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राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शनिवार, 29 जुलाई, 2017 / 7 श्रावण, 1939

हिमाचल प्रदेश सरकार

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 12th April, 2017

No.11-23/84(Lab)ID/2017/Una.—It appears to the undersigned that an industrial dispute exists between Shri Tek Chand s/o Shri Balak Ram, r/o Village Jagnah, P.O. Alathu, Tehsil Sadar, District Mandi, H.P. and the (i) the Employer/Manager, M/s GVK EMRI, J. P. Motors Building, Village Anji, Barog Bye Pass Solan, District Solan, H.P. (Work Office) (ii) the Employer, M/s Adecco India Private Limited, C-127, Basement Level, Satguru Infotech, Phase VIII, Industrial Area, Mohali (Area Office) (iii) the Managing Director, M/s Adecco India Private Limited, No. 2,

NAL Wind Tunnel Road, Murugeshpalya, Bangalore (Corporate Office) on the issue of alleged termination of his services *w.e.f.* 02-08-2013.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No.: Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section-10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication:—

“Whether termination of services of Shri Tek Chand S/o Shri Balak Ram, R/o Village Jagnah, P.O. Alathu, Tehsil Sadar, District Mandi, H.P. *w.e.f.* 02-08-2013 by (i) the Employer/Manager, M/s GVK EMRI, J.P. Motors Building, Village Anji, Barog Bye Pass Solan, District Solan, H.P. (Work Office) (ii) the Employer, M/s Adecco India Private Limited, C-127, Basement Level, Satguru Infotech, Phase VIII, Industrial Area, Mohali (Area Office) (iii) the Managing Director, M/s Adecco India Private Limited, No. 2, NAL Wind Tunnel Road, Murugeshpalya, Bangalore. (Corporate Office), without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employers?”

By order,
Sd/-

Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 16th February, 2017

No.11-23/84(Lab)ID/2017/Mandi.—It appears to the undersigned that an industrial dispute exists between Smt. Urmila Devi wd/o Shri Hoshiyar Singh, r/o Village Metehar (Pandol), P.O. Pandol, Tehsil Lad Bharol, District Mandi, H.P. and the Executive Engineer, B & R Division, H.P.P.W.D. Joginder Nagar, District Mandi, H.P. on the issue of alleged time to time termination of her services during year, 1997 to year, 2000.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power

vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether time to time termination of the services of Smt. Urmila Devi wd/O Shri Hoshiyar Singh, r/o Village Metehar (Pandol), P.O. Pandol, Tehsil Lad Bharol, District Mandi, H.P. during year, 1997 to year, 2000 by the Executive Engineer, B & R Division, H.P.P.W.D. Joginder Nagar, District Mandi, H.P. without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,
Sd/-

Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 27th February, 2017

No. 11-1/11(Lab)ID/2017/Nurpur.—It appears to the undersigned that an industrial dispute exists between Smt. Usha Rani w/o Shri Balwinder Singh, r/o V.P.O. & Tehsil Indora, District Kangra, H.P. and the Registrar, M/s Arni University Kathgarh, Tehsil Indora, District Kangra, H.P. on the issue of alleged termination of his daily wages services *w.e.f.* 19-03-2016.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:-

“Whether termination of the services of Smt. Usha Rani w/o Shri Balwinder Singh, R/O V.P.O. & Tehsil Indora, District Kangra, H.P. *w.e.f.* 19-03-2016 by the Registrar, M/s Arni University Kathgarh, Tehsil Indora, District Kangra, H.P., without complying with the

provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer/management?"

By order,
Sd/-
Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 05th April, 2017

No.11-23/84(Lab)ID/2017/Una.—It appears to the undersigned that an industrial dispute exists between Shri Vijender Kumar s/o Shri Ram Palat, r/o V.P.O. Vivek Nagar, Malahat, District Una, H.P. and the General Manager, M/s Industrial Engineering Corporation, 51-B, Industrial Area, Mehatpur, Tehsil & District Una, H.P. on the issue of alleged termination of his daily wages services *w.e.f.* 24-06-2015.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No.: Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of The Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether termination of the services of Shri Vijender Kumar S/O Shri Ram Palat, R/O V.P.O. Vivek Nagar, Malahat, District Una, H.P. *w.e.f.* 24-06-2015 and by the General Manager, M/s Industrial Engineering Corporation, 51-B, Industrial Area, Mehatpur, Tehsil & District Una, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer/management?”

By order,
Sd/-
Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 25th May, 2017*

No.11-1/18(Lab)ID/2017/Sunder Nagar.—It appears to the undersigned that an industrial dispute exists between Shri Yam Chand S/o Shri Shyam Lal, r/o Village Janyuni, P.O. Movi Seri, Tehsil Chachyot, District Mandi, H.P. and the Executive Engineer, I.&P.H. Division, Sunder Nagar, District Mandi, H.P. on the issue of alleged termination of his services *w.e.f.* 12-06-2014.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section-10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication:—

“Whether termination of services of Shri Yam Chand s/o Shri Shyam Lal, R/O Village Janyuni, P.O. Movi Seri, Tehsil Chachyot, District Mandi, H.P. *w.e.f.* 12-06-2014 by the Executive Engineer, I.&P.H. Division, Sunder Nagar, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,
Sd/-

*Deputy Labour Commissioner,
Himachal Pradesh.*

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 20th June, 2017*

No.11-1/85(Lab)ID/2017/Kangra.—It appears to the undersigned that an industrial dispute exists between Shri Ajay Kumar Sharma s/o Shri Rajinder Sharma, r/o V.P.O. Sungal, Tehsil Palampur, District Kangra, H.P. and 4 others and Deputy Director of Agriculture, Department of Agriculture, District Kangra at Palampur, District Kangra, H.P. on the issue of change the service condition and non regularization of the workers.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power

vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether the action of the employer *i.e.* the Deputy Director of Agriculture, Department of Agriculture, District Kangra at Palampur, District Kangra, H.P. to change the service conditions of Shri Ajay Kumar Sharma s/o Shri Rajinder Sharma, r/o V.P.O. Sungal, Tehsil Palampur, District Kangra, H.P. and 4 others from unskilled worker to piece rated basis *w.e.f.* April, 2004 and not to regularize their daily wages services is legal and justified? If not, to what relief, service benefits the above workmen are entitled to from the above employer?”

By order,
Sd/-
Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 30th June, 2017

No.11-1/7(Lab)ID/2017/Joginder Nagar.—It appears to the undersigned that an industrial dispute exists between Shri Anil Kumar s/o Shri Gopal Singh, r/o Village Narwalka, P.O. Kamlah Fort, Tehsil Sandhole, District Mandi, H.P. and (i) the Executive Engineer, I&PH Division, Sarkaghat, District Mandi, H.P. (ii) the Pradhan/Secretary, Gram Panchayat Kamlah, Tehsil Sandhole, District Mandi, H.P. on the issue of alleged termination of his services *w.e.f.* 15/16-04-2016.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether termination of the services of Anil Kumar s/o Shri Gopal Singh, R/O Village Narwalka, P.O. Kamlah Fort, Tehsil Sandhole, District Mandi, H.P. during 15/16-04-2016 by (i) the Executive Engineer, I&PH Division, Sarkaghat, District Mandi, H.P. (ii) the

Pradhan/Secretary, Gram Panchayat Kamlah, Tehsil Sandhole, District Mandi, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employers?"

