H. P.
3. The Engineer-in-Chief, I & PH Department, H.P. Shimla-1 with 20 spare copies.
4. All the Chief Engineers, I & PH Deptt. H.P.
5. All the Superintending Engineers, I&PH Department H.P.
6. The Secretary, H. P. P.S.C. w.r.t.his letter No.1-5/95-PSC,- Part, dated 3.11.2001 with 3 copies.
7. The Controller, Printing & Stationary, H. P. Govt. Press, Shimla-5 for publication in the Rajpatra.
8. ALLEnglish/Hindi, Opinion Cell, H.P. Secretariat, Shimla-2.
9. Guard file.

Sd./-
Joint Secretary (IPH) to the
Government of Himachal Pradesh.

ANNEXURE-A.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF JUNIOR ENGINEER (MECHANICAL.)
CLASS-III (NON-GAZETTED) IN THE DEPARTMENT OF IRRIGATION & PUBLIC HEALTH, HIMACHAL
PRADESH.

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1. Name of the post: Junior Engineer (Mechanical.)
 2. Number of posts: 35 (Thirty Five).
 3. Classification: Class-III (Non-Gazetted).
Non-Ministerial Services
 4. Scale of pay: Rs.5800-200-7000-220-8100-275-9200.
 5. Whether Selection post
or Non- Selection post: Non-Selection.
 6. Age for direct
recruitment: Between 18 and 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 basis or on contract 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 is relax able for Scheduled Castes / Schedule 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 Corporation / Autonomous Bodies and who are /were finally absorbed in the service of such Corporations / Autonomus 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 relax able 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
recruits:
 - i) **ESSENTIAL QUALIFICATION:-**
Matric /Higher Secondary Part-1 or its
its equivalent from a recognized
University / Board.
 - ii) Degree or Diploma in the trade of
Mechanical / Automobile / production
/ Aeronautical or Marine Engineering

or its equivalent from a recognized University or an Institution duly recognized by the Government of India or the State Government.

DESIRABLE QUALIFICATION:

Knowledge of customs, manners and Dialects of Himachal Pradesh and Suitability for appointment in the peculiar condition prevailing in the Pradesh.

8. Whether age and Educational qualification prescribed for direct recruits will apply in the case of the promotees :
- Age: Not applicable.
- Educational Qualification: 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 of recruitment Whether by recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.
- (i) 45% By direct recruitment through the concerned recruiting agency.
(ii) 45% By direct recruitment on batch-wise basis at Departmental level; and
(iii) 10% by promotion.
11. In case of recruitment by promotion, deputation, transfer grade from which promotion / deputation /transfer is to be made:
- (i) By promotion from amongst the Foremen Grade-1 (Mechanical) who are Matriculate and have obtained Diploma in the trade of Motor Mechanic or its equivalent from an ITI or Institute duly recognized and possess five year regular service or regular combined with continuous adhoc (rendered upto 31.03.1998) service, if any, in the grade and by promotion from amongst the Foreman Grade-1 (Mechanical) who are Matriculates and have obtained Certificate Course in the Trade of Motor Mechanic or its equivalent from an ITI or Institute duly recognized and possess 7 years regular service or regular combine with continuous adhoc (rendered upto 31.03.1998)service, if any, in the grade.
.....5%
- (ii) By promotion from amongst the Foremen Grade-1 (Mechanical) who are Matriculates but do not possess any technical qualification and possess twelve years regular service or regular combined with continuous adhoc (rendered upto 31.03.1998) service, if any, in the grade.
.....5%
- For filling up the posts of Junior Engineer (Mechanical) the following 20 points roster shall be followed :-
- i) Roster point No. 1st.
Promotee (i)

- ii) Roster point No.2nd, 4th,6th,8th, 10th, 12th, 14, 16th, and 18th = Direct recruit through open market.
- (iii) Roster point No.11th
Promotee (ii)
- (iv) Roster point No. 3rd, 5th,7th, 9th, 13th, 15th 17th, 19th and 20th.
:Direct recruit through batch wise.

