

[Authoritative English text of this department notification No. FDS-A (3)-3/94, dated 22-11-2003 as required under clause (3) of Article 348 of the Constitution of India].

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT
NOTIFICATION

Shimla-171002, the 22nd November, 2003

No. FDS-A (3)-3/94.—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 and Promotion Rules for the post of Deputy Controller, Legal Metrology (Weights and Measures) (Class-I, Gazetted) in the Weights and Measures Organisation of H.P. Food, Civil Supplies and Consumer Affairs Department as per Annexure "A" attached to this notification, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Food, Civil Supplies and Consumer Affairs Department, Deputy Controller, Legal Metrology (Weights and Measures), (Class-I, Gazetted) Recruitment and Promotion Rules, 2003.

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

2. *Repeal and savings.*—(1) The Himachal Pradesh Food and Supplies Department Deputy Controller(W&M), Class-II Recruitment & Promotion Rules, 1981 notified *vide* Notification No. FDS-A(3)10/81 dated 17th September, 1981 and as amended from time to time are hereby repealed to the extent these pertain to the post of Deputy Controller, Legal Metrology (Weights & Measures) (Class-I, Gazetted).

(2) Notwithstanding such repeal, any appointment made or any thing done or any action taken under the rules so repealed under Rule 2(1) *supra* shall be deemed to have been validly made, done or taken under these Rules.

By order,

B. S. CHAUHAN,
Principal Secretary.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF DEPUTY CONTROLLER, LEGAL METROLOGY (WEIGHTS AND MEASURES) (CLASS-I, GAZETTED) IN THE DEPARTMENT OF FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS HIMACHAL PRADESH

1. Name of the post
2. Number of post(s)
3. Classification
4. Scale of pay
5. Whether selection post or non-selection post?
6. Age for direct recruitment

Deputy Controller, Legal Metrology
(Weights and Measures).

1 (One)

Class-I (Gazetted)

Rs. 10300-34800+ 5000 Grade Pay

Selection

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 *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 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 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 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 Pradesh Public Service Commission in case the candidate is otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruit(s).

Essential Qualification:

- (i) A graduate from a recognised University or its equivalent.
- (ii) Successfully completion of basic training course from All India Institute of Legal Metrology, Ranchi or any other recognised Institute.
- (iii) Atleast 7 years administrative experience in Weights and Measures.

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.

Educational Qualifications: Yes 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.

100% by promotion failing which by direct recruitment.

87

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

By promotion from amongst the Assistant Controller with three years regular service or regular combined with continuous *ad hoc* service, if any, in the grade.

(1) In all cases of promotion, the continuous *ad hoc* 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 *ad hoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of Recruitment & Promotion 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 *ad hoc* 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 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 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 thereunder the benefit of seniority 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, *ad hoc* service rendered on 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 *ad hoc* 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 *ad hoc* service as referred to above shall remain unchanged.

DPC to be presided over by the Chairman, H.P.P.S.C or a member thereof to be nominated by him.

As required under the law

12. If a Departmental Promotion Committee exists, what is its composition.
13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment.
14. Essential requirement for a direct recruitment.
15. Selection for appointment to the post by direct recruitment.

A candidate for appointment to any service or post must be a citizen of India.

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.

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.

Every member of the service shall pass a Departmental Examination as prescribed in H. P. Departmental Examination Rules, 1997 as amended from time to time.

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 persons or post(s).

16. Reservation

17. Departmental Examination

18. Powers to relax