By order,
Sd/-
Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 20th June, 2017

No.11-5/99(Lab)ID/2017/Chamba.—It appears to the undersigned that an industrial dispute exists between Shri Budhia Ram s/o Shri Baldev Raj, R/O Village Goha, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. and Divisional Forest Officer, Division Chamba, District Chamba, H.P. on the issue of alleged time to time termination of his services during July, 2007 to July, 2015 and finally during August, 2015.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether time to time termination of the services of Shri Budhia Ram s/o Shri Baldev Raj, r/o Village Goha, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. during July, 2007 to July, 2015 and finally during August, 2015 by the Divisional Forest Officer, Division Chamba, District Chamba, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,
Sd/-
Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 01st June, 2017*

No.11-5/99(Lab)ID/2017/Chamba.—It appears to the undersigned that an industrial dispute exists between Shri Dharam Singh s/o Shri Bhim Sen, r/o Village Maloga, P.O. Kalhel, Tehsil Churah, District Chamba, H.P. through the General Secretary, District Committee, AITUC, HQ CHEP Stage-II Karian, P.O. Hardaspura, Tehsil & District Chamba, H.P. and the Divisional Forest Officer, Division Chamba, District Chamba, H.P. on the issue of alleged time to time termination of his services during March, 2006 to Year, 2013.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section-10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication:—

“Whether time to time termination of the services of Shri Dharam Singh s/o Shri Bhim Sen, r/o Village Maloga, P.O. Kalhel, Tehsil Churah, District Chamba, H.P. through the General Secretary, District Committee, AITUC, HQ CHEP Stage-II Karian, P.O. Hardaspura, Tehsil & District Chamba, H.P. during March, 2006 to Year, 2013 by the Divisional Forest Officer, Division Chamba, District Chamba, H.P. If not, what type of services benefits, back wages, seniority and regularization he is entitled to from the above employer?”

By order,
Sd/-

*Deputy Labour Commissioner,
Himachal Pradesh.*

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 01st June, 2017*

No.11-5/99(Lab)ID/2017/Chamba.—It appears to the undersigned that an industrial dispute exists between Shri Govind Singh s/o Shri Kishan Chand, r/o Village Dol, P.O. Kalhel, Tehsil Churah, District Chamba, H.P. through the General Secretary, District Committee, AITUC, HQ CHEP Stage-II Karian, P.O. Hardaspura, Tehsil & District Chamba, H.P. and the Divisional Forest Officer, Division Chamba, District Chamba, H.P. on the issue of alleged time to time termination of his services during January, 2003 to Year, 2013.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section-10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/issues for legal adjudication:-

“Whether time to time termination of the services of Shri Govind Singh s/o Shri Kishan Chand, r/o Village Dol, P.O. Kalhel, Tehsil Churah, District Chamba, H.P. through the General Secretary, District Committee, AITUC, HQ CHEP Stage-II Karian, P.O. Hardaspura, Tehsil & District Chamba, H.P. during January, 2003 to Year, 2013 by the Divisional Forest Officer, Division Chamba, District Chamba, H.P. If not, what type of services benefits, back wages, seniority and regularization he is entitled to from the above employer?”

By order,
Sd/-

Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 20th June, 2017

No.11-5/99(Lab)ID/2017/Chamba.—It appears to the undersigned that an industrial dispute exists between Shri Kishnu s/o Shri Baldev Raj, r/o Village Goha, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. and Divisional Forest Officer, Division Chamba, District Chamba, H.P. on the issue of alleged termination of his services during August, 2015.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under sub section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether termination of the services of Shri Kishnu s/o Shri Baldev Raj, r/o Village Goha, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. during August, 2015 by the Divisional Forest Officer, Division Chamba, District Chamba, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,
Sd/-
Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-171001, the 2nd June, 2017

No.11-5/99(Lab)ID/2017/Chamba.—It appears to the undersigned that an industrial dispute exists between Shri Madan Lal s/o Shri Jaisi Ram, r/o Village Dundhi, P.O. Chhatrari, Tehsil & District Chamba, H.P. and (i) the Employer, Chirchind Hydro Power Limited, Village Loona, P.O. Durgethi, Tehsil & District Chamba, H.P. (ii) the Project Manager, Govind Raj Projects Private Limited, Near Fishery Farm Sultanpur, Tehsil & District Chamba, H.P. (contractor) on the issue of miscellaneous demands.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under Sub Section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:-

“Whether demands raised *vide* demand notice dated 08-04-2016 (copy enclosed) by Shri Madan Lal s/o Shri Jaisi Ram, r/o Village Dundhi, P.O. Chhatrari, Tehsil & District Chamba, H.P. to be fulfilled by (i) the Employer, Chirchind Hydro Power Limited, Village Loona, P.O. Durgethi, Tehsil & District Chamba, H.P. (ii) the Project Manager, Govind Raj Projects Private Limited, Near Fishery Farm Sultanpur, Tehsil & District Chamba, H.P. (contractor) are legal, justified and maintainable? If yes, what relief and benefits the above worker is entitled to by the above employers?”

By order,
Sd/-
Deputy Labour Commissioner,
Himachal Pradesh.

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 20th June, 2017*

No.11-5/99(Lab)ID/2017/Chamba.—It appears to the undersigned that an industrial dispute exists between Shri Shakto Ram s/o Shri Baldev Raj, r/o Village Fulyada, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. and Divisional Forest Officer, Division Chamba, District Chamba, H.P. on the issue of alleged time to time termination of his services during April, 2014 to July, 2015 and finally during August, 2015.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under sub section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:-

“Whether time to time termination of the services of Shri Shakto Ram s/o Shri Baldev Raj, r/o Village Fulyada, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. during April, 2014 to July, 2015 and finally during August, 2015 by the Divisional Forest Officer, Division Chamba, District Chamba, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,
Sd/-

*Deputy Labour Commissioner,
Himachal Pradesh.*

LABOUR & EMPLOYMENT DEPARTMENT**NOTIFICATION***Shimla-171001, the 20th June, 2017*

No.11-5/99(Lab)ID/2017/Chamba.—It appears to the undersigned that an industrial dispute exists between Shri Tilak Raj s/o Shri Lal Chand, r/o Village Chumara, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. and Divisional Forest Officer, Division Chamba, District Chamba, H.P. on the issue of alleged time to time termination of his services during March, 2013 to July, 2015 and finally during August, 2015.

As per the report under section 12(4) of the Industrial Disputes Act, 1947 submitted by the Conciliation Officer, he tried his level best to settle the dispute during conciliation proceedings but could not succeed. The report so received has been considered by the undersigned and as per power vested under sub section-5 of Section-12 of the Act *ibid*, the undersigned has decided that this dispute is required to be legally adjudicated by the Labour Court/ Industrial Tribunal.

Therefore, the undersigned while exercising the powers vested by the Govt. of Himachal Pradesh *vide* Notification No. Shram (A) 4-9/2006-IV-Loose, Dated 15th February, 2014 and as per power vested under sub section-1 of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) this industrial dispute is referred to the Labour Court/Industrial Tribunal Dharamshala, constituted under Section-7 of Act *ibid*, on the following issue/ issues for legal adjudication:—

“Whether time to time termination of the services of Shri Tilak Raj s/o Shri Lal Chand, r/o Village Chumara, P.O. Sillagharat, Tehsil Chamba, District Chamba, H.P. during March, 2013 to July, 2015 and finally during August, 2015 by the Divisional Forest Officer, Division Chamba, District Chamba, H.P., without complying with the provisions of the Industrial Disputes Act, 1947, is legal and justified? If not, what amount of back wages, seniority, past service benefits and compensation the above worker is entitled to from the above employer?”

By order,
Sd/-

Deputy Labour Commissioner,
Himachal Pradesh.

सूचना एवं जन सम्पर्क विभाग

अधिसूचना

शिमला-2, 20 जुलाई, 2017

संख्या पब-ए-(3)-1/2016.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग में चल चित्र एवं छाया अधिकारी, वर्ग-I (राजपत्रित) के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-“क” के अनुसार भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात्:-

संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग, चल चित्र एवं छाया अधिकारी, वर्ग-I (राजपत्रित) भर्ती और प्रोन्नति नियम, 2017 है।

(2) ये नियम, राजपत्र हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

निरसन और व्यावृत्तियां.—(1) इस विभाग की अधिसूचना संख्या: पब-ए(3)22/99, तारीख 9-10-2009 द्वारा अधिसूचित हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग, चल चित्र एवं छाया अधिकारी, वर्ग-I (राजपत्रित) भर्ती और प्रोन्नति नियम, 2009 का एतद्वारा निरसन किया जाता है।

(2) ऐसे निरसन के होते हुए भी उपर्युक्त उप-नियम 2 (1) के अधीन इस प्रकार निरसित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्रवाई इन नियमों के अधीन विधिमान्य रूप में की गई समझी जाएगी।

आदेश द्वारा,

हस्ताक्षरित/—

मुख्य सचिव (सूचना एवं जन सम्पर्क)।

उपाबन्ध—“क”

हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग में चल चित्र एवं छाया अधिकारी, वर्ग—I (राजपत्रित) के पद के लिए भर्ती और प्रोन्नति नियम

1. पद का नाम.—चल चित्र एवं छाया अधिकारी
2. पद (पदों) की संख्या.— 02 (दो)
3. वर्गीकरण.—वर्ग—I (राजपत्रित)
4. वेतनमान.— (i) नियमित पदधारी (पदधारियों) के लिए पे बैण्ड.— ₹ 10,300—34800 जमा ₹ 5000 /—ग्रेड पे।
(ii) संविदा पर नियुक्त कर्मचारियों के लिए उपलब्धियां.—स्तम्भ संख्या 15—क में दिए गए ब्योरे के अनुसार ₹15,300 /— प्रतिमास।
5. “चयन” पद अथवा “अचयन” पद.—चयन
6. सीधी भर्ती के लिए आयु.—18 से 45 वर्ष :

परन्तु सीधी भर्ती किए जाने वाले व्यक्तियों के लिए ऊपरी आयु सीमा, तदर्थ या संविदा के आधार पर नियुक्त व्यक्तियों सहित, पहले से ही सरकार की सेवा में रत अभ्यर्थियों को लागू नहीं होगी:

परन्तु यह और कि यदि तदर्थ या संविदा के आधार पर नियुक्त किया गया अभ्यर्थी इस रूप में नियुक्ति की तारीख को अधिक आयु का हो गया हो, तो वह उसकी ऐसी तदर्थ या संविदा पर की गई नियुक्ति के कारण विहित आयु में शिथिलीकरण का पात्र नहीं होगा:

परन्तु यह और कि ऊपरी आयु सीमा में, अनुसूचित जातियों/अनुसूचित जनजातियों/ व्यक्तियों के अन्य प्रवर्गों के लिए, उस विस्तार तक शिथिलीकरण किया जाएगा जितना की हिमाचल प्रदेश सरकार के साधारण या विशेष आदेश (आदेशों) के अधीन अनुज्ञेय है:

परन्तु यह और भी कि समस्त पब्लिक सेक्टर निगमों तथा स्वायत्त निकायों के कर्मचारियों को, जो ऐसे पब्लिक सेक्टर निगमों तथा स्वायत्त निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सेक्टर निगमों/स्वायत्त निकायों में आमेदन से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती के लिए आयु सीमा में ऐसी ही रियायत अनुज्ञात की जाएगी जैसी सरकारी कर्मचारियों को अनुज्ञेय है। ऐसी रियायत, तथापि पब्लिक सेक्टर निगमों/स्वायत्त निकायों के ऐसे कर्मचारीवृन्द को अनुज्ञेय नहीं होगी जो तत्पश्चात् ऐसे निगमों/स्वायत्त निकायों द्वारा नियुक्त किए गए थे/किए गए हैं और उन पब्लिक सेक्टर निगमों/स्वायत्त निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत्त निकायों की सेवा में अन्तिम रूप से आमेलित किए गए हैं/किए गए थे।

टिप्पण.—सीधी भर्ती के लिए आयु सीमा की गणना उस वर्ष के प्रथम दिवस से की जाएगी जिसमें कि पद (पदों) को आवेदन आमन्त्रित करने के लिए, यथास्थिति, विज्ञापित किया गया है या नियोजनालयों को अधिसूचित किया गया है ।

7. सीधे भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं:

(क) अनिवार्य अर्हताएं.—(i) किसी मान्यता प्राप्त विश्वविद्यालय से अध्ययन की किसी शाखा में स्नातक ।

(ii) किसी मान्यता प्राप्त विश्वविद्यालय/संस्थान से मोशन पिक्चर, फोटोग्राफी में डिप्लोमा ।

(iii) किसी प्रतिष्ठित फिल्म स्टूडियो/संगठन से अर्हता प्राप्त करने के पश्चात् फिल्म निर्माण में तीन वर्ष का अनुभव ।

(ख) वांछनीय अर्हताएं.—

(i) हिमाचल प्रदेश की रूढ़ियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता ।

(ii) अर्हता प्राप्त करने के पश्चात् वृत्तचित्रों और समाचार फिल्मों (न्यूजरील) के निर्माण में तीन वर्ष का अनुभव ।

(iii) अधिमानतः हिमाचल प्रदेश के संगीत, कला और संस्कृति का ज्ञान ।

8. सीधी भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए विहित आयु और शैक्षिक अर्हताएं प्रोन्नत व्यक्ति (व्यक्तियों) की दशा में लागू होंगी या नहीं :

आयु : लागू नहीं ।

शैक्षिक अर्हता : लागू नहीं ।

9. परिवीक्षा की अवधि, यदि कोई हो.—(क) दो वर्ष, जिसका एक वर्ष से अनधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा, जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और कारणों को लिखित में अभिलिखित करके आदेश दे ।

(ख) संविदा के आधार पर, सेवाधृति के आधार पर नियुक्ति पर, अधिवर्षिता के पश्चात् पुनर्नियोजन पर और आमेदन पर कोई परिवीक्षा नहीं होगी ।

10. भर्ती की पद्धति—भर्ती सीधी होगी या प्रोन्नति/ सैकण्डमैण्ट/ स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पद (पदों) की प्रतिशतता.—शतप्रतिशत प्रोन्नति द्वारा, ऐसा न होने पर, यथास्थिति, सीधी भर्ती द्वारा नियमित आधार पर या संविदा के आधार पर भर्ती द्वारा ।

11. प्रोन्नति/सैकण्डमैण्ट/स्थानान्तरण द्वारा भर्ती की दशा में वे श्रेणियां (ग्रेड) जिनसे प्रोन्नति/सैकण्डमैण्ट/स्थानान्तरण किया जाएगा.—वरिष्ठ फोटोग्राफर तथा वरिष्ठ कैमरामैन में से प्रोन्नति द्वारा जिनका पांच वर्ष का नियमित सेवाकाल या ग्रेड में की गई लगातार तदर्थ सेवा, यदि कोई हो, का सम्मिलित करके पांच वर्ष का नियमित सेवाकाल हो:

प्रोन्नति के प्रयोजन के लिए पात्र वरिष्ठ फोटोग्राफर और वरिष्ठ कैमरामैन की अपने-अपने ग्रेड में, उनकी कांडर अनुसार पारस्परिक वरिष्ठता को छोड़े बिना, सेवाकाल के आधार पर एक संयुक्त वरिष्ठता सूची तैयार की जाएगी:

(1) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरक (पोषक) पद में की गई लगातार तदर्थ सेवा, यदि कोई हो, प्रोन्नति के लिए इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधीन रहते हुए गणना में ली जाएगी, कि सम्भरक (पोषक) प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी:

परन्तु उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरक (पोषक) पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई तदर्थ सेवा सहित, जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां अपने-अपने प्रवर्ग/पद/कॉडर में उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे:

परन्तु यह और कि उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, की कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी:

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा/समझे जाएंगे ।

स्पष्टीकरण.—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जिसे डिमोब्लाइज्ड आर्मड फोर्सिज परसोनल (रिजर्वेशन ऑफ वैकेन्सीज इन हिमाचल स्टेट नॉन टैक्नीकल सर्विसीज) रूलज 1972 के नियम 3 के उपबन्धों के अन्तर्गत भर्ती किया गया हो और इसके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे एक्स सर्विसमैन (रिजर्वेशन ऑफ वैकेन्सीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसीज) रूलज, 1985 के नियम 3 के उपबन्धों के अन्तर्गत भर्ती किया गया हो और इसके अन्तर्गत वरीयता लाभ दिए गए हों ।

(2) इसी प्रकार स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व की सम्भरक (पोषक) पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवा काल के लिए गणना में ली जाएगी, यदि तदर्थ नियुक्ति/प्रोन्नति, उचित चयन के पश्चात् और भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी:

परन्तु की गई उपर्युक्त निर्दिष्ट तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी ।

12. यदि विभागीय प्रोन्नति समिति विद्यमान हो तो उसकी संरचना.—विभागीय प्रोन्नति समिति की अध्यक्षता हिमाचल प्रदेश लोक सेवा आयोग के अध्यक्ष या उसके द्वारा नामनिर्दिष्ट आयोग के सदस्य द्वारा की जाएगी ।