(Thereafter the roster shall repeat itself)

In all cases of promotion the continuous adhoc service rendered in the feeder post upto 31.3.98 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 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:-

(1) Provided that in all the cases where a junior persons becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis up to 31.3.98) in the feeder post.-in view of the provisions referred to above all person 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 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 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 Personal (Reservation of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provision of Rule-3 of 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 continuous adhoc service rendered on the feeder post upto 31.3.1998 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 and in accordance with the provisions of R&P Rules.

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered up to 31.3.1998 as referred to above shall remain unchanged.

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|-----|---|---|
| 12. | If Departmental Promotion Committee Exists, what is its composition: | As may be constituted by the Government from time to time. |
| 13. | Circumstances under which the HPPSC 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 post recruitment: | Selection for appointment to the post in case of direct recruitment shall be made on the basis of viva-voce test by direct if Himachal Pradesh 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.

16 Reservation:

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes / Scheduled Tribes / Backward Classes / Other Backward Classes/ other Categories of persons issued by the H.P. Govt. from time to time.

17. Departmental Examination:

Not applicable.

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 HPPSC relax any of the provisions of these Rules with respect to any class or category of persons or posts.

....

English Text of this department notification No. IPH(A)(3)-18/94 dated 1st March, 2006 as required under clause (3) of Article 348 of the Constitution of India.

**Government of Himachal Pradesh
Irrigation & Public Health Department**

No.IPH(A) (3)-18/94 Dated Shimla-2, the 1st March, 2006.

Notification

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 following rules further to amend Himachal Pradesh Department of Irrigation & Public Health Department, Junior Engineer (Mechanical) Class-III (Non-Gazetted) Technical Services, Recruitment and Promotion Rules, 2002, notified vide this Department notification No. IPH(A)(3)-18/94 dated 11.01.2002 namely:-

Short title and commencement

1. (1) These rules may be called the Himachal Pradesh Department of Irrigation & Public Health Junior Engineer (Mechanical) Class-III (Non-Gazetted) Technical Services, Recruitment & Promotion Rules (Ist Amendment) Rules,2006

These rules shall be deemed to have come into force w.e.f. 1.5.2005.

(2)

For the existing provision against Col. No. 4 the following shall be substituted namely:-

Amendment of Annexure –A

2. (1) Rs.5800-200-7000-220-8100-275-9200 for appointment made on regular basis.

(b)

For the existing provision against Col. No. 10 the following shall be substituted namely:-

- i) 42% by direct recruitment or on contract basis through the concerned recruiting agency.
- ii) 22% by direct recruitment or on contract on batch-wise basis at Departmental level.
- iii) 21% by appointment from amongst the candidates who are appointed on contract basis by the Department by adopting proper procedure and who possesses the requisite professional qualification from recognized technical institutions having 7 years of continuous contract service in the Himachal Pradesh Irrigation & Public Health Department, if their performance and conduct during service has been found satisfactory.

Provided that for the purpose of appointment under this Sub Clause the year wise combined seniority lists shall be prepared wherein the candidate senior in batch in such recruitment year shall be reckoned senior to the candidate who has obtained Diploma in Mechanical Engineering in subsequent

batch.

Provided further that where in the recruitment year more than one candidate of the same batch is eligible to be considered for appointment then their inter-se-seniority will be determined with reference to their date of appointment in that recruitment year, or the merit, if any, prepared at the time of making selection for recruitment on contract basis, as the case may be.

Provided further that the Junior Engineers (Mech.) so appointed under this Sub-Clause shall be deputed in difficult area sub-cadre; and

iv) 15% by promotion

(c) **For the existing provision against Col. No. 11 the following shall be substituted namely:-**

(i) By promotion from amongst the Foremen Grade-I (Mechanical) who are Matriculate and have obtained Diploma in the trade of Motor Mechanic or its equivalent from an ITI or an Institute duly recognised and possess five years regular service or regular combined with continuous adhoc service, if any, in the grade and by promotion from amongst the Foremen Grade-I (Mechanical) who are Matriculates and have obtained Certificate Course in the Trade of Motor Mechanic or its equivalent from an ITI or an institute duly recognised and possess seven year regular service or regular combined with continuous adhoc service, if any in the grade.

