

S.E. (Civil) ①

(AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION  
NO. PW-(A)-S-(13)-50/94 DATED AS REQUIRED UNDER CLAUSE (3)  
OF ARTICLE 343 OF THE CONSTITUTION OF INDIA)

GOVERNMENT OF HIMACHAL PRADESH  
PUBLIC WORKS DEPARTMENT

No. 1-70/70-PWD

Dated: Shimla-2, the 17<sup>3</sup> 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 Superintending 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 Superintending Engineer (Civil) (Class-I, Gazetted) Recruitment and Promotion Rules, 1996.

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

Repeal and Savings

2. (I) The Himachal Pradesh Public Works Departments, Superintending Engineer (Civil), (Class-I, Gazetted) Recruitment and Promotion Rules, 1972 notified vide the notification No.1-70/70-PWD dated 26.4.1972 and as amended from time to time, are hereby repealed.

- (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules, so repealed under sub rule 2 (1) supra shall be deemed to have been validly made, done or taken under rules.

by Order,

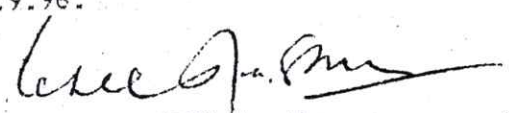
FC-cum-Secretary (PW) to the  
Government of Himachal Pradesh

Endst.No. 1-7-/70-PWD

Dated: Shimla-2. the 17.3.1997.

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. Secretary (GAD), to the Govt. of Himachal Pradesh.
6. A.L.D.(H), Law Department HP, Shimla.
7. The Secretary, HP, Public Service Commission w.r.t. his letter No.1-4/71-PSC, dated 13.9.96.

  
Under Secretary (PW) to the  
Government of Himachal Pradesh

ANNEXUE-"A"

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

1. Name of the post : Superintending Engineer(Civil).
2. Number of the posts: 19 (Ninteen)
3. Classification: Class-I Gazetted.
4. Scale of pay:  
(Be given in expanded notation). Rs. 4500-125-5000-150-5900-200-6100.
5. Whether selection post or Non- Selection post: Selection
6. Age for direct recruitment: N.A.
7. Minimum Education and other Qualifications required for direct recruits: N.A.
8. Whether age and educational Qualifications prescribed for direct recruits will apply in the case of promotees. Age: )  
Educational ) N.A.  
Qualification: )
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 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 By promotion from amongst the Executive Engineer(Civil) holding recognised degree in Civil Engineering or its equivalent with at least 7 years regular or regular combined with continuous adhoc (rendered upto 31.3.91) if any, service failing which by deputation from amongst the incumbents working in the identical pay scale on



analogous posts in HPSEB and other HP Government Departments/Central Govt.

Note:-

(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 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.

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. is to be consulted in making recruitment.

As required under the Law.

14. Essential requirement for a direct recruitment

N.A.

15. Selection for appointment to post by direct recruitment :

N.A.

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 Categories of persons issued by the Himachal Pradesh Government from time to time.

17. 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 purpose of (i) crossing of Efficiency Bar next due and (ii) confirmation in service after completion of probationary period.

2. An officer on promotion to 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.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 in part provided that such officer is not likely to 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.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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FOR THE HONORABLE ENGLISH TEXT OF THIS DEPARTMENT  
NOTIFICATION NO.1-70/70-PWD DATED.15.03.95...AS REQUIRED  
UNDER CLAUSE (3) OF ARTICLE 348 OF THE CONSTITUTION OF  
INDIA)

Government of Himachal Pradesh  
Public Works Department

No.1-70/70-PWD      Dated : Shimla-2, the      March 15, 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, Superintending Engineer (Civil) Class-I (Gazetted), Recruitment and Promotion, Rules, 1996 notified vide this Department notification of even number dated 17.3.1997, namely:-

Short title and  
commencement

1. (i) These rules may be called the Himachal Pradesh Public Works Department, Superintending 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, Superintending Engineer (Civil) Class-I (Gazetted) Recruitment and Promotion Rules, 1996;

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

"24. (Twenty four)"

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

"Rs.14300-400-15900-450-18600"



(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."

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

"By promotion from amongst the Executive Engineer (Civil) holding recognized degree in Civil Engineering or its equivalent with atleast 07 years' regular or regular combined with continuous adhoc service, if any, in the grade with atleast 03 years' posting either as Assistant Engineer (Design) or as Executive Engineer (Design) or 03 years' combined posting as Assistant Engineer (Design) and Executive Engineer (Design) and further with atleast one tenure of 02 winters and 03 summers either as Assistant Engineer or as Executive Engineer in the Tribal and Difficult areas as notified by the State Government from time to time.

Provided that the Executive Engineers promoted prior to notification of these amendments in Rules will be eligible for promotion without the condition of postings in design and tribal difficult area, but they will be posted in either design or Superintending Engineer (Works) or tribal difficult area on promotion as Superintending Engineer for one tenure of two years.

(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 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 provisions 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 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 Service), 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



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 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 provisions 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 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 Service), 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."

- (c) 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 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

Dated: Shimla-2, the 15<sup>th</sup> March, 2005

Endst.No.1-70/70-PWD

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.1-4/71-PSC-Part. dated 10.1.05.
5. The Secretary (GAD), Govt of H.P. w.r.t. item No.7, dt.17.1.05.
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. He is requested to supply five copies of the Rajpatra to this Department.

Under Secretary (PW) to the  
Government of Himachal Pradesh