13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा.—जैसा विधि द्वारा अपेक्षित हो ।

14. सीधी भर्ती के लिए अनिवार्य अपेक्षा.—किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी का भारत का नागरिक होना अनिवार्य है ।

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन.—सीधी भर्ती के मामले में, पद पर नियुक्ति के लिए चयन, साक्षात्कार/व्यक्तित्व परीक्षण के आधार पर किया जाएगा या यदि, यथास्थिति, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती अभिकरण/प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे तो पूर्व में ली गई छंटनी परीक्षा (वस्तुनिष्ठ प्रकार की)/लिखित परीक्षा या व्यवहारिक परीक्षा या शारीरिक परीक्षण के

अनुसार, साक्षात्कार/व्यक्तित्व परीक्षण के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम आदि, यथास्थिति, आयोग/अन्य भर्ती अभिकरण/प्राधिकरण द्वारा अवधारित किया जाएगा।

15-क. संविदा नियुक्ति द्वारा पद पर नियुक्ति के लिए चयन.—इन नियमों में किसी बात के होते हुए भी पद पर संविदात्मक नियुक्तियां नीचे दिए गए निबन्धनों और शर्तों के अध्वधीन की जाएगी:—

(I) संकल्पना.—(क) इस पॉलिसी के अध्वधीन हिमाचल प्रदेश सूचना एवं जन सम्पर्क विभाग में चल चित्र एवं छाया अधिकारी को संविदा के आधार पर प्रारम्भ में एक वर्ष के लिए लगाया जाएगा जिसे वर्षानुवर्ष आधार पर आगे बढ़ाया जा सकेगा:

परन्तु संविदा अवधि में वर्षानुवर्ष आधार पर विस्तारण/नवीकरण के लिए सम्बद्ध विभागाध्यक्ष यह प्रमाण पत्र जारी करेगा कि संविदा पर नियुक्त व्यक्ति की सेवा और आचरण उस वर्ष के दौरान संतोषजनक रहा है और केवल तभी उसकी संविदा की अवधि नवीकृत/विस्तारित की जाएगी।

(ख) पद का हिमाचल प्रदेश लोक सेवा आयोग के कार्य क्षेत्र में आना.—सचिव (सूचना एवं जन सम्पर्क), हिमाचल प्रदेश सरकार रिक्त पद (पदों) को संविदा के आधार पर भरने के लिए सरकार का अनुमोदन प्राप्त करने के पश्चात् अध्यपेक्षा को सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग के समक्ष रखेगा।

(ग) चयन इन भर्ती और प्रोन्नति नियमों में विहित पात्रता शर्तों के अनुसार किया जाएगा।

(II) संविदात्मक उपलब्धियां.—संविदा के आधार पर नियुक्त चल चित्र एवं छाया अधिकारी को ₹15,300/—की दर से समेकित नियत संविदात्मक रकम (जो पे बैण्ड के न्यूनतम जमा ग्रेड पे के बराबर होगी) प्रतिमास संदत्त की जाएगी। यदि संविदा में एक वर्ष से अधिक की बढ़ौतरी की जाती है तो पश्चात्वर्ती वर्ष/वर्षों के लिए संविदात्मक उपलब्धियों में ₹ 449/— (पद के पे—बैण्ड का न्यूनतम जमा ग्रेड पे का तीन प्रतिशत) की रकम वार्षिक वृद्धि के रूप में अनुज्ञात की जाएगी।

(III) नियुक्ति/अनुशासन प्राधिकारी.—सचिव (सूचना एवं जन सम्पर्क), हिमाचल प्रदेश सरकार नियुक्ति और अनुशासन प्राधिकारी होगा।

(IV) चयन प्रक्रिया.— संविदा नियुक्ति की दशा में पद पर नियुक्ति के लिए चयन, साक्षात्कार/व्यक्तित्व परीक्षण के आधार पर किया जाएगा या यदि, ऐसा करना आवश्यक या समीचीन समझा जाए तो पूर्व में ली गई छंटनी परीक्षा (वस्तुनिष्ठ प्रकार की)/लिखित परीक्षा या व्यावहारिक परीक्षा या शारीरिक परीक्षण के अनुसार, साक्षात्कार/व्यक्तित्व के आधार पर किया जाएगा, जिसका स्तर/पाठ्यक्रम आदि, सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग द्वारा अवधारित किया जाएगा।

(V) संविदात्मक नियुक्तियों के लिए चयन समिति.—जैसी सम्बद्ध भर्ती अभिकरण अर्थात् हिमाचल प्रदेश लोक सेवा आयोग द्वारा समय-समय पर गठित की जाए।

(VI) करार.—अभ्यर्थी को चयन के पश्चात् इन नियमों से संलग्न उपाबन्ध—ख के अनुसार करार हस्ताक्षरित करना होगा।

(VII) निबन्धन और शर्तें.—(क) संविदा के आधार पर नियुक्त व्यक्ति को ₹15,300/— की दर से समेकित नियत संविदात्मक रकम (जो पे बैण्ड के न्यूनतम जमा ग्रेड पे के बराबर होगी) प्रतिमास संदत्त की जाएगी। संविदा पर नियुक्त व्यक्ति आगे बढ़ाए गए वर्ष/वर्षों के लिए संविदात्मक रकम में ₹449/— (पद के पे बैण्ड का न्यूनतम जमा ग्रेड पे का तीन प्रतिशत) की रकम की वार्षिक वृद्धि का हकदार होगा और अन्य कोई सहबद्ध प्रसुविधाएं जैसे वरिष्ठ/चयन वेतनमान आदि नहीं दिया जाएगा।

(ख) संविदा पर नियुक्त व्यक्ति की सेवा पूर्णतया अस्थाई आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्यपालन/आचरण ठीक नहीं पाया जाता है तो नियुक्ति पर्यवसित (समाप्त) किए जाने के लिए दायी होगी।

(ग) संविदा पर नियुक्त व्यक्ति एक कलैण्डर वर्ष में एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश, दस दिन के चिकित्सा अवकाश और पांच दिन के विशेष अवकाश का हकदार होगा/होगी। दो से कम जीवित बालकों वाली संविदा पर नियुक्त महिला को एक सौ पैंतीस दिन का प्रसूति अवकाश दिया जा सकेगा। संविदा पर नियुक्त महिला कर्मचारी पूरी सेवा के दौरान, गर्भपात हो जाने सहित गर्भपात कराने की दशा में, प्राधिकृत चिकित्सा अधिकारी द्वारा जारी प्रमाण पत्र प्रस्तुत करने पर पैंतालीस दिन से अनधिक प्रसूति अवकाश (जीवित बच्चों की संख्या का विचार किए बिना) के लिए भी हकदार होगी। वह चिकित्सा प्रतिपूर्ति और एल0टी0सी0 आदि के लिए हकदार नहीं होगा/होगी। संविदा पर नियुक्त व्यक्ति को उपरोक्त के सिवाय अन्य किसी प्रकार का कोई अवकाश अनुज्ञात नहीं होगा।

अनुपभुक्त आकस्मिक अवकाश, चिकित्सा अवकाश और विशेष अवकाश एक कलैण्डर वर्ष तक संचित किया जा सकेगा और आगामी कलैण्डर वर्ष के लिए अग्रणीत नहीं किया जाएगा।

(घ) नियन्त्रक अधिकारी के अनुमोदन के बिना कर्त्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यवसान (समापन) हो जाएगा। तथापि आपवादिक मामलों में जहां पर चिकित्सा आधार पर कर्त्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति के हालात संविदा पर नियुक्त व्यक्ति के नियन्त्रण से बाहर हों तो उसके नियमितकरण के मामले में विचार करते समय ऐसी अवधि अपवर्जित नहीं की जाएगी, किन्तु पदधारी को इस बाबत समय पर नियन्त्रक प्राधिकारी को सूचित करना होगा तथापि संविदा पर नियुक्त व्यक्ति कर्त्तव्य (ड्यूटी) से अनुपस्थिति की ऐसी अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा:

