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3. Classification Class-II (Gazetted)
4. Scale of pay Rs. 2200-70-2550-75-3000-100-4000

5. Whether selection post or non-selection post. Selection

5. Age for direct recruitment. Below 35 years

Provided that the upper age limit for direct recruits will not be applicable to the candidates 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 basis or on contract 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 ad hoc or on 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 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/Autonomous Bodies who were/are subsequently appointed by such Corporations/Autonomous Bodies and who were/are finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

Note.—(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 invitation applications or notified in the Employment Exchange or as the case may be.

(2) Age and experience in the case of direct recruitment relaxable at the discretion of the H. P. Public Service Commission in case the candidate is otherwise well qualified.

Assistant Director (Tea)

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-171 002, the 7th January, 1998

No. Ind-A (A)3-2/97.—In exercise of the powers 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 Director (Tea), Class-II (Gazetted) in the Industries Department, as per Annexure 'A' namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Industries Department Assistant Director (Tea) Class-II (Gazetted) Recruitment and Promotion Rules, 1997.

(2) These rules shall come into force with immediate effect.

By order,

P. S. RANA,
Financial Commissioner-cum-Secretary.

ANNEXURE "A"

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT DIRECTOR (TEA) CLASS-II (GAZETTED) IN THE DEPARTMENT OF INDUSTRIES, HIMACHAL PRADESH

1. Name of the post Assistant Director (Tea)
2. Number of posts 1 (One)

Minimum educational and other qualifications required for direct recruits.

Essential Qualifications:
Should be M.Sc. in Chemistry/Agriculture/Horticulture or its equivalent from recognised University.

Desirable Qualifications:
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 qualifications prescribed for direct recruits will apply in the case of promotees.
- (i) Age : No
(ii) Educational Qualifications: No

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 for reasons to be recorded in writing.

10. Method of recruitment—whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.
- 100% by promotion failing which by direct recruitment.

11. In case of recruitment by promotion, deputation, transfer, grade from which promotion / deputation / transfer is to be made.
- By promotion from amongst the tea promotion officers with 10 (ten) years regular or regular combined with continuous *ad hoc* (rendered upto 31-3-1991) service in the grade.

Note.—(1) In all cases of promotion, the *ad hoc* service rendered in the feeder post upto 31-3-1991, if any, prior to regular appointment to the post shall be taken in to account towards the length of service as prescribed in these Rules for promotion subject to the condition 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 *ad hoc* basis upto 31-3-91) 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 that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least 3 years or that prescribed in the Recruitment and

Promotion 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 Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal Pradesh State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1981 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, *ad hoc* service rendered on the feeder post upto 31-3-1991, if any, prior to the regular appointment against such post shall be taken into account towards the length of service:

Provided that *inter-se* seniority as a result of confirmation after taking in to account *ad hoc* service rendered upto 31-3-1991 shall remain unchanged.

12. If a Departmental Promotion Committee exists, what is its composition.
- To be presided over by the Chairman H. P. Public Service Commission or Member thereof to be nominated by him.
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) a citizen of India, or
 - (b) a subject of Nepal, or
 - (c) a subject of Bhutan, or
 - (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
 - (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika)

and Zanzibar), Zambia, Malwa, Zaire and Ethiopia with the intention of permanently settling in India :

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the H. P. Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

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 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 standard/syllabus, etc. of which will be determined by the Commission/other recruiting authority as the case may be.

16. Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Backward Classes/Other Categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination.

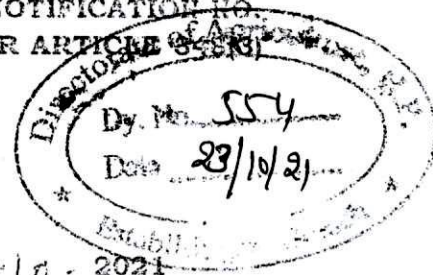
(1) Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination Rules, 1997.

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. P. S. C. relax any of the provisions of these rules with respect to any class or category of persons or posts.

