

(Authoritative English text of this Department Notification No. EDN (TE) A (3) 18/2015 dated 20.04.2017 as required under article 348 (3) of the Constitution of India)

Government of Himachal Pradesh
Technical Education, Vocational &
Industrial Training Department.

No. EDN (TE)A(3)18/2015 Dated, Shimla-171002

20-04-2017.

"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 **Recruitment and Promotion Rules for the post of Assistant Professor (Pharmacy), Class-I (Gazetted)** in the Department of Technical Education, Vocational & Industrial Training, 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 Technical Education, Vocational & Industrial Training Department, Assistant Professor (Pharmacy), Class - I (Gazetted) Recruitment and Promotion Rules, 2017.

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

Repeal & Savings:

2. (1) The Himachal Pradesh Technical Education, Vocational & Industrial Training Department, Assistant Professor, (Pharmacy) Class-I, (Gazetted) Recruitment & Promotion Rules, 2016 notified vide this Department notification of even number dated 31-05-2016 are hereby repealed.

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- (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under these rules so repealed under sub-rule 2 (1) supra shall be deemed to have been validly made, done or taken under these rules.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

Sanjay Gupta
Principal Secretary (T.E.) to the
Government of Himachal Pradesh.

Endst. No. EDN (TE)A(3)18/2015 Dated: Shimla-171002,

20.04.2017

Copy forwarded to:-

1. All Administrative Secretaries to the Govt. of Himachal Pradesh, Shimla-02
2. The Secretary, H.P. Public Service Commission, Shimla -02 along with 02 copies.
3. The Director, Technical Education, Vocational & Industrial Training, H.P. Sundernagar, Distt. Mandi-175018.
4. The ALR-cum- Under Secretary (Law) to the Govt. of Himachal Pradesh, Shimla-02.
5. The Senior Law Officer (H) Law Deptt., H.P. Sectt. Shimla - 171002.
6. Guard file.

Indul
(Madan Lal Sharma)
Under Secretary (TE) to the
Govt. of Himachal Pradesh

(14)

Annexure-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT PROFESSOR (PHARMACY) CLASS-I (GAZETTED) IN THE DEPARTMENT OF TECHNICAL EDUCATION, VOCATIONAL & INDUSTRIAL TRAINING, HIMACHAL PRADESH.

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|---|---|---|
| 1 | Name of the Post: | Assistant Professor (Pharmacy) |
| 2 | Number of post(s): | 15 (fifteen) |
| 3 | Classification: | Class-I (Gazetted) |
| 4 | Scale of Pay: | i) Pay Band for regular incumbents:
₹ 15600-39100+ ₹ 6000 GP
ii) Emoluments for Contract employees: ₹ 35,000/- P.M. as per details given in Column No. 15-A |
| 5 | Whether "Selection" Post or "Non-selection" post: | Not applicable |
| 6 | Age for direct recruitment: | 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 ad-hoc or on contract basis:

Provided further that if a candidate appointed on ad-hoc or on contract basis had become overage on the date he/she was appointed as such, he/she shall not be eligible for any relaxation in the prescribed age-limit by virtue of his/her such ad-hoc or contract appointment:

Provided further that upper age-limit is relaxable for Scheduled Castes/Scheduled Tribes/Other Backward classes and 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 constitution 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/ Corporations/

Autonomous Bodies who are/ were subsequently appointed by such corporations/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 or as the case may be.

- 7 Minimum Educational and other qualifications required for direct recruit(s) : **(a) ESSENTIAL QUALIFICATION(s):-**

Bachelor's Degree and Master's Degree in Pharmacy in appropriate branch of specialization in Pharmacy with first Class or equivalent either at Bachelor level or Master level.