परन्तु उसे सरकार के प्रचलित अनुदेशों के अनुसार, चिकित्सा अधिकारी द्वारा जारी किए गए बीमारी/आरोग्य प्रमाण-पत्र को प्रस्तुत करना होगा।

(ङ) संविदा के आधार पर नियुक्त पदधारी जिसने तैनाती के एक स्थान पर तीन वर्ष का कार्यकाल पूर्ण कर लिया हो, आवश्यकता के आधार पर रिक्त पद के विरुद्ध स्थानान्तरण हेतु विचार किए जाने का पात्र होगा, जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।

(च) चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। बारह सप्ताह से अधिक गर्भवती महिला अभ्यर्थी प्रसव होने तक अस्थाई तौर पर अनुपयुक्त समझी जाएगी। ऐसी महिला अभ्यर्थी का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः परीक्षण किया जाएगा।

(छ) संविदा पर नियुक्त व्यक्ति का, यदि अपने पदीय कर्त्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी कि नियमित प्रतिस्थानी पदधारी को वेतनमान के न्यूनतम पर लागू है, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।

(ज) नियमित कर्मचारियों की दशा में यथा लागू सेवा नियमों जैसे एफ0आर0-एस0आर0, छुट्टी नियम, साधारण भविष्य निधि नियम, पेंशन नियम तथा आचरण नियम आदि के उपबन्ध संविदा पर नियुक्त व्यक्तियों की दशा में लागू नहीं होंगे। वे इस स्तम्भ में यथावर्णित उपलब्धियों आदि के लिए हकदार होंगे।

16. आरक्षण.—सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा, समय-समय पर अनुसूचित जातियों / अनुसूचित जनजातियों/अन्य पिछड़े वर्गों और व्यक्तियों के अन्य प्रवर्गों के लिए सेवा में आरक्षण की बाबत जारी किए गए आदेशों के अधधीन होगी।

17. विभागीय परीक्षा.—सेवा में प्रत्येक सदस्य को समय-समय पर यथा संशोधित हिमाचल प्रदेश विभागीय परीक्षा नियम, 1997 में यथा विहित विभागीय परीक्षा उत्तीर्ण करनी होगी।

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

उपाबन्ध—“ख”

चित्र एवं छाया अधिकारी और हिमाचल प्रदेश सरकार के मध्य प्रशासनिक सचिव, सूचना एवं जन सम्पर्क के माध्यम से निष्पादित की जाने वाली संविदा/करार का प्ररूप

यह करार श्री/श्रीमति पुत्र/पुत्री श्री.....निवासी.....
.....संविदा पर नियुक्त व्यक्ति (जिसे इसमें इसके पश्चात् प्रथम पक्षकार कहा गया है) और हिमाचल प्रदेश के राज्यपाल के मध्य प्रशासनिक सचिव, सूचना एवं जन सम्पर्क, हिमाचल प्रदेश सरकार (जिसे इसमें इसके पश्चात् द्वितीय पक्षकार कहा गया है) के माध्यम से आज तारीख.....को किया गया।

द्वितीय पक्षकार ने उपरोक्त प्रथम पक्षकार को लगाया है और प्रथम पक्षकार ने चल चित्र एवं छाया अधिकारी के रूप में संविदा के आधार पर निम्नलिखित निबन्धन और शर्तों पर सेवा करने के लिए सहमति दी है: —

1. यह कि प्रथम पक्षकार चल चित्र एवं छाया अधिकारी के रूप में से प्रारम्भ होने और..... को समाप्त होने वाले दिन तक एक वर्ष की अवधि के लिए द्वितीय पक्षकार की सेवा में रहेगा। यह विनिर्दिष्ट रूप से उल्लिखित किया गया है और दोनों पक्षकारों द्वारा करार पाया गया है कि प्रथम पक्षकार की द्वितीय पक्षकार के साथ संविदा, आखिरी कार्य दिवस अर्थात्..... दिन को स्वयंमेव ही पर्यवसित (समाप्त) हो जाएगी तथा सूचना नोटिस आवश्यक नहीं होगा:

परन्तु संविदा अवधि में वर्षानुवर्ष आधार पर विस्तारण/नवीकरण के लिए विभागाध्यक्ष यह प्रमाण—पत्र जारी करेगा कि संविदा पर नियुक्त व्यक्ति की सेवा और आचरण उस वर्ष के दौरान संतोषजनक रहा है और केवल तभी उसकी संविदा की अवधि नवीकृत/विस्तारित की जाएगी।

2. प्रथम पक्षकार की संविदात्मक रकम ₹15,300/— प्रतिमास होगी।
3. प्रथम पक्षकार की सेवा पूर्णतया अस्थायी आधार पर होगी। यदि संविदा पर नियुक्त व्यक्ति का कार्य/आचरण ठीक नहीं पाया जाता है तो नियुक्ति पर्यवसित (समाप्त) की जाने के लिए दायी होगी।
4. संविदा पर नियुक्त व्यक्ति एक कलैण्डर वर्ष में एक मास की सेवा पूरी करने के पश्चात् एक दिन के आकस्मिक अवकाश, दस दिन के चिकित्सा अवकाश और पांच दिन के विशेष अवकाश का हकदार होगा/होगी। दो से कम जीवित बालकों वाली संविदा पर नियुक्त महिला को एक सौ पैंतीस दिन का प्रसूति अवकाश दिया जा सकेगा। संविदा पर नियुक्त महिला कर्मचारी पूरी सेवा के दौरान, गर्भपात हो जाने सहित गर्भपात कराने की दशा में, प्राधिकृत चिकित्सा अधिकारी द्वारा जारी प्रमाण पत्र प्रस्तुत करने पर पैंतालीस दिन से अनधिक प्रसूति अवकाश (जीवित बच्चों की संख्या का विचार किए बिना) के लिए भी हकदार होगी। वह चिकित्सा और एल0टी0सी0 आदि के लिए हकदार नहीं होगा/होगी। संविदा पर नियुक्त व्यक्ति को उपरोक्त के सिवाय अन्य किसी प्रकार का कोई अवकाश अनुज्ञात नहीं होगा।

अनुपभुक्त आकस्मिक अवकाश, चिकित्सा अवकाश और विशेष अवकाश एक कलैण्डर वर्ष तक संचित किया जा सकेगा और आगामी कलैण्डर वर्ष के लिए अग्रणीत नहीं किया जाएगा।

5. नियन्त्रक प्राधिकारी के अनुमोदन के बिना कर्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति से स्वतः ही संविदा का पर्यवसान (समापन) हो जाएगा। तथापि आपवादिक मामलों में जहां पर चिकित्सा आधार पर कर्तव्य (ड्यूटी) से अनधिकृत अनुपस्थिति के हालात संविदा पर नियुक्त व्यक्ति के नियन्त्रण से बाहर हो तो उसके नियमितीकरण के मामले में विचार करते समय ऐसी अवधि अपवर्जित नहीं की जाएगी, परन्तु पदधारी को इस बाबत समय पर नियन्त्रक प्राधिकारी को सूचित करना होगा। तथापि संविदा पर नियुक्त व्यक्ति कर्तव्य (ड्यूटी) से अनुपस्थिति की ऐसी अवधि के लिए संविदात्मक रकम का हकदार नहीं होगा:

परन्तु उसे सरकार के प्रचलित अनुदेशों के अनुसार, चिकित्सा अधिकारी द्वारा जारी किए गए बीमारी/आरोग्य प्रमाण-पत्र को प्रस्तुत करना होगा।

