

AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT
NOTIFICATION NO. HEALTH-A(3)-6/2010, DATED AS REQUIRED
UNDER CLAUSE (3) OF ARTICLE 348 OF THE CONSTITUTION OF INDIA

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF HEALTH & FAMILY WELFARE

No. Health-A(3)-8/2010

Dated Shimla-2, the

9-3-12

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 & Promotion Rules for the post of Operation Theatre Assistant, Class III (Non-Gazetted), in the Department of Health & Family Welfare, 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 & Family Welfare, Operation Theatre Assistant Class III (Non-Gazetted), Recruitment and Promotion, Rules, 2012 |
| | (2) These Rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh. |
| Repeal & Savings: | 2. (1) The Himachal Pradesh, Department of Health & Family Welfare, Operation Theatre Assistant, Class III (Non-Gazetted) Recruitment & Promotion Rules, 1998 notified vide this Department notification No. Health-A-A(3)-12/06 dated 30-4-1998 are hereby repealed.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| | (2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules, so repealed under sub-rule(i) supra shall be deemed to have been validly made or done or taken under these rules. |

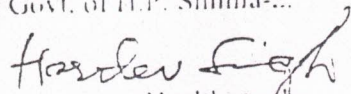
By Order

Secretary (Health) to the
Government of Himachal Pradesh.

Endst No. No. Health-A(3)-6/2010

Dated Shimla-2, the 9-3-12

1. The Accountant General (Audit), H.P. Shimla-3.
2. The Secretary, H.P. Public Service Commission, Shimla-2.
3. The Controller, H.P. Printing & Stationery Deptt. Shimla-5 for publication in the Extra Ordinary Rajpatra.
4. The A/R-cum-Under Secretary (Law) to the Govt. of H.P. Shimla-2.
5. The Director of Health Services Shimla-9.


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

ANNEXURE-A

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF
OPERATION THEATRE ASSISTANT, CLASS-III (NON-
GAZETTED) IN THE DEPARTMENT OF HEALTH AND FAMILY
WELFARE H.P.**

- | | |
|---|---|
| 1. Name of Post : | Operation Theatre Assistant |
| 2. Number of Posts : | 119 (One Hundred and nineteen) |
| 3. Classification : | Class-III (Non Gazetted) |
| 4. Scale of Pay : | (i) <u>Scale of Pay for regular incumbents:</u>
Pay Band ₹ 5910-20200+ ₹ 2000
Grade Pay
(ii) <u>Emoluments for contract employees</u>
₹ 7910/- P.M. as per details given in Col.
No.15-A |
| 5. Whether Selection Post or Non- Selection Post: | Not Applicable |
| 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 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 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 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;

(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 applications 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 Public Service Commission in case the candidate is otherwise well qualified.

7 Minimum educational and other qualifications required for direct recruits:

(a) ESSENTIAL QUALIFICATION:

- (i) Should be 10-2 with Science(Physics, Chemistry and Biology) with 50% in from a recognized Board of School Education/ Institution..
- (ii) Must have passed OTA Training course from a recognized Institution by the State Government.

OR

B.Sc. Degree in Medical Technology(Anaesthesia & OT Techniques) from Himachal Pradesh University or equivalent Degree recognized by the State Government.

Persons holding Graduate Degree in Medical Technology(Anaesthesia & OT Techniques) will be preferred.

- (iii) Should be registered with H.P. Para Medical Council.

(b) 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 the promotee(s)

Age: 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 posts to be filled in by various methods.

100% by direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get emoluments as given in Col. 15-A and will be governed by service conditions as specified in the said column.

- 11 In case of recruitment by promotion, deputation, transfer, grades from which promotion / deputation 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 is to be consulted in making recruitment: As required under the law.
- 14 Essential requirement for 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 recruitment 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 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: -

1) Concept:-

- (a) Under this policy, the Operation Theatre Assistant in the Health & Family Welfare Department 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/her period of contract is to be renewed /extended .

- (b) Post falls within purview of HPSSB:

The Director of Health Services after obtaining the approval of the Govt. to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur

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

II CONTRACTUAL EMOLUMENTS

The Operation Theatre Assistant appointed on contract basis will be paid consolidated contractual amount @ ₹ 7910/- P.M. (which shall be equal to minimum of the pay band + Grade pay). An amount of ₹ 240/- (3% of the minimum 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.

III. Appointing /Disciplinary authority

Director of Health Services H.P. will be appointing and disciplinary authority.