8%

ii) By promotion from amongst the Foremen Grade-I (Mechanical) who are Matriculates but do not possess any technical qualification and possess twelve years regular service or regular combined with continuous adhoc service, if any, in the grade7%

For filling up the posts of Junior Engineer (Mech.) the following 100 point roster shall be followed:

By promotion:

i) Roster Points 1st, 22nd, 25th, 33rd, 50th, 66th, 82nd, and 100th
: **Promotee (i)**

i) Roster Points 2nd, 42nd, 49th, 62nd, 75th, 92nd and 99th
Promotee (ii)

Direct recruitment, Direct recruitment on batch-wise basis and direct recruitment through regularization of persons appointed on contract basis:

i) Points No: 4th, 6th, 8th, 10th, 12th, 14th, 16th 18th, 20th,

24th,26th,28th,30th,32nd,34th36th, 38th, 40th, 41st, 44th,
46th,48th,52nd,54th,56th,58th,60th,64th,68th,70th,72nd,74th.
76th,78th,80th,84th,86th,88th,90th,94th,
96th and 98th By direct recruitment or contract basis through concerned
recruiting agency

ii) Points No.: 3rd,7th,11th,15th,19th, 23rd,29th,35th,39th,45th,51st,55th,59th,
63rd,67th,71st,77th,81st,85th, 89th, 93rd and 97th By direct recruitment or
contract on batch-wise basis at Departmental level.

iii) Point No: 5th, 9th, 13th, 17th, 21st 27th, 31st 37th, 43rd, 47th, 53rd,
57th,61st,65th,69th 73rd,79th,83rd,87th,91st and 95th By regularisation of
persons appointed on contract basis as Departmental level as per
provisions of Col. No. 10 (i) and (ii) above.

The roster will be rotated after every 100 points till the representation to
all categories is achieved by the given percentage. Thereafter the vacancy
is to be filled up from the category which vacates the posts.

(d)

**After the existing provision against Col. No. 15 the following shall be
added namely:-**

(1) CONCEPT

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

(a) Under this policy, the Junior Engineer (Mech.) in I&PH
Department, HP will be engaged on contract basis initially for one
year, which may be extendable on year to year basis depending
upon their performance and work and conduct on the job. However,
their services will be terminated even prior to the completion of
one year period, on issuance of one month notice or payment in lieu
of the notice of one month, if available work load or their
performance does not merit their retention.

b) The Engineer-in-Chief after obtaining the approval of the
Government to fill the vacant posts on contract basis will advertise
the details of the vacant posts in two leading newspapers and invite
applications from candidates having the prescribed qualifications
and fulfilling the other eligibility conditions as prescribed in these
Rules.

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

(d) Contract appointee so selected under these Rules will not have
any right to claim regularization or permanent absorption in
Government job.

e) The age and qualification for the contract appointment will be
as per the provisions contained in Col. No. 6 and 7 of the R&P
Rules.

(II) EMOLUMENT PAYABLE :

For appointments made on contract basis : Rs.6000/-P.M.
(in non-tribal areas) & Rs. 7500/- P.M. (in tribal areas) fixed
emoluments or as shall be fixed by the Govt. from time to time.

(III) APPOINTING/DISCIPLINARY AUTHORITY

The contract appointment will be made against the vacant posts
by the concerned Superintending Engineer of the Circle. The

Superintending Engineer of the concerned circle will be appointing and disciplinary authority.

(IV) SELECTION PROCESS:

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce 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 Selection Committee prescribed under these Rules.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

- i) As may be constituted by the competent authority from time to time.

The Selection will be made by conducting interviews and assessing the candidates as per the distribution of marks given below:-

<u>Sl.</u>	<u>Particulars</u>	<u>Marks</u>	<u>Remarks</u>
1	Qualifications Diploma/Degree	30	30% of the percentage of marks obtained plus weightage of 5 marks for degree holders.
2.	Work Experience	20	-----
3.	Post Graduation	20	10% of the percentage of marks obtained at degree level
4	Knowledge of customs, Manners and dialects of HP	10	-----
5.	Interview/Viva Voce	20	-----

- ii) For the assessment of work of the contractual JEs, annual performance report will be maintained at the Executive Engineer level.

