

18. शिथिल करने की शक्ति.—जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक है या समीचीन है, वहां कारणों को अभिलिखित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से आदेश द्वारा इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की बाबत शिथिल कर सकेगी।

Authoritative English Text of Notification No.1-58/69-Fin (LA) Part (2), datedas required under clause (3) of Articles 348 of the Constitution of India.

LOCAL AUDIT DEPARTMENT

NOTIFICATION

Shimla-171002 6th November, 2009

No. 1-58/69-Fin (LA)Part (2).—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 Section Officer, Class-II (Gazetted) in the Local Audit Department, Himachal Pradesh as per Annexure "A" attached to this notification, namely:—

1. Short title and Commencement.—(1) These rules may be called the Himachal Pradesh Local Audit Department, Section Officer, Class-II (Gazetted) Recruitment and Promotion Rules, 2009.

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

2. Repeal and Saving.—(1) The Himachal Pradesh, Local Audit Department Class-III (Non-Gazetted) Senior Auditors and Junior Auditors Recruitment and Promotion Rules, 1972 notified vide this Department Notification No.1-58/69Fin L.A.D. Vol-II, dated 31st May, 1972 as amended from time to time are hereby repealed to the extent these pertain to the post of Senior Auditor.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub-rule 2(1) supra shall be deemed to have been validly made, done or taken under these Rules.

By Order,
Sd/-
Principal Secretary.

ANNEXURE-'A'

Recruitment and Promotion Rules for the Post of Section Officer Class-II (Gazetted) in the Local Audit Department, Himachal Pradesh

1. Name of the Post.—Section Officer
2. Number of posts.—35 (Thirty five)

3. **Classification.**—Class-II (Gazetted)
4. **Scale of pay.**—Rs.7000-220-8100-275-10300-340-10980.
5. **Whether selection post or nonselection post.**—Selection.
6. **Age for direct recruitment.**—Not applicable.
7. **Minimum Educational 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 the promotees.**—Age : Not applicable. Educational Qualifications: 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 posts to be filled in the various methods.**100% by promotion failing which on Secondment basis.

11. **In case or recruitment by promotion, deputation/ transfer grades from which promotion /deputation / transfer is to be made.**—By Promotion from amongst class-III officials of the Local Audit Department who have passed both parts of SAS examination of the Local Audit Department failing which on Secondment basis from amongst officials having passed both parts of SAS (OB) examination, and are working on the similar post in other Government Departments.

(1) In all cases of promotion, the continuous *ad hoc* 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 *ad hoc* 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 :—

(a) 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 *ad hoc* 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 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 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 exservicemen 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 Exservicemen (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, 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 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.—D.P.C. to be presided over by the Chairman, Himachal Pradesh Public Service Commission or a member thereof to be nominated by him.

13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment.—As required under the law.

14. Essential requirement for a direct recruitment.—Not applicable.

15. Selections for appointment to post by direct recruitment.—Not applicable.

16. Reservation.—The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Casts/Scheduled Tribes/Other Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination.—Every member of the service shall pass the Departmental Examination as prescribed in the H.P. Departmental examination Rules, 1997 as amended from time to time.

18. Power to relax.—Where the State Government is of the opinion that it is necessary or expedient to do so, it may by orders for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provision(s) of these Rules with respect to any class or category of persons or post(s).

By order,
Sd/-
Principal Secretary.

परिवहन विभाग

‘शुद्धि पत्र’

दिनांक शिमला-2, 29 अक्टूबर, 2009

संख्या:—टी.पी.टी.-ई.(3)8/2006-II.—इस विभाग के अधिसूचना संख्या: टी.पी.टी.-ई (3)8/2006-I दिनांक 1 मई, 2009 के पैरा 4 के अन्तर्गत दी गई विवरणी को निम्नलिखित पढ़ा जाए ।