

**RECRUITMENT AND PROMOTION RULES FOR THE POST  
OF DIRECTOR OF PROSECUTION(GAZETTED) CLASS-I, IN THE DEPARTMENT OF HOME  
(PROSECUTION ) HIMACHAL PRADESH**

SR. NO.	PARTICULARS	EXISTING	PROPOSED
1.	Name of the post	Director of Prosecution.	Director of Prosecution.
2.	Number of posts	01(One)	01(One)
3.	Classification	Class -I( Gazetted)	Class -I( Gazetted)
4.	Scale of pay	Rs. 14300-400-15900-450-18600	Rs. 14300-400-15900-450-18600
5.	Whether selection post or non-selection post	Selection	Selection
6.	Age for direct recruitment	Not applicable.	Not applicable.
7.	Minimum educational or other qualifications required for direct recruits.	ESSENTIAL QUALIFICATIONS: Not applicable.  DESIRABLE QUALIFICATIONS: Not applicable.	ESSENTIAL QUALIFICATIONS: Not applicable.  DESIRABLE QUALIFICATIONS: Not applicable.
8.	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Age: Not applicable  Educational qualification:- Not applicable.	Age: Not applicable  Educational qualification:- 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.	Two years subject to such further extension 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 <b>failing which by deputation.</b>	100% by promotion from the cadre of Joint Director (Prosecution). For the purpose of this rule, the period during which a person has been in practice as a Advocate or has rendered service as Asst. Public Prosecutor/Public Prosecutor or Deputy/Joint Director (Prosecution) by whatever name called shall be deemed to be the period during which such person has been in practice as an advocate.
11.	In case of recruitment by promotion, deputation, transfer, grades from which promotion/deputation/ transfer is to be made.	By promotion from amongst the Joint Director (Prosecution) who possess <b>three</b> years regular service or regular combined with continuous adhoc service in the grade <b>failing which by deputation of an incumbent of the cadre of Indian Administrative Service Officers.</b>  (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	By promotion from amongst the Joint Directors (Prosecution) who possess <b>three</b> years regular service or regular combined with continuous adhoc service in the grade  (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

		<p>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&amp;P Rules, provided:</p> <p>(i) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service 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.</p> <p>Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least <b>3</b> years or that prescribed in R&amp;P Rules for the post whichever is less;</p> <p>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.</p> <p><u>EXPLANATION:</u> The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person(s) happened to be ex-serviceman recruited under provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex servicemen (Reservation of vacancies in the Himachal Pradesh Technical Service)Rules, 1985 and having been given the benefit of seniority thereunder.</p> <p>(2) Similarly in all cases of confirmation, continuous ad hoc service rendered in the feeder post if any, prior to the regular</p>	<p>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&amp;P Rules, provided:</p> <p>(i) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service 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.</p> <p>Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least <b>2</b> years or that prescribed in R&amp;P Rules for the post whichever is less;</p> <p>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.</p> <p><u>EXPLANATION:</u> The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person(s) happened to be ex-serviceman recruited under provisions of Rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex servicemen (Reservation of vacancies in the Himachal Pradesh Technical Service)Rules, 1985 and having been given the benefit of seniority thereunder.</p> <p>(3) Similarly in all cases of confirmation, continuous ad hoc service rendered in the feeder post if any, prior to the regular</p>
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12.	If a departmental promotion committee exists, what is its composition	As may be constituted by the Government from time to time.	As may be constituted by the Government from time to time.
13.	Circumstances under which the HPPSC is to be consulted in making recruitment	As required under the law.	As required under the law.
14.	Essential requirement for a direct recruitment	Not applicable.	Not applicable.
15.	Selection for appointment to post by direct recruitment	Not applicable.	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 Himachal Pradesh Government from time to time.	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 service shall pass a Departmental Examination as prescribed in Departmental Examination Rules, 1997 as amended from time to time.	Every member of service shall pass a Departmental Examination as prescribed in 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 HPPSC relax any of the provisions of these Rules with respect to any class or category of persons or posts.	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 HPPSC relax any of the provisions of these Rules with respect to any class or category of persons or posts.