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AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION NO.
PW-(A)-A-(3)-2/94 DATED 24.4.97 AS REQUIRED UNDER CLAUSE (3)
OF ARTICLE 348 OF THE CONSTITUTION OF INDIA

GOVERNMENT OF HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

No. PW(A)-A(3)2/94 Dated: Shimla-2, the 24.4.1997.

NOTIFICATION

In exercise of the power conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with the H.P. Public Service Commission is pleased to make the Recruitment and Promotion Rules for the post of Chief Engineer (Civil) (Class-I, Gazetted) in Public Works Department Himachal Pradesh as per Annexure-A attached to this notification, namely:-

Short title and
commencement

1. (i) These Rules may be called the Himachal Pradesh Public Works Department Chief Engineer (Civil) (Class-I, Gazetted) Recruitment and Promotion Rules, 1997.

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

Repeal and Savings 2. (i)

The Recruitment and Promotion Rules for the post of Chief Engineer (Class-I, Gazetted), Himachal Pradesh Public Works Department, notified vide notification No.1-70/70-PWD dated 25/26.3.1972 and as amended from time to time, are hereby repealed.

- (ii) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules, so repealed under sub rule 2 (i) supra shall be deemed to have been validly made, done or taken under these rules.

By Order,

RAVI DHINGRA
FC-cum-Secretary (PW) to the
Government of Himachal Pradesh

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Endst.No. PBW(A)-A(3)2/94

Dated: Shimla-2, the 24⁴ 1997.

Copy forwarded to:-

1. Controller, Printing and Stationery, HP for publication in the HP Rajpatra. He is also requested to supply twenty five copies of rules to this Deptt.

2. The Engineer-in-Chief, HP, PWD, Shimla-171001.

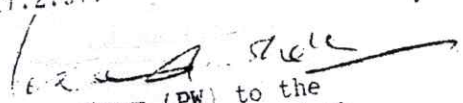
3. The Chief Engineer (North), HP, PWD, Dharamsala.

4. Joint Secretary (Per.) to the Govt. of Himachal Pradesh.

5. A.L.D.(H), Law Department HP, Shimla.

6. Secretary (GAD) to the Govt. of HP.

7. The Secretary, HP, Public Service Commission w.r.t. his letter No.1-3/92-PSC. dated 17.2.97.


Under Secretary (PW) to the
Government of Himachal Pradesh

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CHIEF ENGINEER
(GAZETTED) CLASS-I IN THE DEPARTMENT OF PUBLIC WORKS
HIMACHAL PRADESH.

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| 1. Name of the post: | Chief Engineer(Civil) |
| 2. Number of the posts: | 4 (Four) |
| 3. Classification: | Class-I(Gazetted) |
| 4. Scale of pay:
(Be given in expanded notation). | Rs.5900-200-6700 |
| 5. Whether selection post or Non- Selection post: | Selection. |
| 6. Age for direct recruitment: | Not applicable |
| 7. Minimum Education and other Qualifications required for direct recruits: | Not applicable |
| 8. Whether age and educational Qualifications prescribed for direct recruits will apply in the case of promottees. | 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 for reasons to be recorded in writing. |
| 10. Method of Recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods. | 100% by promotion failing which by deputation. |
| 11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/ deputation/transfer is to be made. | By promotion from amongst the Superintending Engineer(Civil) with minimum 20 years service in gazetted rank including five years regular service or regular combined with continuous adhoc (rendered upto 31.03.91) service as Superintending Engineer (Civil) failing which by deputation from amongst the |

Contd.. P-2/-

incumbents working in the identical pay scale on analogous posts in other HP Government Department/ Central Government with similar service conditions.

- (1) In all cases of promotion, the adhoc service rendered in the feeder post up to 31.3.91, 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 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 upto 31.3.91) 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 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 persons(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 Demobilised 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 services) Rules, 1985 and having been given the benefit of seniority thereunder.

- 2) Similarly, in all cases of confirmation, adhoc service rendered on the feeder post up to 31.3.91, if any, prior to the regular appointment against such post shall be taken into account towards the length of service;

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered upto 31.3.1991 shall remain unchanged.

Contd.-3/

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 requirement for a direct recruitment
15. Selection for appointment to post by direct recruitment :
16. Reservation :
17. Departmental Examination :

As may be constituted by the Government from time to time.

As required under the Law.

Not applicable.

Not applicable.

