

(Authoritative English Text of this Department Notification No. Home-C(B)2-9/20219 dated. 29.12.21.... as required under article 348(3) of the Constitution of India.)

Government of Himachal Pradesh  
Department of Home

No. Home-C(B)2-9/2019

Dated Shimla-2, the

29-12-2021.

**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 amend the Recruitment and Promotion rules for the post of Dispenser, Class-III (Non-Gazetted), in the Department of Prisons and Correctional Services, 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 Prisons and Correctional Services Department, Dispenser, Class-III (Non-Gazetted), Recruitment and Promotion Rules, 2021.
- (2) These shall come into force from the date of their publication in Rajpatra (e- Gazette), Himachal Pradesh.
- Repeal and savings.
2. (1) The Himachal Pradesh Prisons Department, Dispenser, Class-III (Non-Gazetted), Recruitment and Promotion Rules, 2000 notified vide this Department Notification No. Home-B(B)2-10/94 dated 26-07-2000 are hereby repealed.
- (2) Notwithstanding such repeal any appointment made or anything done or any action taken under the rules so repealed under rules 2 (1) supra shall be deemed to have been validly made, done or taken under these rules.

BY ORDER

(RAJNEESH)

Principal Secretary (Home) to the  
Government of Himachal Pradesh

Dated Shimla-2,

Endst. No. As Above.

Copy forwarded to the following:-

1. The Addl. Director General of Prisons & Correctional Services, Himachal Pradesh, Shimla-171009.
2. The Secretary, Himachal Pradesh Public Service Commission, Shimla-171002, w.r.t. his letter No. 1-4/2020-PSC-Part dated 29-07-2021.
3. The JLR-cum-Joint Secretary Law(O) to the Government of H.P., Shimla-2.

(Manoj Kumar Chauhan)  
Special Secretary (Home) to the  
Government of Himachal Pradesh.



**ANNEXURE: "A"**

**RECRUITMENT AND PROMOTION RULES FOR THE POST OF DISPENSER, CLASS-III (NON-GAZETTED), IN THE DEPARTMENT OF PRISONS & CORRECTIONAL SERVICES, HIMACHAL PRADESH:**

1.	Name of the post:	Dispenser
2.	Number of posts:	13 (Eighteen)
3.	Classification:	Class-III (Non-Gazetted) Non-Ministerial Services.
4.	Scale of pay:	(1) <u>Pay scale for regular incumbent(s) :</u> Pay Band ₹ 5910-20200+ ₹3000/- Grade Pay. (2) <u>Emoluments for contract employee(s) :</u> ₹ 8910/-P.M. as per details given in Column No. 15-A.
5.	Whether "Selection" post or "Non-Selection" Post	Not applicable.
6.	Age for direct recruitment:	Between 18 to 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 or 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 Backward Classes and 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 Servant 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 are/were finally absorbed in the service of such Corporations/Autonomous Bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

**Note:** 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.

7.	Minimum Educational and other qualifications required for direct Recruit (s).	<b><u>(a) Essential Qualification(s):-</u></b> (i) 10+2 with Physics, Chemistry and Biology/Math from a Board of School Education. Provided that the candidate must have passed Matriculation and 10+2 from any School/Institution situated within Himachal Pradesh. Provided further that this condition
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		<p>shall not apply to Bonafide Himachalis.</p> <p>(ii) Diploma in Pharmacy/Bachelor's Degree in Pharmacy from a recognized Institution/ University.</p> <p>(iii) Must be registered with a Pharmacy Council of concerned State/Central Government.</p> <p><b><u>(b) Desirable Qualification(s):</u></b>  Knowledge of customs, manner 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 Qualification : Not applicable.</p>
9.	Period of probation, if any :	<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 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 direct recruitment on regular basis or by recruitment on contract basis, as the case may be, failing which on secondment basis.
11.	In case of recruitment by promotion / secondment / transfer, grade(s) from which promotion / secondment / transfer is to be made :	On secondment basis from amongst the incumbents of equivalent posts of Dispenser/Pharmacist and working in the identical pay scale from other H.P./Central Government Departments.
12	If a Departmental Promotion /confirmation Committee exists, what is its composition :	<p><u>Departmental Promotion Committee:</u> Not Applicable</p> <p><u>Departmental Confirmation Committee:</u> As may be constituted by the Government from time to time.</p>
13	Circumstances under which the Himachal Pradesh Public Service Commission (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 citizen of India.

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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 basis of merit of written examination followed by evaluation as specified in Appendix-I appended to these rules, or if the Himachal Pradesh Public Service Commission or other recruiting agency/authority, as the case may be, so considers necessary or expedient on the basis of merit of written examination followed by evaluation as specified in <u>Appendix-I</u> appended to these rules, preceded by a screening test (objective type) or practical test or skill test or physical test, the standard/syllabus, etc. of which will be determined by the Himachal Pradesh Staff Selection Commission/other recruiting agency/authority as the case may be.
15-A	<b>Selection for appointment to the post by contract appointment:</b>	
	<p>Notwithstanding anything contained in these rules, contract appointment (s) to the post will be made subject to the terms and conditions given below:-</p> <p><b><u>(I) CONCEPT:</u></b></p> <p>(a) Under this policy the Dispenser in the Department of Prisons &amp; Correctional Services, Himachal Pradesh 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 period of contract is to be renewed/extended.</p> <p>(b) <b><u>POST FALLS WITHIN THE PURVIEW OH HPPSC/HPSSC:</u></b>  The Head of the Prisons &amp; Correctional Services Department, Himachal Pradesh after obtaining the approval of the Government to fill up the vacant post (s) on contract basis will place the requisition with the concerned recruiting agency i.e. Himachal Pradesh Staff Selection Commission, Hamirpur.</p> <p>(c) The selection will be made in accordance with the eligibility conditions prescribed in these rules.</p> <p><b><u>(II) CONTRACTUAL EMOLUMENTS :</u></b></p> <p>The Dispenser appointed on contract basis will be paid consolidated fixed contractual amount @ ₹ 8910/- P.M. (which shall be equal to minimum of pay band + Grade pay). An amount of ₹ 267/- (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> <p><b><u>(III) APPOINTING/DISCIPLINARY AUTHORITY:</u></b></p> <p>The Director General of Prisons &amp; Correctional Services Department, Himachal Pradesh will be the appointing &amp; disciplinary authority.</p>	