6. संविदा के आधार पर नियुक्त पदधारी जिसने तैनाती के एक स्थान पर तीन वर्ष का कार्यकाल पूर्ण कर लिया हो, आवश्यकता के आधार पर स्थानान्तरण हेतु पात्र होगा/होगी, जहां भी प्रशासनिक आधार पर ऐसा करना अपेक्षित हो।
7. चयनित अभ्यर्थी को सरकारी/रजिस्ट्रीकृत चिकित्सा व्यवसायी से अपना आरोग्य प्रमाण-पत्र प्रस्तुत करना होगा। महिला अभ्यर्थियों की दशा में, बारह सप्ताह से अधिक की गर्भावस्था प्रसव होने तक, उसे अस्थायी तौर पर अनुपयुक्त बना देगी। ऐसी महिला अभ्यर्थी का किसी प्राधिकृत चिकित्सा अधिकारी/व्यवसायी द्वारा उपयुक्तता के लिए पुनः परीक्षण किया जाएगा।
8. संविदा पर नियुक्त व्यक्ति का यदि अपने पदीय कर्तव्यों के सम्बन्ध में दौरे पर जाना अपेक्षित हो, तो वह उसी दर पर, जैसी कि नियमित प्रतिस्थानी पदधारी को पद के वेतनमान के न्यूनतम पर लागू है, यात्रा भत्ते/दैनिक भत्ते का हकदार होगा/होगी।
9. संविदा पर नियुक्त व्यक्ति को कर्मचारी सामूहिक बीमा योजना के साथ-साथ ई0पी0एफ0/जी0पी0एफ0 भी लागू नहीं होगा।

इसके साक्ष्यस्वरूप प्रथम पक्षकार और द्वितीय पक्षकार के साक्षियों की उपस्थिति में इसमें सर्वप्रथम उल्लिखित तारीख को अपने-अपने हस्ताक्षर कर दिए हैं।

साक्षियों की उपस्थिति में

1. _____

(नाम व पूरा पता)

2. _____

(नाम व पूरा पता)

(प्रथम पक्षकार के हस्ताक्षर)

साक्षियों की उपस्थिति में

1. _____

(नाम व पूरा पता)

2.

(नाम व पूरा पता)

(द्वितीय पक्षकार के हस्ताक्षर)

[Authoritative English text of this Department Notification No. PUB-A(3)-1/2016 dated 20-7-2017 as required under Article 348(3) of the Constitution of India].

INFORMATION & PUBLIC RELATIONS DEPARTMENT

NOTIFICATION

Shimla-171002, the 20th July, 2017

No. Pub.A(3)-1/2016.— 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 Film and Photo Officer, Class-I (Gazetted) in the Information & Public Relations 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, Information and Public Relations Department, Film and Photo Officer, Class-I (Gazetted), Recruitment & Promotion Rules, 2017.

(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 Department of Information & Public Relations, Film and Photo Officer Class-I (Gazetted) Recruitment and Promotion Rules, 2009 notified *vide* this Department Notification No. Pub-A(3)-22/99 dated 9-10-2009 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, or done or taken under these rules.

By order,

Sd/-

Chief Secretary (I&PR).

Annexure-"A"

RECRUITMENT AND PROMOTION RULES FOR THE POST OF FILM & PHOTO OFFICER, CLASS-I (GAZETTED) IN THE DEPARTMENT OF INFORMATION AND PUBLIC RELATIONS, HIMACHAL PRADESH

1. **Name of Post.**—Film & Photo Officer
2. **Number of Post.**—02 (Two)
3. **Classification.**— Class-I (Gazetted)
4. **Scale of Pay.**—(i) *Pay Band for regular incumbent(s).*— ₹ 10300-34800+ ₹ 5000/- Grade Pay.

(ii) *Emoluments for Contract employees.*— ₹ 15,300/- P.M. as per details given in Column No. 15-A.
5. **Whether “Selection” post or “Non-Selection” post.**— Selection.
6. **Age for direct recruitment.**—18 to 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 *ad hoc* or on contract basis:

Provided further that if a candidate appointed on *ad hoc* basis or on contract basis had become over-age on the date he/she was appointed as such he/she shall not be eligible for any relaxation in the prescribed age limit by virtue of his/her such *ad hoc* or contract appointment:

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:

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 Corporation / Autonomous Bodies at the time of initial constitution of such Corporation / 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 are/were subsequently appointed by such Corporations/Autonomous bodies and who are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

Note.—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, as the case may be.

7. **Minimum educational and other qualifications required for direct recruit(s).**—
(a) *Essential Qualifications.*—(i) Graduate in any discipline from a recognized University.

(ii) Diploma in motion picture, Photography from a recognized University/Institution.

(iii) Post qualification three years experience in Film production in a Film Studio/ Organization of repute.

(b) *Desirable Qualification(s).*—(i) Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

(ii) Post qualification three years experience of production in documentary films and newsreel.

(iii) Knowledge of music, art and culture preferably of Himachal Pradesh.

8. Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s) :

Age : Not applicable .

Educational Qualification : Not applicable.

9. Period of probation, if any.—(a) 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.

(b) No probation in the case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.

10. Method(s) of recruitment, whether by direct recruitment or by promotion/secondment/transfer and the percentage of post(s) to be filled in by various methods.—100% by promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be.

11. In case of recruitment by promotion/secondment/transfer, grade from which promotion/secondment/transfer is to be made.—By promotion from amongst the Senior Photographer and Senior Cameraman with 05 (five) years regular service or regular combined with continuous *ad hoc* service, if any, in the grade:

Provided that for the purpose of promotion a combined seniority list of eligible Senior Photographer and Senior Cameraman will be prepared on the basis of length of service in the respective grade without disturbing their cadre-wise *inter-se-seniority*.

(I) 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:

(i) Provided 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 *ad hoc* basis followed by regular service/appointment) 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 Promotions 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 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 Service) Rules, 1985 and having been given the benefit of Seniority thereunder.

(ii) Similarly, in all cases of confirmation, continuous *ad hoc* service rendered on the feeder post if any, prior to the regular appointment/ against such posts shall be taken into account towards the length of service, if the *ad hoc* appointment/promotion had been made after proper selection and in accordance with the provision of the Recruitment and Promotion Rules:

Provided that *inter-se-seniority* as a result of confirmation after taking into account, *ad hoc* service rendered 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 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 any service or post must be a citizen of India.

15. Selection for appointment to the post by direct recruitment.— Selection for appointment to the post in case of direct recruitment shall be made on the basis of interview/ personality test, if the Himachal Pradesh Public Service Commission or other recruiting agency/authority as the case may be, so consider necessary or expedient on the basis of interview/personality test preceded by a screening test (objective type) /written test or practical test or physical test, the standard /syllabus, etc. of which, will be determined by the Commission/other recruiting agency / authority as the case may be.

15-A. Selection for appointment to the post by contract appointment.— Notwithstanding anything contained in these rules, contract appointment(s) to the post will be made subject to the terms and conditions given below:—

(I) CONCEPT.—(a) Under this policy the Film & Photo Officer in the Department of Information & Public Relations, Himachal Pradesh will be engaged on contract basis initially for one year; which may be extendable on year to year basis:

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 the period of contract is to be renewed/ extended.

(b) *POST FALLS WITHIN THE PURVIEW OF HPPSC.*—The Secretary (I&PR) to the Government of Himachal Pradesh after obtaining the approval of the Government for filling up the vacant post(s) on contract basis will place the requisition with the concerned recruiting agency *i.e.* the Himachal Pradesh Public Service Commission.

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

(II) CONTRACTUAL EMOLUMENTS.—The Film & Photo Officer appointed on contract basis will be paid consolidated fixed amount @ ₹15,300/- P.M. (which shall be equal to minimum of the pay band + Grade pay). An amount of ₹ 449/- (3% of the minimum of pay band plus grade pay of the post) as annual increase in contractual emoluments for the subsequent year(s) will be allowed if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY.—The Secretary (I&PR) to the Government of Himachal Pradesh will be the appointing and disciplinary authority.

(IV) SELECTION PROCESS.—Selection for appointment to the post in the case of contract appointment shall be made on the basis of interview/personality test, or if considered necessary or expedient on the basis of interview/personality test preceded by a screening test (objective type) /written test or practical test or physical test, the standard/ syllabus etc. of which, will be determined by the concerned recruiting agency *i.e.* Himachal Pradesh Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS.—As may be constituted by the concerned recruiting agency *i.e.* the Himachal Pradesh 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 to these Rules.

(VII) TERMS AND CONDITIONS.—(a) The contractual appointee will be paid consolidated fixed contractual amount @ ₹ 15,300/- per month (which shall be equal to initial of pay band + grade pay). The contract appointee will be entitled for increase in contractual amount ₹449/- (3% of the minimum of pay band plus grade pay of the post) for further extended years and no other allied benefits such as senior/selection scales etc. will be given.

(b) 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.

