

AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION NO. HEALTH-A(3)-
2015 DATED 14/7/2017 AS REQUIRED UNDER CLAUSE (3) OF ARTICLE 348 OF THE
CONSTITUTION OF INDIA)

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF HEALTH SAFETY AND REGULATION

Health-A-A(3)-5/2015

Dated Shimla-2, the

14th July, 2017

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 Food Safety Officer, Class-III (Non-Gazetted) in the Department of Health Safety and 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 Safety and Regulation, Food Safety Officer, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2017.

(2) These rules shall come into force from the date of publication in the Rajpatra (e-Gazatte), Himachal Pradesh.

Repeal & savings .

2. (1) The Himachal Pradesh Department of Health & Family Welfare Food Inspector, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2000 notified vide this department Notification No. Health-A-A(3)-85/96 dated 13.01.2000 and as amended from time to time are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub-rule 2(1) supra shall be deemed to have been validly made or done or taken under these rules.

By Order

Principal Secretary (Health) to the
Government of Himachal Pradesh

Endst.No.Health-A-A(3)5/2015

Dated Shimla-2, the

14th July, 2017

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 Service, H.P., Shimla-9.
4. The Director, Health Safety and Regulation, H.P. Shimla-2.
5. The Director, Dental Health Services, H.P., Shimla-9.
6. The Addl LR-cum-Addl Secretary (Law) to the Govt. of H.P., Shimla-2.
7. The Deputy Law Consultant & Deputy Secretary (Law-Official Language) to the Govt. of H.P., Shimla-2.
8. The Asstt. Law Consultant cum Under Secy (Law) to the Govt. of H.P., Shimla-2
9. The Sr. Law Officer Law Department (Official Language), H.P. Sectt. Shimla-2.
10. Personal / Guard file



(Prakash Chand)
Deputy Secretary (Health) to the
Government of Himachal Pradesh

RECRUITMENT AND PROMOTION RULES FOR THE POST OF FOOD SAFETY OFFICER, CLASS-III (NON-GAZETTED) IN THE DEPARTMENT OF HEALTH SAFETY AND REGULATION, HIMACHAL PRADESH

1	Name of the Post	Food Safety Officer
2	Number of posts	12 (Twelve)
3	Classification	Class-III (Non-Gazetted)
4	Scale of Pay	i) <u>Pay Scale for regular incumbents:-</u> Pay Band 5910-20200+ 3000 GP ii) <u>Emoluments for contract employees:-</u> 8910/- as per detail given in Col.No.15-A
5	Whether "Selection" post or "Non- Selection" post	Not Applicable
6	Age for direct recruitment:	Between 18 to 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 or on contract basis had become over-age on the date 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 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.

Note:- 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 , as the case may be.

<p>Minimum Educational and Other qualifications required for direct recruit(s).</p>	<p>(a) <u>ESSENTIAL QUALIFICATIONS:-</u></p> <p>(i) A Degree in Food Technology or Dairy Technology or Biotechnology or Oil Technology or Agricultural Science or Veterinary Sciences or Bio-Chemistry, or Microbiology or Master's Degrees in Chemistry or Degree in Medicine from recognized University; or</p> <p>(ii) Any other equivalent / recognized qualification notified by the Central Government; and</p> <p>iii) Has successfully completed training as specified by the Food Authority in a recognized institute or institution approved for the purpose :</p> <p>Provided that no person who has any financial interest in the manufacture, import or sale of any article of food shall be appointed to be a Food Safety Officer under this rule.</p> <p>(b) <u>Desirable Qualification(s):-</u></p> <p>Knowledge of customs, manners and dialects of Himachal Pradesh & suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>
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8.	Whether age and educational qualifications prescribed for direct recruits will apply in case of the promote(s):	Age: Not Applicable Educational Qualification: Not Applicable
9.	Period of probation, if any.	(a) 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. (b) No probation in case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.
10.	Method(s) of recruitment, whether by direct recruitment or by promotion / secondment / transfer and the percentage of post(s) to be filled in by various methods:	100% by direct recruitment on regular basis or by recruitment on contract basis, as the case may be.
11.	In case of recruitment by promotion, transfer Secondment, grade(s) from which promotion/ Secondment/ transfer is to be made:	Not Applicable
12.	If a Departmental Promotion Committee exists, what is its composition?	Not Applicable