- iii) The performance reports will form the basis of assessment by the Committee to make recommendations for regular appointment after completion of 7 years contractual service.

(VI) AGREEMENT:

After selection of a candidate for appointment he/she shall sign an agreement as per **Annexure-B** appended to these rules.

(VII) TERMS AND CONDITIONS:

a) For appointments made on contract basis : Rs.6000/-P.M. (in non-tribal areas) & Rs. 7500/-P.M. (in tribal areas) fixed emoluments or as shall be fixed by the Govt. from time to time.

b) The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found good.

c) Contract appointment shall not confer any right to the incumbent for regularization in service at any stage.

d) Contract appointee will be entitled for one day casual leave after putting in one month service. 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.

e) Unauthorized absence from the duties without the approval of the controlling officer shall automatically lead to the termination of the contract. Contract appointee shall not be entitled for salary for the period of absence from duty.

f) Transfer of contract appointee will not be permitted from one place to another.

g) 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 be considered temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness by an authorized Medical Officer/ Practitioner.

h) 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 staff members.

VIII) RIGHT TO CLAIM REGULAR APPOINTMENT:

The candidate engaged on contract basis under these rules shall have no right to claim for regularization/permanent absorption as Junior Engineer (Mech.) in the Department at any stage.

By Order

Principal Secretary (IPH) to the
Govt. of Himachal Pradesh

Endst. No.IPH(A) (3)-18/94 Dated: Shimla-2, 1st March,,2006

Copy for information and necessary action to:-

1. All Administrative Secretaries to the Govt. of Himachal Pradesh.
1. The Secretary, H.P. Public Service Commission, Shimla-2.
2. The Engineer-in-Chief, IPH Department, Shimla-1 with 20 spare copies.
3. All the Chief Engineers, IPH Department in HP.
4. The Controller, P&S Govt. Press Shimla-5, for publication in Rajpatra.
5. All the SEs, IPH Department, H.P.
6. The Accountant General, Himachal Pradesh, Shimla-3.
7. The Addl. Secy. (GAD) to the Govt. of Himachal Pradesh.
10. The ALD-cum-Under Secretary (Law) to the Govt. of H.P.
11. Sr. Law Officer, Hindi Section-II, Law Deptt. H.P. Sectt. Shimla-2.
12. Guard file.

Sd/-

Under Secretary (IPH) to the
Government of Himachal Pradesh.

ANNEXURE-“B”

Form of contract/agreement to be executed between the Junior Engineer (Mech.) & the Government of Himachal Pradesh through Irrigation & Public Health Department

This agreement is made on this day of in the year..... between Sh/Smt.S/o/D/o Shri.....R/o.....

....., contract appointee (hereinafter called the FIRST PARTY), AND The Governor, Himachal Pradesh through Superintending Engineers IPH Himachal Pradesh (here-in-after the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Junior Engineer (Mech.) on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Junior Engineer (Mech.) for a period of 1 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.
2. The contract salary of the FIRST PARTY will be Rs. 6000/-P.M.(in non tribal areas) and Rs.7500/- P.M.(in tribal areas).
3. The service of FIRST PARTY 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 good.
4. The contractual appointment shall not confer any right to incumbent for the regular service at any stage.
5. Contractual Junior Engineer (Mech.) will be entitled for one day casual leave after putting one month service. No other leave of any kind is admissible to the contractual Junior Engineer (Mech.). He will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.
4. Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Junior Engineer (Mech.) will not be entitled for salary for the period of absence from duty.
5. Transfer of a Junior Engineer (Mech.) on contract basis will not be permitted from one place to another in any case.
6. Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/practitioner.
7. Contractual Junior Engineer (Mech.) 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 Officer.
8. The Employees Group Insurance Scheme will not be applicable to the contractual appointee (s) as well as EPF/GPF.