

AUTHORITATIVE ENGLISH TEXT DEPARTMENT NOTIFICATION NO.
HEALTH-A(3)-3/2012, DATED 21/5/14 AS REQUIRED UNDER CLAUSE (3) OF
ARTICLE 348 OF THE CONSTITUTION OF INDIA)

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF HEALTH SAFETY AND REGULATION

No. Health-A-A(3)-3/2012

Dated Shimla-2, the 21st May, 2014.

NOTIFICATION

In exercise of the powers conferred by 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 Recruitment & Promotion Rules for the post of **Senior Scientist(Drugs), Class-III (Non-Gazetted)** in the Department of Health and Safety Regulation, Himachal Pradesh as per Annexure-"A" attached to this notification, namely :-

Short title and
Commencement

1. (1) These Rules may be called the Himachal Pradesh Department of Health and Safety Regulation, Senior Scientist(Drugs), Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2014.
- (2) These Rules shall come into force from the date of publication in The Rajpatra, Himachal Pradesh.

Repeal &
Savings

2. (1) The Himachal Pradesh, Department of Health and Family Welfare, Senior Scientist, Class-III(Non-Gazetted) Recruitment And Promotion Rules, 1997 notified vide this department No. Health-A-A(3)-49/84 dated 9.12.1997 are hereby repealed to this extent these pertain to post of Sr. Scientist(Drugs).
- (2) Notwithstanding such repeal, any appointment made or any Thing done or any action taken under the Rules so repealed under sub-rule 2(1) supra shall be deemed to have been validity made or done or taken under these rules.

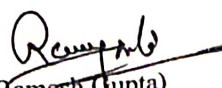
By Order

Addl. Chief Secretary(Health)to the
Government of Himachal Pradesh.
Dated Shimla-2, the

Endst. No. Health-A-A(3)-3/2012

Copy forwarded for information and necessary action to:-

1. The Accountant General(Audit), H.P., Shimla-3.
2. The Secretary, H.P.Public Service Commission, Shimla-2.
3. The Director of Health Services/Dental Health Services, H.P., Shimla-9.
4. The Director, Health Safety and Regulation, H.P., Shimla-2.
5. The ALR-cum-Under Secretary(Law)to the Govt. of H.P., Shimla-2.
6. The Controller, H.P. Printing and Stationery Department, Shimla-5 for publication in Rajpatra.


(Ramesh Gupta)
Under Secretary(Health)to the
Government of Himachal Pradesh.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF SENIOR SCIENTIST(DRUGS (CLASS-III) IN THE DEPARTMENT OF HEALTH SAFETY AND REGULATION.

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| 1 | Name of Post : | Senior Scientist (Drugs) |
| 2 | Number of Posts : | 03 (Three) |
| 3 | Classification : | Class-III (Non-Gazetted), |
| 4 | Scale of Pay: | (i) Pay scale for regular incumbents:
Pay Band ₹10300-34800 + ₹ 3800 GP
(ii) Emoluments for contract employee(s):
₹14100/- as per details given in Col.
No. 15-A. |
| 5 | Whether Selection Post or Non-Selection Post: | Non-Selection |
| 6 | Age for direct recruitment: | 18 and 45 years |

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 had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such adhoc or contract appointment:

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

Notes:-

- 1 Age limit for direct recruitment will 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 or as the case may be.
- 2 Age and experience in the case of direct recruitment is relaxable at the discretion of the Himachal Public Service Commission in case the candidate is otherwise well qualified.