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**(IV) SELECTION PROCESS:**

Selection for appointment to the post in the case of Contract Appointment shall be made on the basis of merit of written examination followed by evaluation as specified in Appendix-I appended to these rules, or if the Himachal Pradesh Staff Selection Commission or other recruiting agency/authority as the case may be, so consider necessary or expedient on the basis of merit of written examination followed by evaluation as specified in appendix-I appended to these rules, preceded by a screening test(objective type) , practical test or physical test, the standard/syllabus, etc. of which, will be determined by the Himachal Pradesh Staff Selection Commission/ other recruiting agency/ authority, as the case may be.

**(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:**

As may be constituted by the concerned recruiting agency i.e. Himachal Pradesh Staff Selection Commission, Hamirpur from time to time.

**(VI) AGREEMENT :**

After selection of a candidate he/she shall sign an agreement as per Appendix-II appended to these Rules.

**(VII) TERMS AND CONDITIONS:**

- (a) The contractual appointee will be paid fixed contractual amount @ ₹ 8910/- P.M. (which shall be equal to minimum of the pay band + grade pay). The contract appointee will be entitled for increase in contractual amount @ ₹ 267/- (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. In case the contract appointee is not satisfied with the termination orders issued by the Appointing Authority, he/she may prefer an appeal before the Appellate Authority who shall be higher in rank of the Appointing Authority, with in a period of 45 days, from the date on which a copy of 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 up to the Calendar Year and will not be carried forward for the next calendar year.



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(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 contractual amount for the 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 they have to complete a period of training as a condition of service, such women 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 women 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.

(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 counter-part 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. The Employees Group Insurance Scheme as well as EPF/GPF will also not be applicable to contract appointee(s).

16.	Reservation :	The appointment to the service shall be subject to orders regarding reservation in the services 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.	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 provision (s) of these rules with respect to any class or category of person (s) or post(s).

*M. Singh*



## Appendix-II

### **Form of contract/agreement to be executed between the Dispenser and the Government of Himachal Pradesh through Head of the Department (Designation of the appointing authority)**

This agreement is made on this.....day of..... Year..... between Sh./Smt. .... S/o/D/o Shri.....R/O..... contract appointee (here-in-after called the FIRST PARTY) AND The Governor, Himachal Pradesh through the Head of the Department (Designation of the appointing authority) 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 **Dispenser** on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a **Dispenser** for a period of one 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 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. 8910/- per month.
3. 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. In case the contract appointee is not satisfied with the 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 termination orders is delivered to him/her.
4. Contractual Dispenser 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 re-imburement 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 up to 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 the 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.

6. 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.



7. Selected candidate will have to submit a certificate of his/her fitness 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 they have to complete a period of training as a condition of service, such women 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 women 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. Contract appointee 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 counter-part official 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).

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IN WITNESS of 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

IN THE PRESENCE OF WITNESS

1 .....  
 .....  
 .....  
 (Name and full address)

2 .....  
 .....  
 .....  
 (Name and full address)

SIGNATURE OF THE SECOND PARTY



APPENDIX-I

<u>WRITTEN EXAMINATION</u>			85 Marks
{Percentage of marks obtained in written examination to be calculated out of 85 marks. For example, a candidate getting 50% marks in written examination will be given 42.5. marks}			
Evaluation of candidate to be made in following manner:-			15 Marks
i)	Weightage for the minimum educational qualification as per the Recruitment & Promotion Rules. {Percentage of marks obtained in the educational qualification would be multiplied by 0.025. For example, an individual has secured 50% marks in the required educational qualifications, he/she will be allowed 1.25 marks (50 X 0.025 = 1.25)}	2.5 Marks	
ii)	Belonging to notified Backward Area or Panchayat, as the case may be .	01 Mark	
iii)	Land less family/family having land less than 1 Hectare to be certified by the concerned Revenue Authority	01 Mark	
iv)	Non-employment Certificate to the effect that none of the family members is in Government/Semi Government.	01 Mark	
v)	Differently abled persons with more than 40% impairment/disability/infirmity	01 Mark	
vi)	NSS (at least one year) certificate holders in NCC/ The Bharat Scout and Guide. Medal winner in National level sports competitions	01 Mark	
Vii)	BPL family having family annual income (from all sources) below Rs. 40,000/- or as prescribed by the Govt. from time to time.	02 Marks	
viii)	Widow/divorced/destitute/single woman.	01 Mark	
ix)	Single daughter/Orphan.	01 Mark	
x)	Training of at least 6 months duration related to the post applied for from a recognized University/Institution.	01 Mark	
xi)	Experience up to a maximum of 5 years in Govt./Semi-Govt. organization relating to the post applied for (0.5 mark only for each completed year).	2.5 Marks	