The appointment to the service shall be subject to orders regarding reservation in the service for scheduled castes/ Scheduled Tribes / Backward Classes/other Categories of persons issued by the Himachal Pradesh Government from time to time.

(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) 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, shall not be required to qualify the Departmental Examination

prescribed under these Rules after attaining the age of 50 years for the purpose of crossing of efficiency bar next due.

(2)

An officer on promotion to this post 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.S.C., grant in exceptional circumstances and for reasons to be recorded in writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the Departmental Examination in whole or part provided that be considered for any other higher promotion before the date of his superannuation.

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

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AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT
NOTIFICATION NO. PBW(A)A(3)-1/99 DATED 26.05.95 AS REQUIRED
UNDER CLAUSE (3) OF ARTICLE 348 OF THE CONSTITUTION OF
INDIA)

Government of Himachal Pradesh
Public Works Department

No. PBW(A)A(3)-1/99

Dated : Shimla-2, the

2005

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 following Rules further to amend the Himachal Pradesh, Public Works Department, Chief Engineer (Civil) Class-I (Gazetted), Recruitment and Promotion, Rules, 1997 notified vide this Department notification of even number dated 24.4.1997, namely:-

Short title and
commencement

1. (i) These rules may be called the Himachal Pradesh Public Works Department, Chief Engineer (Civil) (Class-I, Gazetted), Recruitment and Promotion (First amendment) Rules, 2005.

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

Amendment of
Annexure-"A"

2. In Annexure-"A" to the Himachal Pradesh Public Works Department, Chief Engineer (Civil) (Class-I, Gazetted) Recruitment and Promotion Rules, 1997:

- (a) For the existing provision against Col.No.2, the following shall be substituted namely:-

"5 (Five)"

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

"Rs.18600-500-22100"

2/-

(c) For the existing Col.No.10 and provision against Col.No.10, the following shall be substituted, namely:-

10. "Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods." "100% by promotion failing which on secondment basis.

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

"By promotion from amongst the Superintending Engineers (Civil) with minimum 25 years' service in gazetted rank including three years' regular service or regular combined with continuous adhoc service as Superintending Engineer (Civil) failing which on secondment basis from amongst the incumbents working in the identical pay scale on analogous posts in other H.P. Government Departments/ Central Government with similar service conditions.

(1) 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/her 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

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to be eligible for consideration and placed above the junior person in the field of consideration.

Provided further that all incumbents to be considered for promotion shall possess the minimum qualifying service of atleast 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 proceeding 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 consideration for promotion if the senior ineligible person(s) 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 thereunder or recruited under the provisions of Rule-3 of the Ex-servicemen (Reservation of vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

2) Similarly, in all cases of confirmation, 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.

- (e) For the existing provision against Col.No.16, the following shall be substituted namely:-

"The appointment to the service shall be subject to orders regarding reservation in

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the service for Scheduled Castes Scheduled Tribes Other Backward Classes Other categories of persons issued by the Himachal Pradesh Government from time to time."

- (f) For the existing provision against Col.No.17, the following shall be substituted namely:-

Every member of the service shall pass a Departmental Examination as prescribed in the HP Departmental Examination Rules, 1997 as amended from time to time.

By Order

Principal Secretary (PW) to the
Government of Himachal Pradesh

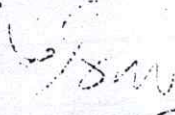
Indst.No.PBW(A)A(3)-199

Dated: Shimla-2, the

06-05-2005

Copy forwarded for information and necessary action to:-

1. The Engineer-in-Chief, HPPWD Shimla-171001.
2. All the Chief Engineers, HP,PWD.
3. All the Superintending Engineers Executive Engineers, HP,PWD.
4. The Secretary, HP,PSC, Shimla-2, w.r.t. his letter No.1-471-PSC-Part, dated 5.4.2005.
5. The Secretary (GAD), Govt of H.P. w.r.t. item No.13, dt.27.4.05.
6. Joint Secretary (Personnel/Finance/Law), Govt. of H.P., Shimla-2.
7. The Accountant General, HP Shimla-3.
8. Sr.Law Officer (Hindi), Law Deptt. HP Sectt., Shimla-2.
9. The Controller, Printing and Stationery, HP Govt. Press, Shimla-5 for publication in the HP Rajpatra (extra-ordinary). He is requested to supply five copies of the Rajpatra to this Department.
10. Guard file.


Under Secretary (PW) to the
Government of Himachal Pradesh