

HOME DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk
Mantralaya, Mumbai 400 032, dated the 8th March 2017

NOTIFICATION

PROTECTION OF HUMAN RIGHTS ACT, 1993.

No.HRC.0109/C.R.22/POL-14.—In exercise of the powers conferred by section 41 read with clause (b) of sub-section (2) and sub-section (3) of section 27 of the Protection of Human Rights Act, 1993 (10 of 1994), the Government of Maharashtra hereby, in supersession of the Government Notification. Home Department No.HRC.0109/CR.22/POL-14, dated the 21st November 2016 makes the following rules regulating recruitment to the posts of the Registrar, Assistant Registrar, Research Officer, Desk Officer, Superintendent, Account Officer, Legal Assistant, Personal Assistant, Higher Grade Stenographer, Lower Grade Stenographer, Assistant, Librarian, Accountant, Clerk-cum-Typist and Peon in the Office of the Maharashtra State Human Rights Commission, namely:—

1. *Short title and commencement.*— These rules may be called the Maharashtra State Human Rights Commission (Recruitment and General Service Conditions), Rules, 2017.

2. *Definitions.*— In these rules, unless the context requires otherwise,—

(a) "Act" means the Protection of Human Rights Act, 1993 (10 of 1994);

(b) "Appointing Authority" means the Maharashtra State Human Rights Commission;

(c) "Assistant" means Assistant working in any Department or Section of the Commission;

(d) "Commission" means the Maharashtra State Human Rights Commission constituted under sub-section (1) of section 21 of the Protection of Human Rights Act, 1993;

(e) "Commission Service" means the Maharashtra State Human Rights Commission Service as mentioned in sub-rule (1) of rule 13 of the Maharashtra State Human Rights Commission Rules, 2000;

(f) "Degree" means degree of a Statutory University;

(g) "Government" or "State Government" means the Government of Maharashtra;

(h) "Government Commercial Certificate" means a certificate in typewriting awarded by the Bureau of Government Examination, Directorate of Education, Government of Maharashtra and include a certificate issued by any other institution as may specifically declared by Government to be equivalent thereto;

(i) "Secondary School Certificate Examination" means the Secondary School Certificate Examination conducted by a Divisional Board under the Maharashtra Secondary and Higher Secondary Education Boards Act, 1965 (Mah. XLI of 1965) and includes any other examination declared by the Government to be equivalent thereto.

(2) Words and expressions used in these rules but not defined shall have the same meanings respectively assigned to them in the Act and the Rules made thereunder.

3. Appointment to the post of Registrar shall be made either,—

(a) by transfer on deputation from amongst the persons holding the post not below the rank of Civil Judge (Senior Division); or the Joint Secretary (Legal) or Deputy Secretary (Legal) in the Law and Judiciary Department of the Government, having not less than three years regular service on that post; or

(b) by inviting application from amongst the following candidates who,—

(i) are not more than forty-five years of age :

Provided that, upper age limit may be relaxed upto five years in case of a candidate already in the service of the Government;

(ii) possess a degree in Law; and

(iii) possess experience as an advocate for not less than ten years.

4. Appointment to the post of Assistant Registrar shall be made either,—

(a) by deputation of the Judicial Officer holding the post not below the rank of Civil Judge (Junior Division) and Judicial Magistrate, First Class; or the Under Secretary (Legal) or Superintendent (Legal) having experience not less than three years in the Law and Judiciary Department of the Government of Maharashtra; or

(b) by inviting application from amongst the following candidates who,—

(i) are not more than forty-five years of age:

Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government;

(ii) possess a degree in Law; and

(iii) possess experience as an advocate for not less than seven years.

5. Appointment to the post of Research Officer shall be made by inviting application from amongst the candidates who,—

(a) are not more than forty years of age:

Provided that the upper age may be relaxed upto five years in case of candidates having minimum five years experience as practising Advocate; and

(b) possess a degree in Law and Master Degree in Social Work.

6. Appointment to the post of Accounts Officer shall be made by deputation from the cadre of Accounts Officer (Group B) in Directorate of Accounts and Treasury.

7. Appointment to the post of a Desk Officer shall be made either,—

(a) by deputation of a Desk Officer working in the Mantralaya Department of the Government; or

(b) by promotion from amongst the Assistant working in the service of Commission having minimum experience of five years in that post, on the basis of merit-cum-seniority.

8. Appointment to the post of Superintendent shall be made either,—

(a) by deputation of Desk Officer working in the Mantralaya Department of the Government; or

(b) by promotion from amongst the Assistant working in the Commission having minimum five years experience in that post, on the basis of merit-cum-seniority.

✓ 9. Appointment to the post of Personal Assistant shall be made either of,—

(a) by promotion from among the Higher Grade Stenographer working in the Commission having minimum experience of three years in that post fulfilling the criteria mentioned in clause (c), on the basis of merit-cum-seniority; or

(b) by deputation of Higher Grade Stenographer having experience of three years working in the State Government service; or

✓ (c) by inviting application from amongst the candidate who,—

(i) are not less than eighteen years and not more than thirty-eight years of age: Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government;

(ii) possess a degree; and

(iii) have possess a Government Commercial Certificate having speed of 120 w.p.m. in Marathi Short Hand and 40 w.p.m. in Marathi Typing or 120 w.p.m. in English Short Hand or 60 w.p.m. in English Typing.