(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 135 days'. A female contract appointee shall also be entitled for maternity leave not exceeding 45 days' (irrespective of the number of surviving 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 reimbursement 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.

(d) 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.

(e) An official appointed on contract basis, shall be eligible for consideration for transfer after completion of three years of service on need basis and against vacant posts or wherever required on administrative grounds.

(f) Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. Women candidate pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/Practitioner.

(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 pay scale.

(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.

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.—Every member of the service shall pass a 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 order 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 person(s) or post(s).

ANNEXURE-“B”

Form of contract/agreement to be executed between the Film & Photo Officer and the Government of Himachal Pradesh through Administrative Secretary, Information & Public Relations

This agreement is made on this day of in the year between Sh./Smt..... s/o/d/o Sh..... r/o Contract Appointee (hereinafter called the **FIRST PARTY**), and the **Governor** of Himachal Pradesh through Administrative Secretary, I&PR Himachal Pradesh (hereinafter called the **SECOND PARTY**).

Whereas, the **SECOND PARTY** has engaged the aforesaid **FIRST PARTY** and the **FIRST PARTY** has agreed to serve as a **Film and Photo Officer** on contract basis on the following terms & conditions:

1. That the First Party shall remain in the service of the Second Party as a **Film and Photo Officer** for a period of one 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 the HOD shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then the period of contract is to be renewed/extended.

2. The contractual amount of the **FIRST PARTY** will be ₹15,300/- per month.
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 satisfactory.
4. The contractual **Film and Photo Officer** 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 135 days'. A female contract appointee shall also be entitled for maternity leave not exceeding 45 days' (irrespective of the number of surviving 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-imbursement 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 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 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. An official 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 from a Government/Registered Medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidates should be re-examined for fitness from an authorized Medical Officer/ Practitioner.
8. Contract appointee shall be entitled to **TA/DA** if required to go on tour in connection with his/her official duties at the same rate as are applicable to his/her regular counterpart at the minimum of pay scale.
9. The employees Group Insurance Scheme as well as **EPF/GPF** 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)

2. _____

(Name and full address)

SIGNATURE OF THE FIRST PARTY

IN THE PRESENCE OF WITNESS

1. _____

(Name and full address)

2. _____

(Name and full address)

SIGNATURE OF THE SECOND PARTY

खाद्य, नागरिक आपूर्ति एवं उपभोक्ता मामले विभाग

आदेश

शिमला 17 1002, 22 जुलाई, 2017

संख्या: एफ0डी0एस0-ए(03)/90-वोल्यूम-IV.—हिमाचल प्रदेश के राज्यपाल, भारत सरकार के उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण (उपभोक्ता मामले विभाग) मन्त्रालय द्वारा जारी पत्र संख्या एस0-10/4/2016-ईसीआर एण्ड ई तारीख 17-05-2017 के साथ पठित हिमाचल प्रदेश ट्रेड आर्टिकलज (लाइसेंसिंग एण्ड कन्ट्रोल) आर्डर, 1981 के खण्ड 18 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश ट्रेड आर्टिकलज (लाइसेंसिंग एण्ड कन्ट्रोल) आर्डर, 1981 से संलग्न शेड्यूल-1 का और संशोधन करने के लिए निम्नलिखित आदेश (आर्डर) करते हैं, अर्थात:-

1. संक्षिप्त नाम और प्रारम्भ.—(1) इस आर्डर का संक्षिप्त नाम हिमाचल प्रदेश ट्रेड आर्टिकलज (लाइसेंसिंग एण्ड कन्ट्रोल) संशोधन आर्डर, 2017 है।

(2) यह राजपत्र, हिमाचल प्रदेश में प्रकाशन की तारीख से प्रवृत्त होगा।

2. शेड्यूल-I का संशोधन.—हिमाचल प्रदेश ट्रेड आर्टिकलज (लाइसेंसिंग एण्ड कन्ट्रोल) आर्डर, 1981 से संलग्न शेड्यूल-I के पार्ट "बी" (पलसिज) के अन्तर्गत मद "1. पलसिज (होल और स्पलिट)" का लोप किया जाएगा।

आदेश द्वारा,

तरुण कपूर

अति० मु० सचिव (खा०, ना० आ० एवं उ० मा०)।

[Authoritative English text of this Department Notification No FDS-A (03)/90-Vol-IV dated 22nd July, 2017 as required under clause (3) of Article 348 of the Constitution of India].

FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT**ORDER***Shimla-2, the 22nd July, 2017*

No. FDS-A(03)/90-Vol-IV.—In exercise of the powers conferred by clause 18 of the Himachal Pradesh Trade Articles (Licensing and Control) Order, 1981 read with letter No. S-10/4/2016-ECR & E, dated 17-05-2017, issued by the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs), Govt. of India dated 17-05-2017, the Governor of Himachal Pradesh is pleased to make the following Order further to amend the SCHEDULE-I appended to the Himachal Pradesh Trade Articles (Licensing and Control) Order, 1981, namely:—

1. Short title, and commencement.—(1) This Order may be called the Himachal Pradesh Trade Articles (Licensing and Control) Amendment Order, 2017.

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

Amendment of SCHEDULE-I.—In SCHEDULE-I appended to the Himachal Pradesh Trade Articles (Licensing and Control) Order, 1981, under Parts- “B” (Pulses), the item “Pulses (whole or split)” shall be omitted.

By order,

TARUN KAPOOR
Addl. Chief Secretary (FCS&CA).

LANGUAGE, ART AND CULTURE DEPARTMENT

NOTIFICATION

Shimla-2, the 21st July, 2017

No. LCD-B (15)-11/2017.—The Governor, Himachal Pradesh is pleased to constitute a Committee for the selection of tableau for National Republic Day Parade, 2018 at New Delhi consisting of the following members:—

- | | | |
|----|--|-------------------------|
| 1. | Chief Secretary, Himachal Pradesh | <i>Chairman</i> |
| 2. | Administrative Secretary (LAC) to the Govt. of H.P. | <i>Member Secretary</i> |
| 3. | Director, Information & Public Relation, H.P. | <i>Member</i> |
| 4. | Director, Tourism & Civil Aviation, H.P. | <i>Member</i> |
| 5. | Director, Language, Art & Culture, H.P. | <i>Member</i> |
| 6. | Joint Director, Language, Art & Culture, H.P. | <i>Member</i> |
| 7. | Deputy Director, Performing Art, Deptt. of LAC, H.P. | <i>Member</i> |

By order,
Sd/-

Principal Secretary (LAC).

LANGUAGE, ART AND CULTURE DEPARTMENT

NOTIFICATION

Shimla-2, the 24th July, 2017

No. LCD-F (7)-3/2012.—The Governor, Himachal Pradesh is pleased to constitute a Sub-Committee for the selection of Artists and other arrangements for the Mega Events organized by the Department of Language, Art & Culture consisting of the following members:—

- | | | |
|----|---|-----------------|
| 1. | Director, Language, Art & Culture, H.P. | <i>Chairman</i> |
|----|---|-----------------|

2.	Joint Director, Language, Art & Culture, H.P.	<i>Member</i>
3.	Curator, H.P. State Museum	<i>Member</i>
4.	Assistant Director, Performing Art, Deptt. of LAC, H.P. (also holding the charge of Deputy Director Performing Arts).	<i>Member Secretary</i>
5.	Assistant Director, Language/Publication, H.P.	<i>Member</i>
6.	Secretary, H.P. Art, Language & Culture Academy	<i>Member</i>
7.	Assistant Director, Performing Art, H.P.	<i>Member</i>
8.	District Language Officer of the concerned District	<i>Member</i>
9.	Dr. Him Chatterji, HoD, of Fine Arts, Shimla-5	<i>Member</i>

Experts

1.	Sh. Ashok Hans, former Secretary of H.P. Art, Language & Culture Academy.	Dramatics	<i>Member</i>
2.	Ms. Poonam Sharma	Dance	<i>Member</i>
3.	Sh. Ram Swaroop Shandil, H.P. University Shimla.	Music	<i>Member</i>
4.	Sh. Mohan Rathour	Folk Song/ Music/Dance	<i>Member</i>
5.	Sh. Tulsi Raman	Literature	<i>Member</i>
6.	Sh. Surjeet Singh	Fine Arts	<i>Member</i>
7.	Ms. Shailja Khanna	Music critic	<i>Member</i>

By order,
Sd/-
Principal Secretary (LAC).

