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Annexure - 'A'

Recruitment & Promotion Rules for the post of Assistant Law Officer in H.P. State Pollution Control Board

1.	Name of the Post:	Assistant Law Officer
2.	Number of Post(s):	03 (Three)
3.	Classification:	Class-II
4.	Scale of Pay:	<p>(i) Pay Band for regular incumbent(s): Level 12 of the Pay Matrix attached with time scale of the post, as per H. P. Civil Services (Revised Pay) Rules, 2022.</p> <p>(ii) Emoluments for contract employee(s): 60% of the first Cell of the applicable level of pay matrix of the corresponding cadre, as per H. P. Civil Services (Revised Pay) Rules, 2022.</p>
5.	Whether selection post or non-selection post:	Selection
6.	Age for direct recruitment:	<p>Between 18 to 45 years:</p> <p>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 ad hoc or on contract basis;</p> <p>Provided further that if a candidate appointed on ad hoc basis or on contract basis has 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/her such ad hoc or contract appointment;</p> <p>Provided further that 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;</p> <p>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 constitution of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to the Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous and who were/are subsequently appointed by such Corporations/Autonomous Bodies and who were/are finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.</p> <p>Notes: 1. Age limit for direct recruitment will be reckoned</p>

		<p>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.</p> <p>2. Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.</p>
7.	Minimum educational and other qualifications required for direct recruitment.	<p><u>Essential Qualification(s):</u></p> <p>Bachelor's Degree in Law with at least 3 years experience as an Advocate.</p> <p><u>Desirable Qualification(s):</u></p> <p>Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>
8.	Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees:	<p>Age: N.A.</p> <p>Educational Qualification: N.A.</p>
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, deputation, transfer and the percentage of vacancies to be filled in by various methods.	100% by direct recruitment on regular basis or by recruitment on contract basis, as the case may be. The contract employees will get emoluments as given in Col. 15-A and will be governed by service conditions as specified in the said column.
11.	In case of recruitment by promotion, deputation, transfer, grades from which promotion/deputation/transfer is to be made.	Not Applicable
12.	If a Departmental Promotion Committee exists, what is its composition?	As constituted by the Chairman, H.P. State Pollution Control Board.
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:	A candidate for appointment to the 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 Viva – Voce test or if the H.P. Public Service Commission or other

		<p>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.</p>
15-A	<p>Selection for appointment to the post by Contract appointment:</p>	<p>Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:-</p> <p>(I) <u>CONCEPT:</u></p> <p>(a) Under this policy, the Assistant Law Officer in H.P. State Pollution Control Board will be engaged on contract basis initially for one year, which may be extendable on year to year basis.</p> <p>(b) POST FALLS WITHIN THE PURVIEW OF HP PSC/ HPSSC :- The H.P. State Pollution Control Board after obtaining the approval of the Government/competent authority to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Public Service Commission.</p> <p>(c) POST FALLS OUT OF THE PURVIEW OF HP PSC/ HPSSC :- The H.P. State Pollution Control Board after obtaining the approval of the Government/competent authority to fill up the posts on contract basis will advertise the details of the vacant posts in at least two leading newspapers and invite application from candidates having the prescribed qualifications and fulfilling the other eligibility conditions as prescribed in these rules.</p> <p>(d) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.</p> <p>(II) <u>CONTRACTUAL EMOLUMENTS:</u> The Assistant Law Officer, appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 25,800/- P.M. (which shall be 60% of the first Cell of the applicable level of the Pay Matrix of the corresponding cadre).</p> <p>(III) <u>APPOINTING/DISCIPLINARY AUTHORITY:</u> The Chairman H.P. State Pollution Control Board will be appointing and disciplinary authority.</p> <p>(IV) <u>SELECTION PROCESS:</u> Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voice test or if consider necessary or expedient by a written test or practical test the standard/ syllabus etc. of which will be determined by the concerned recruiting agency i.e. H.P. Public Service Commission.</p> <p>(V) <u>COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:</u> As may be constituted by the concerned recruiting</p>

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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 in these Rules.