IV Selection process

Selection for appointment to the post in the case of Contract appointment will be made on the basis of viva-voce test or if consider necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur

V COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur

VI Agreement

After selection of a candidate he/she shall have to 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 @ ₹ 7910/- 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 @ ₹ 240/- (3% of minimum of the pay band + 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 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 Re-imbursment and LTC etc., only maternity leave will be given as per Rules.
- (d) Unauthorized absence from the duty without the approval of the Controlling Officers shall automatically lead to the termination of the contract. Contract Appointee shall not be entitled for contractual amount for the period of absence from duty.
- (e) An official appointed on contract basis who have completed five 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. The women candidate pregnant beyond twelve weeks will stand temporarily unfit till the confinement is over. The women 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 official 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 / Scheduled Tribes / Others 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 provisions of these Rules with respect to any class or category of persons or posts.

XXXX

Form of contract/agreement to be executed between the ----- (name of post) & the Government of Himachal Pradesh through Director, Health & Family Welfare Department.

This agreement is made on this.....day of...in the year.....Between Sh/SmtS/o/D/oShri.....R/o.....
Contract appointee (hereinafter called the FIRST PARTY), AND The Governor, Himachal Pradesh through Director, Health & Family Welfare Department, 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 as a..... (name of post) on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a (name of the post) on contract basis for a period of 1 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. on and information notice shall not be necessary.

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 extended /renewed.

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 or if a regular incumbent is appointed/ posted against the vacancy for which the first party was engaged on contract.
4. Contractual..... (name of the post) will be entitled for one day casual leave after putting in one month service. This leave can be accumulated upto one year. No leave of any kind is admissible to the contractual..... (name of the post) He will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.
5. Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual..... (name of the post) will not be entitled for contractual amount for the period of absence from duty.
6. An official appointed on contract basis who have completed five 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 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. 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 the pay scale.

9. The Employees Group Insurance Scheme as well as 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)

2.....
.....
.....
(Name and Full Address)

(signature of the FIRST PARTY)

1.....
.....
.....
(Name and Full Address)

2.....
.....
.....
(Name and Full Address)

(signature of the SECOND PARTY)

Smt. Meenu Devi

20 Copies

Personal Attention

Seen
 Chairman.....
 Member-I.....
 Member-II.....
 Member-III.....
 Member-IV.....
 Secretary..... From
 Deputy Secretary.....
 Under Secretary..... To
 Law Officer.....

No. PER (AP)C-C(17) -2/2018-
 Government of Himachal Pradesh
 Department of Personnel (AP-III)

The Addl. Chief Secretary (Personnel) to the
 Government of Himachal Pradesh

SE (EAT) / S.P.H. (Reg)
 29/10/20

1. The Director,
 Department of Empowerment of SCs/OBCs and Minority
 Affairs and Specially Aabled, Shimla-9.
2. The Director,
 Youth Services and Sports, Shimla-2.
3. The Secretary,
 H.P. Public Service Commission,
 Shimla-171002.
4. The Secretary,
 H.P. Staff Selection Commission,
 Hamirpur-177001.
5. The Chairman-cum-Managing Director,
 H.P. Ex-Servicemen Corporation, Hamirpur-177001.

Dated: Shimla-171002, the 23rd October, 2020

Subject: - Eligibility for Appointment to Class-III and Class-IV Posts.

Sir,

I am directed to invite your attention to the Himachal Pradesh Eligibility for Appointment to Class-III and Class-IV Posts, Rules, 2019 framed vide this department notification of even number dated 19-11-2019. As per the provisions of the Rule 4 of Rules ibid:

"A candidate shall be eligible for appointment to Class-III post(s), if he/she has passed Matriculation and 10+2 and for Class-IV post(s), if he/she has passed Middle or Matriculation from any School/Institution situated in Himachal Pradesh:
 Provided this condition shall not apply to Bonafide Himachalis."

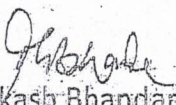
[Handwritten Signature]

Further, it has been provided explicitly under Rule 2(2) that

"These rules may be read with Clause 7 of the Recruitment and Promotion Rules framed under article 309 of Constitution of India in any Government Department for Class-III and Class-IV posts."

Accordingly wherever requisition is received for filling up Class-I and /or Class-IV posts from any department under the State Government, it may be ensured that copies of the R&P Rules for the relevant post and Himachal Pradesh Eligibility for Appointment to Class-III and Class-IV Posts, Rules, 2019 are invariably annexed with such requisition and the eligibility of the applicants is determined accordingly.

Yours faithfully,


(Om Prakash Bhandari)
Joint Secretary (Personnel) to
Government of Himachal Pradesh
Telephone No. 0177-26260