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(AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION NO. AGR-A-A(3)3/2012, DATED 19-10-2021 AS REQUIRED UNDER ARTICLE 8(3) OF THE CONSTITUTION OF INDIA)

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF AGRICULTURE



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

Dated Shimla-2, 19-10-2021

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 Director (Tea), Class-II (Gazetted) in the Department of Agriculture, H.P. as per Annexure-"A" attached to this notification, namely:-

- | | |
|------------------------------|---|
| Short title and commencement | 1. (1) These rules may be called the Himachal Pradesh, Agriculture Department, Assistant Director (Tea) Class-II (Gazetted) Recruitment and Promotion Rules, 2021. |
| | (2) These Rules shall come into force from the date of publication in the Rajpatra (e-Gazette) Himachal Pradesh. |
| Repeal and savings | 2. (1) The Himachal Pradesh, Industries Department, Assistant Director (Tea), Class-II, (Gazetted) R&P Rules, 1997 notified vide notification No. Ind-A(A)3-2/97, dated 07.01.1998 are hereby repealed. |
| | (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the relevant 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,
Secretary (Agr.) to the
Government of Himachal Pradesh

Endst. No. As above.

Dated Shimla-2, 19-10-2021

Copy is forwarded to the following:-

1. The Additional Chief Secretary (Personnel) to the Govt. of H.P. Shimla-2.
2. The Additional Chief Secretary (Finance) to the Govt. of H.P. Shimla-2.
3. The Secretary (GAD-C) to the Govt. of H.P. Shimla-2.
4. The Secretary, H.P. Public Service Commission, Shimla-2 with reference to his letter No.1-6/98-PSC-Part, dated 22nd November, 2016.
5. The JLR-cum-Joint Secretary (Law) to the Government of H.P. Shimla-2.
6. The Director of Agriculture, H.P. Shimla-5.
7. The Controller, P&S, Shimla-5 for publication in the e-Rajpatra.

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Under Secretary (Agr.) to the
Government of Himachal Pradesh

Annexure "A"**RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT DIRECTOR (TEA), CLASS-II (GAZETTED) IN THE DEPARTMENT OF AGRICULTURE, HIMACHAL PRADESH.**

1.	Name of the post	Assistant Director (Tea)
2.	Number of post	01 (One)
3.	Classification	Class-II (Gazetted)
4.	Scale of pay	<p>(I) Pay band for regular incumbent(s): <input type="checkbox"/> 10300-34800+5000 Grade Pay</p> <p>(II) Emoluments for Contractual Employee(s): <input type="checkbox"/> 15,300/-P.M. as per details given in Col. No. 15-A.</p>
5.	Whether "Selection" post or "Non-Selection post:	Selection.
6.	Age for direct recruitment	<p>18 to 45 years:</p> <p>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;</p> <p>Provided further that if a candidate appointed on adhoc 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:</p> <p>Provided further that upper age limit is relaxable for Scheduled Caste/ 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:</p> <p>Provided further that the employees of all the Public Sector Corporations and Autonomous Bodies who happened to be Government Servant before absorption in Public Sector Corporation/ 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</p>

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		<p>Corporations/ Autonomous Bodies who were/are subsequently appointed by such Corporations/Autonomous Bodies and who were/are finally absorbed in the service of such Corporation/Autonomous bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.</p> <p><u>NOTE:</u></p> <p>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.</p>
7.	Minimum Educational and other Qualifications required for direct recruit(s):	<p>(a) Essential Qualification(s):</p> <p>M.Sc in Chemistry / Agriculture / Horticulture from a recognized University or Institution affiliated to recognized University or from a deemed University.</p> <p>(b) <u>Desirable Qualification(s):</u></p> <p>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 qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s):	<p>Age : Not Applicable</p> <p>Educational Qualifications: Not Applicable</p>
9.	Period of probation, if any:	<p>Direct Recruitment/Promotion:</p> <p>(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.</p> <p>(b) No probation in the case of appointment on contract basis.</p>