(VII) TERMS AND CONDITIONS:

- (a) The Assistant Law Officer, appointed on contract basis will be paid consolidated fixed contractual amount @ **Rs. 25,800/- P.M.** (which shall be 60% of the first Cell of the applicable level of the Pay Matrix of the corresponding cadre).
- (b) "The services 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. In case the contract appointee is not satisfied with the termination orders issued by the Appointing Authority, he / she may prefer an appeal before the Appellate Authority who shall be higher in rank to the Appointing Authority, within a period of 45 days from the date on which a copy of termination orders is delivered to him / her.
- (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 180 days. A female contract appointee shall also be entitled for maternity leave not exceeding 45 days (irrespective of the number of 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"
; and
- (d) Unauthorised 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 unauthorized absence from duty were beyond his/her control on medical ground, 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 the period of absence from duty. Provided that he/she shall submit the certificate of illness/fitness issued by the Medical

		<p>Officer, as per prevailing instructions of the Government.</p> <p>(e) An official appointed on contract basis who have completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.</p> <p>(f) Selected candidate will have to submit a certificate of his/her fitness from a Government / Registered Medical Practitioner. Woman candidate pregnant beyond 12 weeks will stand temporarily unfit until the confinement is over. The woman candidate will be re-examined for the fitness from an authorised Medical Officer/ Practitioner.</p> <p>(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 counterpart official at the minimum of the pay scale.</p> <p>(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. They will be entitled for emoluments etc. as detailed in this column.</p>
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.	Powers to relax:	Where the H.P .State Pollution Control Board is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing with the prior approval of the State Government and relax any of the provisions of these Rules with respect to any class or category of persons or posts.



Form of contract/ agreement to be executed between the _____ (Name of the post) and the Government of _____ Himachal Pradesh through (Designation of the Appointing Authority).

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 of Himachal Pradesh through _____ (Designation of the Appointing Authority) 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 (Name of the post) on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a (Name of the post) 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.
Provided that for further 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.
2. The contractual amount of the FIRST PARTY will be **Rs. 25,800/- P.M.** (which shall be 60% of the first Cell of the applicable level of the Pay Matrix of the corresponding cadre).
3. 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. In case the contract appointee is not satisfied with the termination orders issued by the Appointing Authority, he /she may prefer an appeal before the Appellate Authority who shall be higher in rank to the Appointing Authority, within a period of 45 days from the date on which a copy of termination orders is delivered to him/ her."
4. 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 180 days. A female contract appointee shall also be entitled for maternity leave not exceeding 45 days (irrespective of the number of 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.



5. 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.

6. Name of the posts 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 issued by a Medical Board in the case of a Gazetted Government servant and by Government Medical Officer in the case of a Non- Gazetted Government Servant. In case of women candidates who are to be appointed against posts carrying hazardous nature of duties, and in case they have to complete a period of training as a condition of service, such woman candidate, who as a result of tests is found to be pregnant of twelve weeks standing or more shall be declared temporarily unfit and her appointment shall be held in abeyance until the confinement is over. Such woman candidate be re-examined for medical fitness six weeks after the date of confinement, and if she is found fit on production of medical fitness certificate from the authority as specified above, she may be appointed to the post kept reserved for her."

8. Contract appointee shall be entitled to TA/DA if require 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.

9. The Employees group Insurance Scheme as well as EPF/CPF will not be applicable to contractual appointee(s).

IN 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 and Full Address)

(Signature of the FIRST PARTY)

2. _____

(Name and Full Address)

(Signature of the SECOND PARTY)

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF LAW OFFICER
IN H.P. STATE POLLUTION CONTROL BOARD**

1.	Name of the Post	Law Officer
2.	Number of Post	02 (Two)
3.	Classification:	Class-I
4.	Scale of Pay:	Pay Band for regular incumbent(s): Level 16 of the Pay Matrix attached with time scale of the post, as per H.P. Civil Services (Revised Pay) Rules, 2022.
5.	Whether selection post or non-selection post:	Selection
6.	Age for direct recruitment:	Not applicable
7.	Educational qualifications required for direct recruitment	Not applicable
8.	Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees:	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 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 on secondment basis.
11.	In case of recruitment by promotion, the grade from which promotion is to be made:	Amongst Assistant Law Officer with Degree in Law and having at least 7 (seven) years of regular service experience as Assistant Law Officer failing which by deputation on secondment basis.
12.	If a Departmental Promotion Committee exists, what is its composition:	As constituted by the Chairman, H.P. State Pollution Control Board.
13.	Circumstances under which the H.P. Govt./H.P.P.S.C. is to be consulted in making recruitment:	As required under the Law.
14.	Essential requirement for Direct recruitment :	Not applicable
15.	Selection for appointment to the post by direct recruitment :	Not applicable
15-A	Selection for appointment to the post by Contract appointment:	Not applicable

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 H.P. Govt. from time to time.
17.	Departmental examination:	Not applicable
18.	Power to Relax:	Where the H.P. State Pollution Control Board 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/H.P. Govt. relax any of the provisions of these rules with respect to any class or category of persons or posts.