13.	Circumstances under which the Himachal Pradesh Public Service Commission (HPPSC) is to be consulted in making recruitment:	As required under the Law.
14.	Essential requirements for direct recruitment	A candidate for appointment to any service or post must be a Citizen of India.
15.	Selection for appointment to the post by direct Recruitment	Selection for appointment to the post in the case of direct recruitment shall be made on the basis of written examination followed by evaluation as specified, in Appendix-I to these Rules, or if the Himachal Pradesh Public Service Commission or other recruiting agency / authority as the case may be, so consider necessary or expedient on the basis of merit of written examination followed by evaluation as specified in Appendix-I to these Rules, preceded by a screening test (objective type) or practical test or skill test or physical test, the standard/ syllabus, etc. of which, will be determined by the Commission / other recruiting agency / authority, as the case may be.
15-A	Selection for appointment to the post by Contract appointment:	<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>(I) <u>Concept</u></p> <p>(a) Under this policy the Food Safety Officer in Health Safety & Regulation Department H.P., will be engaged on contract basis initially for one year, which may be extendable on year to year basis:</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 the period of contract is to be extended / renewed.

(b) Post Falls within the purview of the HPSSC:

The Director, Health Safety & Regulation, HP after obtaining the approval of the Government to fill up the vacant post(s) on contract basis will place the requisition with the concerned recruiting agency i.e. Himachal Pradesh Staff Selection Commission, Hamirpur.

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

(II) Contractual emoluments:-

The Food Safety Officer appointed on contract basis will be paid consolidated fixed contractual amount @ 8910/- PM (which shall be equal to minimum of the pay band + grade Pay). An amount of 267/- (3% of the minimum of pay band + grade pay of 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, Health Safety & Regulation, HP will be the appointing /disciplinary authority.

(IV) Selection Process:-

Selection for appointment to the post in case of direct recruitment on contract basis shall be made on the basis of merit of written examination followed by the evaluation as specified in Appendix-I to these Rules, or if considered necessary or expedient on the basis of merit of written examination followed by evaluation as specified in Appendix-I to these Rules, preceded by a screening test (Objective type) or practical test or skill test or physical test, the standard / syllabus, etc. of which, will be determined by the concerned recruiting agency i.e Himachal Pradesh Staff Selection Commission, Hamirpur.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. the Himachal Pradesh Staff Selection Commission, Hamirpur.

(VI) AGREEMENT:

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

(VII) TERMS AND CONDITIONS:

- (a) The contractual appointee will be paid consolidated fixed contractual amount @ 8910/-per month (which shall be equal to initial of the pay band + grade pay). The contract appointee will be entitled for increase in contractual amount ₹ 267/-(3% of the minimum of pay band plus 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) Contract Appointee will be entitled for one-day's casual leave after putting in one month's service. However, the contract appointee will also be entitled for 135 days Maternity Leave, 10 days Medical Leave and 5 days Special Leave. A female contract appointee shall also be entitled for maternity leave not exceeding 45 days (irrespective of the number of surviving children) during the entire service, in case of miscarriage including abortion, on production of medical certificate issued by the authorized Government Medical Officer. He/she shall not be entitled for medical Reimbursement and LTC etc. No leave of any other kind, except above is admissible to the contractual appointee:

Provided that the un-availed Casual Leave, Medical Leave and special leave can be accumulated upto the Calendar Year and will not be carried forward for the next Calendar Year.

(d) Un-authorized 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 not be entitled for contractual amount for this period of absence from duty.

Provided that he / she shall submit the certificate of illness / fitness issued by the Medical Officer, as per prevailing instructions of the Government.

(e) An official appointed on contract basis, who has completed three years tenure at one place of posting will be eligible for the 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 Government / Registered Medical Practitioner. Woman candidate pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The woman candidate will be re-examined for the fitness from an authorized Medical Officer / Practitioner.

(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 counterpart officials at the minimum of pay scale.

(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 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 Scheduled Castes / Schedules Tribes / other Backward Classes / other Categories of persons issued by the Himachal Pradesh Government from time to time.
17.	Departmental Examination	Not applicable
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 Himachal Pradesh Public Service Commission relax any of the provision(s) of these Rules with respect relax to any of the provision(s) of these Rules with respect of any class or category of persons or post(s).
