

(authorised English Text of this Department Notification
No. Udyam-Ka(3)4/81-II, dated the 6th February, 1988, as required
under clause 3 of Article 348 of the constitution of India).

GOVERNMENT OF HIMACHAL P.R. DESH
HORTICULTURE DEPARTMENT.

No. Udyan-Ka(3)4/81-II Dated Shimla-2, the 15.3.88.

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 H. P. Public Service Commission is pleased to make the Recruitment & Promotion Rules for Class-I (Gazetted) post of Additional Director of Horticulture, in the pay scale of Rs. 2300-2500, in the Department of Horticulture, as at Annexure-II, in supersession of this department notification of even number dated 3.9.1987. The Governor, Himachal Pradesh is further pleased to repeal R&P Rules for the aforesaid post notified vid. Notification No. 25-5/69-Hort. (Sectt.), dated 9.12.1971 and amendments carried out thereon from time to time provided that such repeal shall not affect the previous operation of the said Rules or anything done or any action taken there under shall be deemed to have been validly done or taken under these rules;

i) Short Title & Commencement. (i) These Rules may be called H. P. Hort. Deptt. Class-I (Gazetted) Services R&P Rules, 1988.

(ii) These Rules shall come into force on the date these are published in the Govt. Gazette.

(S. M. Kanwar)
Agriculture Production Commissioner-cum-
Secretary (Hort.) to the Govt. of Himachal Pradesh

:-2:-

No. Udy.m-Ka(3)4/81-II
Copy forwarded to:-

Dated Shimla-2, the 15.3.88.

1. All the Secretary/Jt. Secretaries/Dy. Secretaries/Under Secretaries to the Govt. of Himachal Pradesh, Shimla-2,
2. The Secretary, HP Public Service Commission, Shimla-2, for information with reference to their letter No. 14/71-PSC dated 17th March, 1987.
3. All the Heads of Department in Himachal Pradesh.
4. The Director of Horticulture, Himachal Pradesh, Shimla-2.
5. The Controller of Printing & Stationery, Himachal Pradesh, Govt. Press Shimla-5 for publication in the extra-ordinary Gazette of HP Rajpatra, immediately. He is requested to make available 100 copies of these rules to this Department.

Sd/-

Deputy Secretary(Hort.) to the
Govt. of Himachal Pradesh,
Shimla-171002.

ANNEXURE-II

Recruitment and Promotion Rules for the post of Additional Director of Horticulture in the Department of Horticulture, in Himachal Pradesh Government.

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1. Name of the post:	Additional Director of Horticulture
2. Number of posts:	One.
3. Classification:	Class-I (Gazetted).
4. Scale of pay	Rs. 2300-2500
5. Whether selection post or non selection post:	Selection.
6. Age for direct recruitment.	45 years and below.

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 Schedule Castes/Schedule Tribes/other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.

Provided further that the employee of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in Public sector Corporation/autonomous bodies at the time of initial constitution of such corporation/autonomous bodies shall be allowed age concession in direct recruitment as admissible to Govt. 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 are/were 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 from the last date fixed for receipt of appointment by the commission.

Note: 2: Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission in case of the candidate is otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruits.

Essential: (i) M. Sc. in Horticulture with Specialisation in Pomology or its equivalent.

(ii) Atleast 10 years experience of Horticulture Development in hilly area including 5 years experience on a responsible administrative post.

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 qualification prescribed for direct recruits will apply in the case of the promotees.

Age: No.

Educational Qualifications: Yes.

9. Period of probation, if any.

Two years subject to such further extension for a period not exceeding one year and 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, deputations transfer and the percentage of vacancies to be filled in by various methods.

By promotion failing which by direct recruitment.

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

By promotion from amongst the Joint Director/Project Director with atleast 3 years regular service rendered upto 31.12.83) (or) with 5 years regular (including adhoc service rendered upto 31.12.83) as class-I of in the department of Horticulture.

(For purpose of promotion a combined seniority list of eligible Joint Director of Horticulture/Project Director based on regular service including adhoc service upto 31.12.83 will be maintained).

Note: In all cases of promotion adhoc service rendered in the feeder post upto 31.12.83 if any prior to the 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:-

adhoc service rendered upto 31.12.1983) 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 atleast 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 requirement of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

(b) Similarly, in all cases of confirmation, adhoc service rendered in the post upto 31.12.1983 if any, prior to the regular appointment against such post shall be taken into account towards the length of service.

Provided that the inter-se-seniority as a result of confirmation after taking into account adhoc service shall remain unchanged.

(c) Adhoc service rendered after 31.12.83, shall not be taken into account for confirmation/promotion purposes.

Note:- Provisions of Rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under Rule 2 are increased.

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 HP, PSC, is to be consulted in making recruitment. As required under the law.

14. Essential Requirement for a direct recruit. 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 Jan., 1962 with the intention of permanently settling in India.
- (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, Malawi, 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 Himachal Pradesh 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.

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

16. Reservation:

The appointment to his service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes/other categories of persons issued by the H. P. Govt. from time to time.

17. Power to relax.

Where the State Govt. is of the opinion that it is necessary or expedient so to do, it may be order for reasons to be recorded in writing and in consultation with H. P. P. S. C. relax any of the provisions of these rules with respect to my class or category of persons or posts.

18. Departmental Examinations.

(I) Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination Rules, 1976 as amended from time to time, failing which he shall not be eligible to:-

- i) Crossing the efficiency bar next due,
- ii) Confirmation in the service even after completion of probationary period; and
- iii) Promotion to the next higher post.

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under these rules before the notification of these rules, shall not be required to qualify the whole or in part of the examination as the case may be.

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976, shall be required to qualify the departmental examination prescribed under these rules.

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Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1.3.1976, shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purposes of (i) Crossing the efficiency bar next due and if) confirmation in the service after completion of probationary period.

2. An officer on promotion to the higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

3. The Government may in consultation with the H.P. Public Service Commission, grant in exceptional circumstances and for reasons to be reduced in writing, exemption in accordance with the Departmental Examinations Rules to any class or category of persons from the departmental examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

3. The Government may in consultation with the H.P. Public Service Commission, grant in exceptional circumstances and for reasons to be reduced in writing, exemption in accordance with the Departmental Examinations Rules to any class or category of persons from the departmental examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.