LAW DEPARTMENT

NOTICE

Shimla-2, the 25th July, 2017

No. LLR-E(9)-1/2017-Leg.—Whereas, Shri Yadvender Kumar, Advocate s/o Sh. Lajje Ram, r/o Village Suragi, P.O. Janjehli, Tehsil Thunag, District Mandi, H.P. has applied for appointment of Notary Public in Sub-Division Gohar of District Mandi under rule 4 of the Notaries Rules, 1956.

Therefore, I undersigned in exercise of the power conferred *vide* Government Notification No. LLR-A(2)-1/2014-Leg., dated 1st July, 2017, hereby issue notice under rule 6 of the Notaries Rules, 1956, for the information of general public for inviting objections, if any, within a period of ten days from the date of publication of this notice in Rajpatra, H.P. against his appointment as a Notary Public in Sub-Division Gohar of District Mandi.

(Competent Authority),
DLR-cum-Deputy Secretary (Law-English).

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 30th June, 2017

No. LLR-E (9)-1/2016.—In continuation of this Department Notifications No. LLR-E (9)-1/88-IV (pertaining to District Bilaspur) dated 21-5-2013, 7-11-2015, 6-1-2016, and Notification of even number 27-6-2016 and 03-10-2016, the Governor, Himachal Pradesh is pleased to appoint Sh. Neeraj Vasu, Advocate, r/o Village Behna Brahmna, P.O & Tehsil Jhandutta, District Bilaspur, H.P. to represent the State of Himachal Pradesh in Revenue cases pending before the Office of SDM, Jhandutta, District Bilaspur, H.P. with immediate effect.

This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reasons thereof.

The above newly appointed Advocate shall be paid Rs. 1500/- (Rupees One thousand & Five hundred) only per case +Rs. 200/- (Rupees Two hundred) only as miscellaneous expenses including typing expenses.

The Deputy Commissioner is requested that whenever there is a need of service of any Advocate in the Revenue cases pertaining to the State, he may engage above Advocate. Further where more than one Advocate is empanelled for the same Revenue Court, the Deputy Commissioner will distribute the cases in rotation.

The expression “Revenue Cases” shall include all matters/ proceedings relating to encroachment cases, correction cases or any other case where interest of the State Government is required to be protected before the Court.

By order,

DR. BALDEV SINGH
LR.-cum-Pr. Secretary (Law).

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 06th July, 2017

No. LLR-E (9)-1/2016.—In continuation of this Department Notifications No. LLR-E (9)-1/88-IV (pertaining to District Mandi) dated 21-5-2013, 3-7-2013, 24-8-2013, 24-9-2013, 9-3-2015

and Notification of even number 27-6-2016, 25-7-2016 and 03-10-2016, the Governor, Himachal Pradesh is pleased to appoint Sh. Naresh Kumar, Advocate, (HIM No. 297/99), s/o Late Sh. Devinder Singh Thakur, Village Pandav Sheela, P.O. Jarol, Tehsil Thunag, District Mandi, H.P. to represent the State of Himachal Pradesh in Revenue cases pending before the Sub-Divisional Court Janjehali and Tehsil Court Thunag, District Mandi, H.P. with immediate effect.

This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reasons thereof.

The above newly appointed Advocate shall be paid Rs. 1500/- (Rupees One thousand & Five hundred) only per case +Rs. 200/- (Rupees Two hundred) only as miscellaneous expenses including typing expenses.

The Deputy Commissioner is requested that whenever there is a need of service of any Advocate in the Revenue cases pertaining to the State, he may engage above Advocate. Further where more than one Advocate is empanelled for the same Revenue Court, the Deputy Commissioner will distribute the cases in rotation.

The expression "Revenue Cases" shall include all matters/ proceedings relating to encroachment cases, correction cases or any other case where interest of the State Government is required to be protected before the Court.

By order,

DR. BALDEV SINGH,
LR.-cum-Pr. Secretary (Law).

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 25th July, 2017

No. LLR-E (9)-1/2016.—In continuation of this Department Notifications No. LLR-E (9)1/88-IV (pertaining to District Sirmaur) dated 21-05-2013, 06-06-2013, 10-07-2013, 06-09-2013, 23-12-2013 and 1-08-2014, the Governor, Himachal Pradesh is pleased to appoint Sh. Varun Sharma, Advocate (Contact No. 9816740534 and 9418079534), s/o Sh. Ved Prakash Sharma, r/o Village & P.O Dadahu, District Sirmaur, H.P. to represent the State of Himachal Pradesh in Revenue cases pending before the Revenue Court of Tehsildar/AC 1st Grade, Dadahu and Naib Tehsildar/ AC 2nd Grade, Dadahu, District Sirmaur, H.P. with immediate effect.

This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reasons thereof.

The above newly appointed Advocate shall be paid Rs. 1500/- (Rupees One thousand & Five hundred) only per case +Rs. 200/- (Rupees Two hundred) only as miscellaneous expenses including typing expenses.

The Deputy Commissioner is requested that whenever there is a need of service of an Advocate in the Revenue cases pertaining to the State, he may engage above Advocate. Further

where more than one Advocate is empanelled for the same Revenue Court, the Deputy Commissioner will distribute the cases in rotation.

The expression “Revenue Cases” shall include all matters/ proceedings relating to encroachment cases, correction cases or any other case where interest of the State Government is required to be protected before the Court.

By order,

DR. BALDEV SINGH,
LR.-cum-Pr. Secretary (Law).

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 17th July, 2017

No. LLR-E (9)-1/2016.—In continuation of this Department Notifications No. LLR-E (9)-1/88-IV (pertaining to District Bilaspur) dated 21-5-2013, 7-11-2015, 6-1-2016, and Notification of even number 27-6-2016, 03-10-2016 and 30-6-2017, the Governor, Himachal Pradesh is pleased to appoint Sh. Rattan Chand, Advocate, (Enrolment No. HIM-222/2006), s/o Sh. Budhi Ram, Village Cheli, P.O. Tanbol, Tehsil Shri Naina Devi Ji, District Bilaspur, H.P. to represent the State of Himachal Pradesh in Revenue cases pending before the Revenue Court of Sub-Division Officer (Civil) Shri Naina Devi Ji at Swarghat, District Bilaspur, H.P. with immediate effect.

This engagement is purely at the pleasure of the State Government and can be withdrawn at any stage without assigning any reasons thereof.

The above newly appointed Advocate shall be paid Rs. 1500/- (Rupees One thousand & Five hundred) only per case +Rs. 200/- (Rupees Two hundred) only as miscellaneous expenses including typing expenses.

The Deputy Commissioner is requested that whenever there is a need of service of an Advocate in the Revenue cases pertaining to the State, he may engage above Advocate. Further where more than one Advocate is empanelled for the same Revenue Court, the Deputy Commissioner will distribute the cases in rotation.

The expression “Revenue Cases” shall include all matters/proceedings relating to encroachment cases, correction cases or any other case where interest of the State Government is required to be protected before the Court.

By order,

DR. BALDEV SINGH,
LR.-cum-Pr. Secretary (Law).

LAW DEPARTMENT**NOTICE***Shimla-2, the 29th July, 2017*

No. LLR-E(9)-1/2017-Leg.-II.—Whereas, Shri Neeraj Kumar, Advocate s/o Late Sh. Ronki Ram, r/o House No. 392/11, Mohalla Ramdasia, Near Baweja Petrol Pump Nahan, District Sirmour, H.P. has applied for appointment of Notary Public in Sub-Division Nahan of District Sirmour under rule 4 of the Notaries Rules, 1956.

Therefore, I undersigned in exercise of the power conferred vide Government Notification No. LLR-A(2)-1/2014-Leg. dated 1st July, 2017, hereby issue notice under rule 6 of the Notaries Rules, 1956, for the information of general public for inviting objections, if any, within a period of ten days from the date of publication of this notice in Rajpatra, H.P. against his appointment as a Notary Public in Sub-Division Nahan of District Sirmour.

*(Competent Authority),
DLR-cum-Deputy Secretary (Law-English).*