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(Authoritative English Text of this Department's Notification No. Ayur-A(3)-8/87-Part-I dated 27-08-2011 as required under clause (3) of Article 309 of the Constitution of India).

GOVERNMENT OF HIMACHAL PRADESH
"DEPARTMENT OF AYURVEDA"

No. Ayu-A (3)-8/87-Part-I Dated: Shimla-171002, the 27th August, 2011

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of 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 Ward Sister (Class-III Non-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, Ward Sister, Class-III (Non-Gazetted) Recruitment & Promotion Rules, 2011
- (2) These rules shall come into force from the date of publication in official Gazette.
- Repeal & Savings: 2. (1) The Himachal Pradesh Department of Indian System of Medicine & Homeopathy, Ward Sister (Class-III Non-Gazetted) Recruitment & Promotion Rules, 1996 notified vide this Department's Notification No. Health - A(3)-8/87 dated 17-7-1996 are hereby repealed.
- (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the relevant rules so repealed under sub rule (1) supra shall be deemed to have been validly made, done or taken under these rules.

By Order

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

Page-2-

Page-2-

Endst. No. As above

Dated: Shimla-2 the

27th August, 2011

Copy is forwarded for information and necessary action to:-

1. All the Additional Chief Secretaries/Principal Secretaries/Secretaries to the Government of Himachal Pradesh Shimla-171002.
2. The Director of Ayurveda, HP Shimla-171009.
3. The Secretary, HP Public Service Commission, Nigam Vihar, Shimla-171002 w.r.t. his letter No. 1-2/78-PSC-Part dated 3-2-2011 (three copies).
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.
6. Guard file/Spare copies-100 copies.

Hardev Singh
Joint Secretary (Ayurveda) to the
Government of Himachal Pradesh.

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Annexure-A

RECRUITMENT & PROMOTION RULES FOR THE POST OF WARD SISTER (NON-GAZETTED) CLASS-III IN THE DEPARTMENT OF AYURVEDA IN HIMACHAL PRADESH.

1. Name of Post	Ward Sister
2. Number of post(s)	03 (Three)
3. Classification	Class-III (Non- Gazetted)
4. Scale of pay	Rs.10300-34800 plus Rs.3600/- Grade P
5. Whether "Selection" post or "Non-Selection" post	Non Selection.
6. Age for direct recruitment	Not applicable.
7. Minimum Educational & other Qualifications required for direct recruit(s).	(a) Essential Qualification (s): Not applicable (b) Desirable Qualification(s): Not applicable
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 Qualifications: 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.
10. Method(s) 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.

Provided that for the purpose of promotion every employee shall have to serve at least one term in the Tribal/Difficult areas subject to adequate number of post(s) available in such areas:

Provided further that the proviso (I) supra shall not be applicable in the case of those employees who have five years or less service, left for superannuation.

Provided further that Officers/Officials who have not served at least one tenure in Tribal/difficult area shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

Explanation-I: For the purpose of proviso I supra the "term" in Tribal/Difficult areas shall mean normally three years or less period of posting in such areas keeping in view the administrative requirements and performance of the employee.

Explanation-II: For the purpose of proviso I supra the Tribal/Difficult areas shall be as under:-

1. District Lahaul & Spiti
2. Pangi & Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Kohru Sub Division.
4. Pandrah Bis Pargana, Mamish Darkali and Gram panchyat Kashapat, Gram Panchyats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil Bhaladh Bhalona and Sagna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil in Sirmour District.

9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada Gussaini, Matyani, Ghanyar, Thachi, Baggi, Songad and Kholanal of Bali Chowki Sub Tehsil Jharwar, Kutgarh Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

(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 provision of R & P rules.

Provided that in all cases where a junior person becomes eligible for consideration by virtue of his/her 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/her 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 re-considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion 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/her shall also be deemed to be ineligible for consideration for such promotion.

EXPLANATION:- The last proviso shall not render the junior incumbent(s) ineligible for consideration for promotion if the senior ineligible person(s) happened to be ex-servicemen recruited under the provisions of Rule-3 of the Demobilized Armed Forces personnel (Reservation of vacancies in Himachal Pradesh State Non-Technical Services) Rule, 1972 and having been given the benefit of seniority there-under or recruited under the provisions of Rule-3 of of Ex-Servicemen (Reservation of vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there-under.

(2) Similarly, in all cases of confirmation, adhoc service rendered on the feeder post, if any, prior to the regular appointment/promotion 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 R & P Rules.

Provided that the inter-se-seniority as a result of confirmation after taking into account, adhoc services 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 Government from time to time.
13. Circumstances under which the H.P.S.S.C is to be consulted in making recruitment.	As required under the law.
14. Essential requirement for a direct recruitment.	Not applicable.
15. Selection for appointment to post by direct recruitment.	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 category of persons issued by the Himachal Pradesh. Government from time to time.
17. Departmental Examination.	Not applicable.
18. Powers 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 Provision(s) of these Rules with respect to any class or category of person(s) or post(s).