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 promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be.
11.	In case of recruitment by promotion/ secondment/transfer, grade(s) from which promotion/secondment / transfer is to be made:	By promotion from amongst the <u>Tea Promotion Officers</u> with 08 (Eight) years regular or regular combined with continuous adhoc service, if any, in the grade.
<p>(I) Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/Difficult/Hard areas and remote/rural areas subject to adequate number of post(s) available in such areas:</p> <p>Provided further that the proviso (I) supra shall not be applicable in the case of those employees who have five years or less service, left for superannuation except posting/transfer in remote/rural areas. This condition of five years shall not be applicable in case of promotion.</p> <p>Provided further that Officers/Officials who have not served atleast one tenure in Tribal/Difficult/Hard areas and remote/rural areas shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.</p> <p><u>Explanation I:-</u> For the purpose of proviso I supra the "term" in Tribal/Difficult areas/Hard areas/ remote/rural areas shall mean normally three years or less period of posting in such areas keeping in view the administrative exigencies/ convenience.</p> <p><u>Explanation II:-</u> For the proviso (I) supra the Tribal/Difficult Areas shall be as under:-</p> <ol style="list-style-type: none"> 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 of Rampur Tehsil of District Shimla. 5. Pandrah Bis Pargana of Kullu District. 6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District. 7. District Kinnaur. 8. Kathwar and Korga Patwar Circles of Kamrau sub Tehsil, Bhaladh Bhalona and 		

S. K. S.

Sangra 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, Silh-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.

Explanation III:- For the purpose of proviso(I) supra the Remote/Rural Areas shall be as under:

- (i) All stations beyond the radius of 20 Kms. from Sub Division/Tehsil headquarter.
- (ii) All stations beyond the radius of 15 Kms. from State Headquarter and District head quarters where bus service is not available and on foot journey is more than 3 (three) Kms.
- (iii) Home town or area adjoining to area to home town within the radius of 20 Kms. of the employee regardless of its category.

(II) 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:

- (i) 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/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 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 Recruitment and Promotion 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

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	<p>him/her shall also be deemed to be ineligible for consideration for such promotion.</p> <p>Explanation:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person(s) happened to be Ex-servicemen who have joined armed forces during the period of emergency and recruited under the provisions of rule-3 of the Demobilized Armed Forces Personnel (Reservations of Vacancies in the Himachal State Non-Technical Service) Rules, 1972 and having been given the benefit of seniority there-under or recruited under the provisions of Rule-3 of the Ex-servicemen (Reservations of Vacancies in the H.P. Technical Services) Rules, 1985 and having been given the benefit of seniority there-under.</p> <p>(ii) Similarly, in all cases of confirmation, continuous adhoc service rendered on the feeder post if any, prior to the regular appointment against such posts 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:</p> <p style="padding-left: 40px;">Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered shall remain unchanged.</p>	
12.	If a Departmental Promotion Committee/Departmental Confirmation Committee exists, what is its composition?	As may be constituted by the Government from time to time.
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 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 the 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:	<p>Notwithstanding anything contained in these Rules, contract appointment 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 Assistant Director (Tea) in Agriculture Department will be engaged on contract basis initially for one year, which may be extendable on year to year basis:</p> <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 his/her period of contract is to be renewed/extended.</p> <p>(b) <u>POST FALLS WITHIN THE PURVIEW OF HPPSC</u>:</p> <p>The Director of Agriculture, Himachal Pradesh after obtaining the approval of the Government to fill up the vacant post on contract basis will place the requisition with the concerned recruiting agency i.e. Himachal Pradesh Public Service Commission.</p> <p>(c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.</p> <p>(II) <u>CONTRACTUAL EMOLUMENTS</u>:</p> <p>The Assistant Director (Tea) appointed on contract basis will be paid consolidated fixed contractual amount @ Rs.15300/-per month (which shall be equal to minimum of the pay band + grade pay). An amount of Rs. 459/- (3% of the minimum of 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.</p>

B. Gulati

(III) APPOINTING/DISCIPLINARY AUTHORITY:

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

(IV) SELECTION PROCESS:

Selection for appointment to the post in the case of contract appointment shall be made on the basis of interview/ personality test or if considered 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 concerned recruiting agency i.e. Himachal Pradesh Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. 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 contract appointee will be paid fixed contractual amount @ Rs. 15300/- 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 @ Rs. 459/- (3% of the minimum of the pay band + grade pay of the post) for further extended years and no other allied benefits such as senior / selection scale etc. will be given.
- (b) The service of the Contract Appointee will be purely on temporarily basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory. In case the contract appointee is not satisfied with termination orders issued by the Appointing Authority, he/she may prefer an appeal before the Appellate Authority who shall be higher in rank to the Appointing Authority, with in a period of 45 days, from the date on which a copy of

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termination orders is delivered to him/her.

