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(Authoritative English Text of this Department's Notification No. Ayur-A(3)-1/2012 dated 23-07-2013 as required under clause(3) of Article 348 of the Constitution of India).

**GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF AYURVED**

No. Ayur-A(3)-1/2012

Dated: Shimla-171002, the

23rd July, 2013.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with H.P. Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Principal, Class-I (Gazetted), College of Ayurvedic Pharmaceutical Sciences, Joginder-nagar, Department of Ayurveda, Himachal Pradesh, as per Annexure-'A' attached to this notification, namely :-

Short title & Commencement : 1. (I)

These rules may be called the Himachal Pradesh, Department of Ayurveda, College of Ayurvedic Pharmaceutical Sciences, Jogindernagar, Principal, Class-I(Gazetted) Recruitment & Promotion Rules, 2013.

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

By Order,

Principal Secretary (Ayurveda) to the Government of Himachal Pradesh.

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Endst. No. Ayur-A(3)-1/2012 Dated: Shimla-2,

23rd July, 2013.

Copy for information and necessary action is forwarded to:-

1. All the Addl. Chief Secretaries/Principal Secretaries/Secretaries to the Government of Himachal Pradesh Shimla-171002.
- ✓ 2. The Director, Ayurveda, Kasumpti, Shimla-171009.
3. The Secretary, HP Public Service Commission, Nigam Vihar, Shimla-171002 w.r.t. his letter 1-2/78-PSC-Part dated 25-06-2013.
4. The Controller, Printing & Stationery Department, HP Shimla-171005 for publication in the Rajpatra.
5. The ALR-cum-Under Secretary (Law) to the Government of H.P. Shimla-2
6. Guard file with 80 spare copies.


Under Secretary (Ayurveda) to the
Government of Himachal Pradesh.

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Annexure-A

Draft Recruitment and Promotion Rules for the post of Principal (Class-I-Gazetted) College of Ayurvedic Pharmaceutical Sciences, Jogindernagar in the Department of Ayurveda, Himachal Pradesh.

1.	Name of Post	Principal
2.	Number of Post(s)	01(One)
3.	Classification	Class-I(Gazetted)
4.	Scale of Pay	(i) <u>Pay Scale for regular incumbents:-</u> Pay Band ₹ 15600-39100 plus 7800/-Grade Pay. (ii) <u>Emoluments for contract employees:-</u> ₹ 23,400/- as per details given in Column 15-A.
5.	Whether "selection" or "Non-selection" post	Selection
6.	Age for direct recruitment	45 years and below

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 adhoc or on contract basis.

Provided further that if a candidate appointed on adhoc basis or on contract basis had become overage on the date when he /she was appointed as such he/she shall be eligible for any relaxation in the prescribed age limit by virtue of his/her adhoc or contact appointment.

Provided further that the 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 Undertakings and Autonomous Bodies who happened to be Government servants before absorption in Public Sector Undertakings/ autonomous bodies at the time of initial constitutions of such Undertakings/ autonomous bodies shall be allowed age concession in direct recruitment as admissible to Government Servants. This concession will however not be admissible to such staff of the Public Sector Undertakings/ autonomous bodies who were/are subsequently appointed by such Undertakings /autonomous bodies and who are/were finally absorbed in the service of such Undertakings/ autonomous bodies after initial constitution of the Public Sector Undertakings/ Autonomous Bodies.

1. Age limit for direct recruitment shall 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.

2. Age and qualification/experience in the case of direct recruitment is relaxable at the discretion of H.P. Public Service Commission in case the candidate is otherwise well qualified.

