

(Authoritative English Text of this Department's Notification No. Ayur-A(3)-2/2010 dated 27th November 2010 as required under clause (3) of Article 309 of the Constitution of India.)

**GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF AYURVEDA**

No. Ayu-A(3)-2/2010 dated: Shimla-171002, the 27-11.2010

NOTIFICATION

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

- Short title & Commencement: 1 (1) These rules may be called the Himachal Pradesh Department of Ayurveda, Principal Class-I (Gazetted) Recruitment & Promotion Rules, 2010
- (2) These rules shall come into force from the date of publication in official Gazette.
- Repeal & Savings: 2 (1) The Himachal Pradesh Department of Ayurveda, Principal (Class-I Gazetted) Recruitment & Promotion Rules, 1980 notified vide this Department's Notification No. Swasthya-Kha(3)-3/79-Part dated 24-5-1980 are hereby repealed to the extent these are applicable to the post of Principal.
- (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the relevant rules so repealed under sub rule 2(1) supra shall be deemed to have been validly made, done or taken under these rules.

By Order

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

Recruitment and Promotion Rules for the post of Principal (Class-I-Gazetted) in the Department of Ayurveda, Himachal Pradesh.

1.	Name of Post	Principal
2.	Number of Post(s)	1(One)
3.	Classification	Class-I (Gazetted)
4.	Scale of Pay	(i) Pay Scale for regular incumbents:- Rs.15600-39100 plus 7800/-Grade Pay. (ii) Emoluments for contract employees:- Rs. 23,400/- as per details given in column 15-A
5.	Whether selection or Non-selection post	Selection Post
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 Exchange 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><u>ESSENTIAL QUALIFICATION:</u></p> <p>i) Bachelor Degree in Ayurveda from any recognized University or Council of Indian System of Medicine established by law or from an Ayurvedic College recognized by the Government.</p> <p>ii) Post-Graduate Degree in any subject of Ayurveda from an Ayurvedic Institution.</p> <p>iii) Knowledge of Sanskrit to the standard of Matric or equivalent level.</p> <p>iv) 10 years teaching experience as Professor/Reader/Senior Lecturer combined.</p> <p><u>DESIRABLE QUALIFICATION :</u></p> <p>Knowledge of customs, manners and dialects of H.P. and suitability for</p>
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		appointment in the peculiar conditions prevailing in the H.P.
8.	Whether age and educational qualification prescribed for direct recruits will apply in the case of the promotees.	Age: N.A. <u>EDUCATIONAL QUALIFICATION:</u> Yes, as prescribed against Col. No. 11 below.
9.	Period of probation, 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.	100% by promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis. The contract employees will get emoluments as given in Col.15-A and will be governed by the service conditions as specified in the said Column.
11.	In case of recruitment By promotion, deputation, Transfer, grade from which promotion/ deputation/transfer is to be made.	By promotion from amongst the Professors who possess the educational qualification as prescribed against Col. No.7(iv) and having 03 years regular service or regular combined with continuous adhoc service rendered if any in the grade failing which by promotion from amongst the Professors with 10 years regular service or regular combined with adhoc service combined

as Professors/ Readers/Sr.Lecturers out of which 02 years essential service as Professors.

For the purpose of promotion a combined seniority list on the basis of length of service of the incumbents without disturbing their cadre-wise inter-se-seniority shall be prepared.

(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 condition that the adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the R&P Rules;

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 provision 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 3 years or that prescribed in the R&P 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 the 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 the Ex-servicemen(Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1965 and having been given the benefit of seniority thereunder.

(2) Similarly in all cases of confirmation continuous adhoc service rendered on the feeder post if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc

		<p>appointment/promotion had been made after proper selection and in-accordance with the provision of the R&P Rules;</p> <p>Provided that inter-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.</p>
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 Law.
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/other recruiting authority as the case may be.
15-A	Selection for appointment to post	Notwithstanding anything contained in these rules, contract appointments to the post will be

<p>by direct recruitment on contract basis.</p>	<p>made subject to the terms and conditions given below:-</p> <p>Concept of appointment on contract basis:</p> <p>I) <u>CONCEPT:</u></p> <p>a) Under this policy, Principal in the Department of Ayurveda will be engaged on contract basis initially for one year, which may be extended on year to year basis.</p> <p>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>b) Posts falling within the purview of H.P.P.S.C :</p> <p>The Principal Secretary(Ayurveda)/ Secretary (Ayurveda) after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruitment agency i.e. H.P. Public Service Commission.</p> <p>c) The selection will be made in accordance with the eligibility conditions prescribed in these rules.</p> <p>II) <u>Contractual Emoluments :</u></p> <p>The Principal appointed on contract basis will be paid consolidated fixed contractual amount</p>
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@ Rs. 23,400/- per month (which shall be equal to minimum of the pay band plus grade pay). An amount of Rs.710/-(3% of the minimum of pay band plus grade pay of the post) as annual increase in contractual amoluments for the subsequent year(s) will be allowed if contract is extended beyond one year.

III) Appointment/Disciplinary Authority:

The Principal Secretary(Ayurveda)/ Secretary(Ayurveda) to the Govt. of H.P. will be appointing and disciplinary authority.

IV) Selection Process :

a) For the post to be filled up through concerned recruitment agency :-

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

V) Committee for selection of Contractual Appointment :-

(For the posts to be filled up by the authorized recruitment agency)

“As may be constituted by the competent authority 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 plus grade pay). The contract appointee will be entitled for an increase in contractual amount @ of Rs.710/-(3% of the minimum of pay band plus 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) Contract appointee will be entitled one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He/She shall not be entitled for Medical Re-imbusement and LTC etc. only maternity leave to female incumbent will be given as per rules.
- d) Unauthorized absence from the duty without the approval of the controlling Officer shall

		<p>automatically lead to the termination of the contract. Contract appointee shall not be entitled for contractual amount for the period of absence from duty.</p> <p>e) Selected candidate will have to submit a certificate of his/her fitness from Govt. Hospital. 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 Govt. Hospital</p> <p>f) Contract appointee will be entitled for TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable at the minimum of pay scale.</p> <p>g) Provisions of service rules like FR,SR, Leave Rules, GPF Rules, Pension Rules and 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.</p>
16.	Reservation:	Not applicable.
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 Govt. 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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FORM OF CONTRACT/AGREEMENT TO BE EXECUTED BETWEEN THE PRINCIPAL 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 _____ R/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 one 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. _____ 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 for one day casual leave after putting in one month service. This leave can be accumulated up to one year. No leave of any kind is admissible to the contractual Principal. He will not be entitled for any kind of Medical Reimbursement and LTC etc. Only maternity leave will be given as per rules.
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.

6. Selected candidate will have to submit a certificate of his/her fitness from Govt. Hospital. In case of women candidates pregnant beyond 12 weeks will render her temporarily unfit till the confinement is over. The woman candidate should be re-examined for fitness from Govt. Hospital.
7. 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 counterpart officer at the minimum of the pay scale.
8. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the contractual appointee(s).
9. Private practice of any kind, whatsoever is prohibited.

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 _____
Address _____

2. Name _____
Address _____

(Signature of the FIRST PARTY)

IN THE PRESENCE OF WITNESS.

1. Name _____
Address _____

2. Name _____
Address _____

Signature of the SECOND PARTY)

S.P.H