- (c) The Contract appointee will be entitled for one day's casual leave after putting one month's service, 10 days' medical leave and 5 days' special leave, in a calendar year. A female contract appointee with less than two surviving children may be granted maternity leave for 180 days. 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. A contract employee shall not be entitled for medical reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

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 unauthorized 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 any 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 transfer on need based basis wherever required on administrative grounds.

- (f) Selected candidate will have to submit a certificate of his/her fitness issued by a Medical Board in the case of a Gazetted Government servant and by Government Medical Officer in the case of a Non-Gazetted Government servant. In case of women candidates who are to be appointed against posts carrying hazardous nature of duties and in case

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		<p>they have to complete a period of training as a condition of service, such woman candidate, who as a result of tests is found to be pregnant of twelve weeks' standing or more shall be declared temporarily unfit and her appointment shall be held in abeyance until the confinement is over. Such woman candidate be re-examined for medical fitness six weeks after the date of confinement, and if she is found fit on production of medical fitness certificate from the authority as specified above, she may be appointed to the post kept reserved for her.</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 counterpart official at the minimum of pay scale.</p> <p>(h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension Rules and Conduct Rules etc. as are applicable in case of regular employees will not be applicable in case of contract appointees. The employees Group Insurance Scheme as well as EPF/GPF will also not be applicable to contract appointee(s).</p>
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	Every member of service shall pass a Departmental Examination as prescribed in the Himachal Pradesh Departmental Examination Rule, 1997, as amended from time to time.
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 Himachal Pradesh 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 ASSISTANT DIRECTOR (TEA) AND THE GOVERNMENT OF HIMACHAL PRADESH THROUGH THE DIRECTOR OF AGRICULTURE, H.P.

This agreement is made on this.....day of in the year.....Between Shri/Smt.....S/o, D/o Shri.....R/o.....

..... contract appointee (hereinafter called the FIRST PARTY), AND The Governor, Himachal Pradesh through Director of Agriculture, Himachal Pradesh, Shimla-2 (here-in-after referred to as the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as Assistant Director (Tea) on contract basis on the following terms & conditions: -

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Assistant Director (Tea) for a period of one year commencing on the 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. on.....and 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 Rs...../- per month.
- 3 The service of the FIRST PARTY will be purely on temporarily basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory. In case the contract appointee is not satisfied with termination orders issued by the Appointing Authority he/she may prefer an appeal before the Appellate Authority who shall be higher in rank to the Appointing Authority, within a period of 45 days, from the date on which a copy of termination orders is delivered to him/her.
- 4 Contractual Assistant Director (Tea) will be entitled for one day's casual leave after putting one month's service, 10 days' Medical Leave and 5 days' special leave in a calendar year. A female contract appointee with less than two surviving children may be granted maternity leave for 180 days. 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

By order

Medical Officer. A contract employee shall not be entitled for medical reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

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.

5. 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 unauthorized 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 prevailing instructions of the Government.

6. An officer 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.
7. Selected candidate will have to submit a certificate of his/her fitness from a Medical Board. In case of women candidates who are to be appointed against posts carrying hazardous nature of duties and in case they have to complete a period of training as a condition of service such woman candidate, who as a result of tests is found to be pregnant of twelve weeks' standing or more shall be declared temporarily unfit and her appointment shall be held in abeyance until the confinement is over. Such woman candidate be re-examined for medical fitness six weeks after the date of confinement, and if she is found fit on production of medical fitness certificate from the authority as specified above, she may be appointed to the post kept reserved for her.
8. Contractual officer 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 the regular counter-part officer at the minimum of pay scale.
9. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to 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)

(Signature of the SECOND PARTY)

Party