7.	Minimum Educational and other qualifications Required for direct recruitment:	<p>a) ESSENTIAL QUALIFICATION:-</p> <p>i) <u>Post Graduate Degree in Ayurveda Sciences in any one subject of Ayurveda i.e. Kayachikitsa, Shalya Tantra, Shalkya Tantra, Samhita & basic principles, Prasuti Tantra & Stri Roga, Ras Shastra & Bhaishjya Kalpna, Dravyaguna Vigyana, Sharir Kriya, Sharir Rachana, Rog Nidan, Swastha Vrita, Agad Tantra, Panchkarma and Kumar Bharitya etc. from any recognized University established by law or the degree recognized by CCIM/H.P. Government. However, Ph.D Degree in Ayurveda Sciences in any one subject of Ayurveda mentioned above from any recognized University established by law or the degree recognized by CCIM/H.P. Government shall be given preference.</u></p> <p>ii) <u>Atleast 15 years teaching experience in a recognized Ayurveda College after acquiring Post Graduate degree in Ayurveda Sciences in any one subject of Ayurveda.</u></p> <p>b) DESIRABLE QUALIFICATIONS:-</p> <p>i) Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in Himachal.</p>
8.	Whether age and educational qualification prescribed for direct recruits will apply in the case of the promotee(s):	Age : Not applicable. Educational Qualification: <u>Yes, as prescribed in Column Col. No. 7(a)(i) above.</u>
9.	Period of probation, if any;	Two years, subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.
10.	Method of recruitment whether by direct recruitment or by promotion deputation, transfer and the percentage of posts to be filled in by various methods:	<u>100% by promotion, failing which by direct recruitment on 'regular' basis or by recruitment on contract basis, as the case may be.</u>

11.	In case of recruitment by promotion, deputation, transfer, grade from which promotion/ deputation/ transfer is to be made:	<u>By promotion from amongst the Lecturers subject to possessing of a recognized Post Graduate Degree in Ayurveda Sciences in any one subject of Ayurveda mentioned against column No.7 (a)(i) above with 15(fifteen) years regular service or regular combined with continuous adhoc service, if any, in the grade after acquiring the Post Graduate Degree.</u>
<p>(1) In all cases of promotion, the continuous adhoc 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 conditions that the adhoc 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 :</p> <p>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 adhoc 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 considerations;</p> <p>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 & promotion 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>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 the Demobilized Armed Forces Personnel(Reservation of vacances in Himachal State Non Technical Services)Rules,1972 and having been given the benefit of seniority hereunder or recruited under the provisions of Rule-3 of the Ex-Servicemen(Reservation of vacancies in the Himachal Pradesh Technical Services)Rules,1985 and having been given the benefit of seniority hereunder.</p> <p>2) Similarly, in all cases of confirmation, continuous adhoc service rendered on the feeder post if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc appointment/promotion had been made after proper selection and in accordance with the provision of the Recruitment & Promotion Rules.</p>		

	Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.	
12.	If a Departmental Promotion committee exists, what is its composition?	As may be constituted by the Govt. from time to time.
13.	Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment:	As required under the Rules.
14.	Essential requirement for a direct recruitment:	A candidate(s) for appointment to any service or post must be a citizen of India.
15.	Selection for appointment to post by direct recruitment:	Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test, if H.P. Public Service Commission or other recruiting authority as the case may be, so consider necessary or expedient by a written test or practical test, the standard/ syllabus etc. of which will be determined by the Commission OR other recruiting authority as the case may be.
15-A	Selection for appointment to post by direct recruitment on contract basis:	<p>Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:-</p> <p>Concept of appointment on contract basis:</p> <p><u>1) Concept:</u></p> <p>a) Under this policy, Principal for College of Ayurvedic Pharmaceutical Sciences in Department of Ayurveda will be engaged on contract basis initially for one year, which may be extendable on year to year basis.</p> <p align="center">Provided that for extension/renewal of contract period on year to year basis the concerned HOD shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his period of contract is to be renewed/extended.</p> <p><u>b) Post falls within the purview of HP PSC:</u></p> <p>The Principal Secretary(Ayurveda)/ Secretary (Ayurveda) after obtaining the approval of the Government to fill up the vacant post on contract basis will place the requisition with the concerned recruiting agency i.e. <u>H.P. Public Service Commission:</u></p>

C) The selection will be made in accordance with the eligibility conditions prescribed in these R&P Ruls.

II) Contractual Emoluments :

The Principal, College of Ayurvedic Pharmaceutical Sciences, Jogindernagar, in the Department of Ayurveda, H.P. appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 23,400/- per month (which shall be equal to minimum of the pay band + grade pay). An amount of Rs.702/-(3% of the minimum of pay band + 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 Principal Secretary (Ayurveda)/ Secretary (Ayurveda) to the Govt. of H.P. will be appointing and disciplinary authority.

