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Authoritative English Text of H.P. Govt. Notification No. HTC-B(4)-18/95,  
dated 20-3-2008 as required under clause (3) of article 348 of the  
Constitution of India.)

Government of Himachal Pradesh  
Department of Horticulture.

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No. HTC-B(4)-18/95,

Dated: Shimla-2, the 20/03/08

NOTIFICATION

In exercise of the power conferred by proviso to article 309 of the Constitution of India, the Governor of 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 Research Officer, Class-II (Non-Gazetted) in the Department of Horticulture, 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, Horticulture Department Assistant Research Officer, Class-II (Non-Gazetted) Recruitment and Promotion Rules, 2008.

(2)

These Rules shall come into force from the date of publication in Rajpatra Himachal Pradesh.

Repeal and savings.

2. (1)

The Himachal Pradesh Horticulture Department, Technical Assistant Class-III (Non Gazetted) Recruitment and Promotion Rules, 1985 notified vide this Department Notification No. Udyan-Ka(3)-1/83, dated 19-7-1985 are hereby repealed.

(2)

Nothing withstanding such repeal, any appointment made, or anything done or any action taken under the rules so repealed under sub-rule(1) supra shall be deemed to have been validly made, or done or taken under these rules.

By Order

Principal Secretary(Hort.) to the  
Government of Himachal Pradesh.

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Director of Horticulture  
May Bazar, Shimla-171002 (H.P.)

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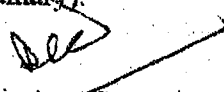
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Endst.No. HTC-B(4)-18/95,

Dated: Shimla-2, the, 20/03/08

Copy forwarded to :-

1. Principal Secretary( Pers.) to the Govt. of H.P. Shimla-2.
2. Principal Secretary( Fin. to the Govt. of H.P. Shimla-2.
3. Principal Secretary( Law) to the Govt. of H.P.
4. The Director of Horticulture , Himachal Pradesh, Shimla-2
5. The Secretary, H.P.Public Service Commission, Shimla-2 with reference to his letter No.1-1/96-PSC, dated 13-9-06.
6. The Controller, Printing & Stationery Department, H.P.Shimla-5 for publication in the H.P. Rajpatra(Extra-ordinary).

  
Joint Secretary(Hort.) to the  
Government of Himachal Pradesh

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT  
RESEARCH OFFICER CLASS-II, (NON-GAZETTED). IN THE  
DEPARTMENT OF HORTICULTURE, HIMACHAL PRADESH.

1. Name of the post : Assistant Research Officer.
2. Number of post(s) : 07 (Seven).
3. Classification : Class-II (Non-Gazetted).
4. Scale of pay (Rs. given in expanded rotation) : Rs. 6400-200-7000-220-8100-275-10300-340-10640.  
(Revised 10300-34800+4200)
5. Whether "Selection" post or "Non-Selection" post : Non-Selection.
6. Age for direct recruitment : Between 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 or on contract basis had become over-age 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 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 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.

- (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 application or notified to the Employment Exchanges or as the case may be.
- (2) Age and experience in the case of direct recruitment, relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruitment :

ESSENTIAL QUALIFICATION:  
Master's degree in Agriculture Economics / Master's degree in Economics with Statistics / Master's degree in Maths / Master's degree Statistics or its equivalent from a recognised University.

DESIRABLE QUALIFICATION(S):

1. Atleast three years experience in the field of collection / compilation of statistical data.

2. Preference will be given to those who have higher qualification and experience in the line.

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

8. Whether age and educational prescribed for direct recruits will apply in the case of the promotee(s) :

Age: Not applicable.  
E.Q.: 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 of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of post(s) to be filled in by various methods :

i) 65 2/3% by promotion.

ii) 33 1/3% by direct recruitment or on contract basis through B.P. Public Service Commission.

11. In case of recruitment by promotion, deputation, transfer, from which grade promotion / deputation / transfer is to be made :

By promotion from amongst the Statistical Assistants Investigator with atleast two years regular or regular combined with continuous adhoc service in the grade.

- (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 / 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 considered for promotion shall possess the minimum qualifying service of atleast 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 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 Demobilised Armed Forces Personnel (Reservation of Services) Rules, 1972 and having been given the benefit of seniority thereunder 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 the benefit of seniority thereunder.

- (2) Similarly, in all cases of confirmation, 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.

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12. If a Departmental Promotion Committee exists, what is its composition? : D.P.C. to be presided over by the Chairman, H.P. Public Service Commission or a Member thereof to be nominated by him.
13. Circumstances under which the Himachal Pradesh Public Service Commission 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 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 post by contract appointment:

#### I. CONCEPT:-

(a) Under the policy, the Assistant Research Officer in the Horticulture Department will be engaged on contract basis initially for one year, which may be extendable for two more years.

(b) The candidates will be selected by advertising the vacant post by the H.P. Public Service Commission.