7	Minimum educational and other qualifications required for direct recruit(s)	<p>(a) <u>ESSENTIAL Qualification :-</u> Should be graduate in Medicine or Science(B.Sc. Medical/ Non-Medical) or Pharmacy or Pharmaceutical Chemistry or Bio Chemistry or Medical Laboratory Technology or Microbiology or Food and Drugs of a University established in India by the law or has an equivalent qualification from a University recognized and notified by the Central Government for such purpose with eight years experience in testing of drugs from an Institution/ Organization approved by the Central/State Government from time to time.</p> <p>OR</p> <p>Should be Post Graduate in Medicine or Science or Pharmacy or Pharmaceutical Chemistry or Bio Chemistry or Medical Laboratory Technology or Microbiology or Food and Drugs of a University established in India by the Law or an Associate of Institution of Chemists(India) by examination with analysis of Drugs and Pharmaceuticals as one of the subject or has an equivalent qualification from a university recognized and notified by the Central Government for such purposes with five years experience in analysis of drugs from an Institution/Organization approved by the Central/State Government from time to time.</p> <p><u>b) DESIRABLE QUALIFICATIONS :-</u> Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>
8	Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotee.	<p>Age : Not applicable</p> <p>Educational Qualifications: As prescribed in Col. No.-11 below.</p>
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.	100 % by promotion failing which by direct recruitment on 'a 'regular' basis or by recruitment on contract basis, as the case may be.

1	In case of recruitment by promotion, deputation, transfer, grades from which promotion/deputation transfer is to be made:	By promotion from amongst the Junior Scientists(Doctors), who possess a recognized Post Graduate/Degree as prescribed for direct recruitment against Column No. 7(a) above with five years regular or regular combined with continuous adhoc service, if any, in the grade.
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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 area:

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.

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 and Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhargal Area of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Karga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna 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, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silla-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 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 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 consideration:

Provided further 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/her 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 there under 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 benefit of seniority there under.

2) Similarly, in all cases of confirmation, continuous adhoc service rendered in 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 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 Government 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 direct recruitment:	A candidate 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 the Himachal Pradesh 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 the post by contract appointment.	Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below :- I Concept:- (a) Under this policy, the Senior Scientist (Drugs) in the Health & Family Welfare Department, H.P. will be engaged on contract basis initially for one year, which

may be extendable on year to year basis:

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 extended /renewed.

(b) **POST FALLS WITHIN THE PURVIEW OF HP Subordinate Services Selection Board, Hamirpur:-**

The Director of Health Safety and Regulation, Himachal Pradesh, after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur.

(c) The Selection will be made in accordance with the eligibility conditions prescribed in these Rules.

II CONTRACTUAL EMOLUMENTS :

The Senior Scientist (Drugs) appointed on contract basis will be paid consolidated fixed contractual amount @ ₹14100/- per month. (which shall be equal to minimum of the pay band + grade pay). An amount of ₹423/- (3% of the minimum of the 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 Director of Health Safety and Regulation , Himachal Pradesh, 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 consider 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. Subordinate Services Selection Board, Hamirpur.

V.COMMITTEE FOR SELECTION OF CONTRACTUAL

APPOINTMENTS :-

As may be constituted by the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur..

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 contractual appointee will be paid fixed contractual amount @ ₹14100/- 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 @ ₹423/- (3% of the minimum the Pay Band+ grade pay of the post) for further extended years and no other allied benefits such as senior/selection scales 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 for one-day's casual leave after putting one month service. However, the contract employee will also be entitled for 12 weeks Maternity Leave and 10 day's Medical Leave. He / She shall not be entitled for Medical Reimbursement and LTC etc.. No leave of any other kind except above is admissible to the contract appointee:

Provided that 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. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time.

However, the contract appointee shall

		<p>not be entitled for contractual amount for the period of absence from duty.</p> <p>Provided that he/she shall submit the certificate of illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.</p> <p>(e) An official appointed on contract basis who has completed 3 years tenure at one place of posting will be eligible for transfer on need basis wherever required on administrative grounds.</p> <p>(f) Selected candidate will have to submit a certificate of his/her fitness from a Government /Registered Medical Practitioner. The women candidate pregnant beyond twelve 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.</p> <p>(g) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular official at the minimum of pay scale.</p> <p>(h) Provisions of service rules like FR,SR, Leave Rules, GPF Rules, Pension Rules & Conduct Rules etc. as are applicable in case of regular employees will not be applicable in case of contract appointee. They will be entitled for emoluments etc. as detailed in this Column.</p>
16.	Reservation	<p>The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes / Scheduled Tribes / Others Backward Classes/ other categories of persons issued by the Himachal Pradesh Government from time to time.</p>
17.	Departmental Examination	<p>Not Applicable.</p>
18	Power to relax	<p>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 Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category or persons or posts.</p>