IV) Selection Process :

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test, or if considered necessary or expedient by a written test or practical test the standard /syllabus etc. of which will be determined by the concerned recruiting agency i.e. H.P. Public Service Commission.

V) Committee for selection of Contractual

Appointments:-

As may be constituted by the concerned recruiting agency i.e. H.P. Public Service Commission from time to time.

VI) Agreement :-

After selection of a candidate, he/she shall sign an agreement as per Annexure-B appended to these Rules.

VII) Terms and Conditions :-

a) The contract appointee will be paid consolidated fixed contractual amount @ Rs. 23,400/- per month (which shall be equal to minimum of the pay band + grade pay). The contract appointee will be entitled for

increase in contractual amount @ of Rs.702/- (3% of the minimum of pay band + grade pay of the post) for further extended years and no other allied benefits such as seniority/selection scales and NPA 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) Contractual appointee will be entitled one day casual leave after putting one month service. However the contract employee will also be entitled 12 weeks maternity leave and 10 days medical leave. He/She shall not be entitled for Medical Re-imburement and LTC etc. No leave of any kind except above is admissible to contract appointee.

Provided that the un-availed casual leave and medical 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. Contract Appointee shall not be entitled for contractual amount for the period of absence from duty.

e) An official appointed on contract basis who have completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

f) Selected candidate will have to submit a certificate of his/her fitness from a Govt. /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 for TA/DA required to go on tour in connection with his/her official duties at the same rate as applicable to regul 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 applicable in case of regular employees will not

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		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 Schedule Caste/Scheduled Tribes/Other backward Classes/other categories of person issued by the H.P. Govt. from time to time.
17.	Departmental Examination:	Every member of the service shall pass a Departmental Examination as prescribed in the Departmental Examination Rules, 1997 and 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 H. P. Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or posts.

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ANNEXURE-B

FORM OF CONTRACT/AGREEMENT TO BE EXECUTED BETWEEN THE PRINCIPAL, COLLEGE OF AYURVEDIC PHARMACEUTICAL SCIENCES, JOGINDERNAGAR AND THE GOVERNMENT OF HIMACHAL PRADESH THROUGH PRINCIPAL SECRETARY/SECRETARY(AYURVEDA) TO THE GOVERNMENT OF HIMACHAL PRADESH.

This agreement is made on this _____ day of _____ in the year _____ between Sh/Smt. _____ son/daughter of Shri _____ P/o _____

_____ Contract appointee (here-in-after called the FIRST PARTY), AND the Governor, Himachal Pradesh through Principal Secretary/Secretary (Ayurveda) to the Govt. of Himachal Pradesh (here-in-after the SECOND PARTY). Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and FIRST PARTY has agreed to serve as a Principal on contract basis on the following terms and conditions:-

- 1) That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Principal for a period of 1 year commencing on the _____ day of _____ and ending on _____ day of _____. It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with the 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 Rs. 23,400/- 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 good or if a regular incumbent is appointed/posted against the vacancy for which the first party was engaged on contract.
4. Contractual Principal will be entitled one day casual leave after putting one month service. However the contract employee will also be entitled 12 weeks maternity leave and 10 days medical leave. He/She shall not be entitled for Medical Reimbursement and LTC etc. No leave of any kind except above is admissible to contract appointee.
 Provided that the un-availed casual leave and medical leave can be accumulated upto the calendar year and will not 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. A contractual Principal will not be entitled for contractual amount for the period of absence from duty.

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6. An official appointed on contract basis who have complete 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 Government/registered Medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The woman candidate should be re-examined for fitness from and 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 rates as applicable to regular counter-part official at the minimum of the pay scale.
9. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the 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:

(Signature of the FIRST PARTY)

1.

Name _____

Address _____

2.

Name _____

Address _____

IN THE PRESENCE OF WITNESS.

(Signature of the SECOND PARTY)

1.

Name _____

Address _____

2.

Name _____

Address _____
