

(Authoritative English Text of this Government Notification No. Ayur. Kha (15) -1/99 dated 15-06-2009 as required under clause(3) of Article 348 of Constitution of India.)

Government of Himachal Pradesh  
Department of Ayurveda

No. Ayur. Kha (15) -1/99

Dated: Shimla-2, the

15<sup>th</sup> June, 2009.

NOTIFICATION

In exercise of powers conferred by the proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following rules to further amend the Himachal Pradesh Department of Indian System of Medicine and Homeopathy, Sub-Divisional Ayurvedic Medical Officer Class-I (Gazetted) Recruitment and Promotion Rules, 2000 namely :-

- |                              |   |
|------------------------------|---|
| Short Title and Commencement | 1. (1) These rules may be called, the Himachal Pradesh Department of Indian System of Medicine and Homeopathy, Sub-Divisional Ayurvedic Medical Officer (Class-I-Gazetted) (Second Amendment) Rules, 2009;<br>(2) These rules shall come into force from the date of publication in Rajpatra, Himachal Pradesh. |
| Amendment in Annexure-"A"    | 2. In Annexure-'A' of the Himachal Pradesh Department of Indian System Of Medicine and Homeopathy, Sub-Divisional Ayurvedic Medical Officer Class-I(Gazetted) Recruitment and Promotion Rules, 2000; For the existing provision against Column-11, the following shall  |

be substituted, namely :

By promotion from amongst the Ayurvedic Medical Officers, who Possess ten years regular service or Regular combined with continuous Adhoc service, if any, in the grade; Provided that for the purpose of Promotion, every employee shall have to serve atleast one term in the Tribal/Difficult areas subject to adequate number of post(s) available in such areas:

Provided further that the Proviso (1) 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 atleast one tenure in Tribal/difficult area shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre. For the purpose of proviso-1 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

Explanation-I:

Explanation-II:

requirements and performance of the employee.

For the purpose of proviso-1 supra the Tribal/Difficult areas shall be as under :-

1. District Lahaul & Spiti
2. Pangi and Bharmour Sub-Division of Chamba District.
3. Dodra-Kawar area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashapat, Gram Panchayat of Rampur, Tehsil of Distt. Shimla.
5. Pandrah Bis Pargana of Kullu Distt.
6. Bara-Bangal areas of Baijnath Sub-Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar circles of Kamrau Sub-Tehsil, Bhaladh Bhalona and Sangna Patwar Circle of Renukji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Ghanyar, Thachi, Baggi, Songad and Kholanal of Bali-Chowki Sub-Tehsil Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghanrehar and Bhatehar patwar Circle of Pathar Tehsil Chuni Kalpar, Mangarh, Thach-Bagra,

North Mogru and South Magru Patwar Circles of  
Thunag Tehsil and Baiwara Patwar Circle of  
Sundernagar Tehsil

(1) In all such 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 provisions of 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 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 place 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 three 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 Demobilis & 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 Rules-3 of Ex-servicemen (Reservation Rules), 1985 and having been given the benefit of seniority thereunder.



(2) Similarly, in all cases of confirmation, 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 against such post had been made after proper selection, and in accordance with the provisions of the R&P Rules :

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.

By Order

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

Endst. No. As above. Dated: Shimla-2, the 15<sup>th</sup> June, 2009.

Copy is forwarded for information & necessary action to:-

1. All Secretaries to the Govt. of Himachal Pradesh, Shimla-2.
2. The Secretary, H.P. Public Service Commission, Nigam Vihar, Shimla-171002.
3. The Director of Ayurveda, Himachal Pradesh, Shimla-9.  
with 20 spare copies.
4. The Controiler, Printing & Stationery, Shimla-5 for immediate publication in the Rajpatra, H.P.
5. The Senior Law Officer, Law Department H.P. Secretariat, Shimla-2.
6. Guard File with spare copies.

A-D-2  
Enclt Encl-2

Deputy Secretary (Ayur.) to the  
Government of Himachal Pradesh.

23-6-09

27 Enclt  
21/6

(Authoritative English Text of this Government Notification  
No. A. Kha(15)1/99 dated \_\_\_\_\_ as required under  
(3) of Article 348 of the constitution of India.

Government of Himachal Pradesh  
Department of Ayurveda

No. Ayu. Kha(15)1/99

Dated Shimla-2, the 5-4-20

NOTIFICATION

The Governor, Himachal Pradesh, in exercise of the powers conferred by proviso to Article 309 of the Constitution of India in consultation with the H.P. Public Service Commission is pleased to make the following rules to further amend the Himachal Pradesh Department of Indian System of Medicine and Homeopathy, Sub-Divisional Ayurvedic Medical Officer Class-I (Gazetted) Recruitment and Promotion Rules, 2000; namely :

Short title and 1.  
commencement

(1) These Rules may be called the Himachal Pradesh Department of Indian System of Medicine and Homeopathy, Sub-Divisional Ayurvedic Medical Officer (Class-I Gazetted) Recruitment and Promotion Rules, 2003;

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

Amendment in 2.  
Annexure 'A'

(a) For the existing entry against Col. 12 following shall be substituted namely :

"As may be constituted by the Govt. time to time".

By Order

Secretary (Ayurveda) to the  
Govt. of Himachal Pradesh.

.....2/-(PTO)

Endst. No. Ayu.Kha (15)1/99

Dated Shimla-2 the 15-4-99

Copy forwarded to :

1. All Secretaries, Special/Additional/Joint/Deputy and Under Secretaries, to the Govt. of H.P., Shimla-2.
2. All the Heads of Departments, H.P.
3. The Secretary, H.P. Vidhan Sabha, Shimla-4.
4. The Secretary, H.P. Public Service Commission, Nigam Vihar, Shimla-2.
5. The Director Ayurveda, H.P Shimla-9.
6. Controller, Printing & Stationary, Shimla-5 for immediate publication in Rajpatra.
7. The Officer on Special Duty, Govt. Institute of Post Graduate Education and research in Ayurveda, Paprola, Distt. Kangra.
8. The Principal, Govt. Institute of Post Graduate Education and research in Ayurveda Paprola, Distt. Kangra.
9. The Manager Ayurvedic Pharmacies, Joginder nagra, Mandi and Rajta (Sirmour), H.P.
10. All District Ayurveda Officer, H.P.
11. The Deputy Legal Remembrancer to the Govt. of H.P., Shimla-2
12. Guard file with 50 spare copies.

  
Spl. Secretary to the  
Govt. of Himachal Pradesh.