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

(d) Contractual Assistant Research Officer so selected under these Rules will not have any right to claim regularization or permanent absorption in Government job.

#### II. HONORARIUM:

The Assistant Research Officer appointed on contract basis will be paid contractual amount @ Rs. 9600/- per month (which shall be equal to the initial of Pay Scale + dearness pay). No amount will be paid for absence period. An

contractual amount for second and third years respectively will be allowed if contract is extended beyond one year.

### III. APPOINTING / DISCIPLINARY AUTHORITY.

The Director of Horticulture Department will be appointing and disciplinary authority.

### IV. SELECTION PROCESS.

- a) The Director of Horticulture will inform the Govt. about the existing vacancies of Assistant Research Officer in the Department well in advance before the end of the year by giving full justification for the same according to the work load and norms.
- b) The request will be considered by the Govt. and if there is any request for transfer in the first instance, the Govt. will fill up the vacancy by transfer of regular incumbent, or otherwise, Govt. will issue "No Objection Certificate" to the Director of Horticulture to fill up the vacant post of Assistant Research Officer on contract basis for one year only, which can be extended for two more years by the Director of Horticulture.
- ✓ c) The Director of Horticulture after obtaining the approval of the Govt. to fill up the vacant post on contract basis will send the requisition to the H.P. Public Service Commission.

### V. COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS.

- ✓ Selection will be made by the H.P. Public Service Commission.

### VI. AGREEMENT.

After selection of a candidate, he / she has to sign an agreement as per Annexure-B appended to these rules.

### VII. TERMS AND CONDITIONS.

- a) The Assistant Research Officer appointed on contract basis will be paid contractual amount @ Rs. 9600/- per month (which shall be equal to initial of the pay scale + dearness pay). He will be entitled for annual increase in contractual amount @ Rs. 200/- per annum for second and third years respectively and no other allied benefits such as senior / selection scales etc.
- b) The service of the contractual Assistant Research Officer 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 good.
- c) Contract appointee shall not confer any right to the incumbent for the regularization in service at any stage.

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d) Contractual Assistant Research Officer will be entitled for one day casual leave after putting one month service. This leave can be accumulated upto one year. No leave of any other kind is admissible to the contract appointee. He / She will not be entitled for medical reimbursement and LTC etc. Only maternity leave will be given as per rules.

e) Unauthorised absence from the service without the approval of the Head of the office shall automatically lead to the termination of the contract. Contract appointee shall not be entitled for any contractual amount for the period of absence from duty.

f) Transfer of Assistant Research Officer appointed on contract basis will not be permitted from one office to another in any case.

g) Selected candidate will have to submit a certificate of his / her fitness from a Govt. / Registered Medical Practitioner. In case of women candidates, pregnancy beyond 12 weeks will render her temporarily unfit until the confinement is over. The women candidate should be re-examined for fitness from an authorised Medical Officer / Practitioner.

h) Contract Assistant Research Officer shall 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.

#### VIII. RIGHT TO CLAIM REGULAR APPOINTMENT.

The candidate engaged on contract basis under these rules shall have no right to claim for regularisation / permanent absorption as Assistant Research Officer in the cadre in a Department at any stage.

#### 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 categories 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).



ANNEXURE-B

Form of contract/agreement to be executed between the Contract Appointee & the Government of Himachal Pradesh through Director of Horticulture.

This agreement is made on this \_\_\_\_\_ day  
of \_\_\_\_\_ in the year \_\_\_\_\_ Between Sh./Smt.  
R/O \_\_\_\_\_

Contract appointee (here-in-after called the First Party), and the Governor, Himachal Pradesh through Director of Horticulture, Himachal Pradesh (here-in-after the Second Party).

Whereas, the Second Party has engaged the aforesaid First Party and the First Party has agreed to serve as a \_\_\_\_\_ on contract basis on the following terms & conditions :-

- 1 That the First Party shall remain in the service of the Second Party as \_\_\_\_\_ for a period of 1 year commencing on day \_\_\_\_\_ of \_\_\_\_\_ and ending on the day of \_\_\_\_\_. It is specifically mentioned and agreed upon the both the parties that the contract of the First Party with Second Party shall ipso-facto stand terminated on the information notice shall not be necessary.
- 2 The contractual amount of the First Party will be Rs. \_\_\_\_\_ 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 the contract appointee is not found good.
- 4 The contractual appointee shall not confer any right to incumbent for the regular service at any stage.
5. Contract \_\_\_\_\_ will be entitled for one day casual leave after putting one month service. This leave can be accumulated upto one year. No leave of any kind is admissible to the contractual \_\_\_\_\_ He will not be entitled for Medical Reimbursement and L.T.C. etc. Only maternity leave will be given as per Rules.
6. Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual \_\_\_\_\_ will not be entitled for contractual amount for the period of absence from duty.
7. transfer of a \_\_\_\_\_ appointed on contract basis will not be permitted from one place to another in any case.
8. 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 the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/practitioner.

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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)