If a class/division is not awarded, minimum 60% marks in aggregate shall be considered equivalent to first class/division. If a Grade Point System is adopted the Commutative Grade Point Average (CGPA) will be converted into equivalent marks as below:

Grade Point	Equivalent Percentage
6.25	55%
6.75	60%
7.25	65%
7.75	70%
8.25	75%

(b) DESIRABLE QUALIFICATION(s):-

Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

- 8 Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the 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/ secondment/ transfer, grades from which promotion/ secondment/ transfer is to be made : Not Applicable
- 12 If a Departmental Promotion/ Confirmation Committee exists, what is its composition:
 - (a) Departmental Promotion Committee: Not applicable
 - (b) Departmental Confirmation Committee: 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 a 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 interview/personality test, 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 interview/personality test preceded by a screening test (objective type) /written test or practical 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:

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 Assistant Professor (Pharmacy) in the Department of Technical Education, Vocational & Industrial Training, 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 renewed/ extended.

(b) POST FALLS WITHIN THE PURVIEW OF HPPSC:

The Secretary (Technical Education) to the Government of 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. the Himachal Pradesh Public Service Commission.

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

(II) CONTRACTUAL EMOLUMENTS:

The Assistant Professor (Pharmacy) appointed on contract basis will be paid consolidated fixed contractual amount @ ₹ 35,000/- per month.

(III) APPOINTING / DISCIPLINARY AUTHORITY:

The Secretary (Technical Education) to the Government of Himachal Pradesh will be appointing and disciplinary authority.

(iv) SELECTION PROCESS:

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of interview/personality test, or if the Himachal Pradesh Public Service Commission or other recruiting agency/authority as the case may be, so considers necessary or expedient on the basis of interview/personality test preceded by a screening test (objective type) /written test or practical 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.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENT:

As may be constituted by the concerned recruiting agency i.e. the Himachal Pradesh 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 contractual appointee will be paid fixed contractual amount @ ₹ 35,000/- P.M.
- (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) The contract appointee will be entitled for one day's casual leave after putting in one month's service. However, the contract employee 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 re-imbursement and LTC etc. No leave of any other kind except above is admissible to the contract 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) 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, contract appointee shall not be entitled for contractual amount for this period of absence from duty.

Provided that he/she shall submit the certificate for 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 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. Women candidates pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidates 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.

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| 16 | Reservation: | The appointment to the service shall be subject to orders/instructions regarding reservation for Schedule Castes/Schedule Tribes Other Backward Classes/Other categories of persons issued by the Himachal Pradesh Govt. from time to time. |
| 17 | Departmental Examination: | Every member of the service shall pass a Departmental Examination as prescribed in the H.P. Departmental Examination Rules, 1997, as amended from time to time. |
| 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 provisions of these rules with respect to any class or category of person(s) or post(s). |

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ANNEXURE-"B"

Form of contract/ agreement to be executed between the & the Government of Himachal Pradesh through

This agreement is made on this..... day of..... in the year..... Between Sh./ Smt..... S/o/ D/o Shri..... R/o....., contract appointee (hereinafter called the FIRST PARTY), AND The Governor, Himachal Pradesh through..... Himachal Pradesh (here-in-after called the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve ason contract basis on the following terms and conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as for a period of one year commencing on day of and ending on the day of..... It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso-facto stand terminated on the last working day i.e. onand 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 r...../- 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 contract appointee is not found satisfactory.
4. Contractual will be entitled for one day's casual leave after putting in one month service. However, the contract employee will also be entitled for 135 days Maternity Leave and 10 day's 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 re-imbursement 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 up to the Calendar Year and will not be carried forward for the next Calendar Year.

5. That 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 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.

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6. An official appointed on contract basis who has completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative ground.
7. Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. In case of women candidates pregnant beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer /practitioner.
8. That contract appointee shall be entitled to TA/DA if required to go on tour in connection with his official duties at the same rate as applicable to regular counter-part official at the minimum of pay scale.
9. That Employees Group Insurance Scheme, EPF/GPF will not be applicable to the contractual appointee(s).

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 and full address)

(Signature of the FIRST PARTY)

2.....

.....

(Name and full address)

IN THE PRESENCE OF WITNESS:

1.....

.....

(Name and full address)

(Signature of the SECOND PARTY)

2.....

.....

(Name and full address)