✓ 10. Appointment to the post of Higher Grade Stenographer shall be made either,—

(a) by promotion from amongst the Lower Grade Stenographer working in the service of the Commission having minimum experience of three years in that post and fulfilling the criteria mentioned in sub-clauses (ii) and (iii) of clause (c), on the basis of merit-cum-seniority; or

(b) by deputation of Higher Grade Stenographer working in the service of the State Government; or

(c) by inviting application from amongst the candidate who,—

(i) are not less than eighteen years and not more than thirty-eight years of age. Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government;

(ii) possess a degree;

(iii) possess a Government Commercial Certificate having speed of 120 w.p.m. in Marathi short hand and 40 w.p.m. in Marathi typing or 120 w.p.m. in English short hand and 60 w.p.m. in English typing; and

(iv) have minimum five years experience on the equivalent post.

11. Appointment to the post of Lower Grade Stenographer shall be made by,—

(a) deputation of Lower Grade Stenographer working in the service of the State Government; or

(b) by inviting application from amongst the candidate who,—

(i) are not less than eighteen years and not more than thirty-eight years of age;

Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government;

(ii) possess a degree;

(iii) possess a Government Commercial Certificate having speed of 100 w.p.m. in Marathi short hand and 40 w.p.m. in Marathi typing or 100 w.p.m. in English short hand and 40 w.p.m. in English typing; and

(iv) have minimum five years experience on equivalent post.

12. Appointment to the post of Legal Assistant shall be made either,—

(a) by deputation from amongst the persons working in the Law and Judiciary Department of the Government as Legal Assistant having experience of not less than three years; or

(b) on contract basis for a period of three years renewable at the option of the Commission to the maximum period of five years by inviting application from amongst the candidates who,—

(i) are not less than eighteen years and not more than thirty-eight years of age;

Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government;

(ii) possess a degree in Law; and

(iii) possess experience as an advocate for not less than three years.

13. Appointment to the post of Assistant shall be made by,—

(a) by deputation from amongst the persons working as an Assistant Desk Officer in any Department of the Government; or

(b) by promotion from amongst the clerk-cum-typist working in regular service of the Commission more than three years in that post on the basis of merit-cum-seniority.

14. Appointment to the post of Librarian shall be made either by,—

(a) deputation from amongst the persons working as a Librarian in the service of the Government; or

(b) by inviting application from amongst the candidates who are,—

(i) not less than eighteen years and not more than thirty-eight years of age;

Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government;

(ii) possess a degree in library science; and

(iii) have minimum five years of experience of such work.

15. Appointment to the post of Accountant shall be made on the basis of deputation from the Assistant Account Officer in the Directorate of Accounts and Treasury.

16. Appointment to the post of Clerk-cum-Typist shall be made either,—

(a) by deputation from amongst the persons working as a Clerk-cum-Typist in the service of the Government; or

महाराष्ट्र शासन राजपत्र असाधारण भाग चार-ब, मार्च १०, २०१७/फाल्गुन ११, शके १९३८

(b) by promotion on the basis of seniority amongst the person holding the post of peon in the commission service having not less than three years regular service and possess the certificate of Secondary School Certificate Examination and Government Commercial Certificate having typing speed of 30 w.p.m.; or

✓(c) by inviting application from amongst the candidates who,-

(i) are not less than eighteen years and not more than thirty-eight years of age;

Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government; and

(ii) have possess a degree.

✓ 17. Appointment to the post of Peon shall be made by inviting application from amongst the candidates who fulfills the following eligibility criteria,-

(i) are not less than eighteen years and not more than thirty-eight years of age;

Provided that, upper age limit may be relaxed upto five years in case of candidates already in the service of the Government; and

(ii) passed Secondary School Certificate Examination.

18. Age relaxation for candidates from backward class is as per the Government policy.

19. The persons appointed to the posts mentioned in rules 3, 4, 5, 9, 10, 11, 14 and 16 by inviting application shall be required to pass Post Recruitment Examination as may be prescribed by the Commission within three attempts and four years or within the period and attempt as may be further prescribed by the Commission for the respective posts. If the candidate could not pass the prescribed Departmental Examination within the period, the service of such candidate shall be liable to be terminated without prior notice.

20. The persons appointed to the posts mentioned in rules 3, 4, 5, 9, 10, 11, 14 and 16 shall be required to pass the examinations in Marathi and Hindi languages according to the rules made in this behalf, unless he has already passed or has been exempted from passing those examinations.

21. The persons appointed to the posts mentioned in rules 3, 4, 5, 9, 10, 11, 14 and 16 by inviting application shall be on probation for a period of two years. The probation period may be extended maximum upto one year. If he does not complete the probation period satisfactorily or is not found suitable for the post then he shall be liable to be terminated from service.

22. The person appointed to the posts mentioned in rules 3, 4, 5, 9, 10, 11, 12, 14 and 16 shall have to possess a Certificate in Computer Operation prescribed by the Directorate of Information Technology, Government of Maharashtra, from time to time.

23. All the appointments made by the Commission on the contractual basis from amongst the retired Government servant shall be on fixed emolument or pay minus pension and specific rules and regulation or conditions as decided by the Commission shall be as per provisions of the Government Resolution, General Administration Department, dated the 17th December 2016.

By order and in the name of the Governor of Maharashtra,

V.M. BHAT,
Deputy Secretary to Government.