

(Authoritative English Text of this Department Notification No. TCP-A(3)-2/2007, (Estt)Rules/Chainman dated 1/5/2009 as required under Clause (3) of Article 348 of the Constitution of India)

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF TOWN & COUNTRY PLANNING

No. TCP-A(3)-2/2007(Estt)Rules/Chainman. Dated Shimla-2 the 1/5/2009

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, is pleased to make the following Recruitment and Promotion Rules for the post of Chainman, Class-IV (Non-Gazetted) in the Himachal Pradesh Town & Country Planning Department, as per Annexure-A attached to this notification, namely :-

Short title and commencement

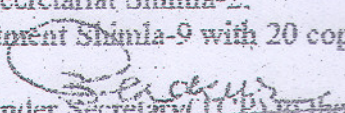
- 1.(1) These rules may be called the Himachal Pradesh, Town & Country Planning Department, Chainman, Class-IV (Non-Gazetted), Recruitment and Promotion Rules, 2009.
- (2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

By Order

Principal Secretary (TCP) to the
Government of Himachal Pradesh.

Endst.No.TCP-A(3)-2/2007(Estt)Rules/Chainman. Shimla-2 1/5/2009

1. The Controller, H.P. Printing Stationery Deptt. Shimla-5 for publication in the Extra Ordinary Rajpatra.
2. The Sr. Law Officer, Law Deptt. (Hindi) H.P. Secretariat Shimla-2.
3. The Director, Town & Country Planning Department Shimla-9 with 20 copies.


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

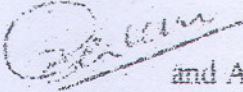
**RECRUITMENT AND PROMOTION RULES FOR THE POST OF CHAINMAN,
CLASS-IV, (NON-GAZETTED) IN THE TOWN & COUNTRY PLANNING
DEPARTMENT, HIMACHAL PRADESH.**

1. Name of the post : Chainman
2. Number of posts : 24 (Twenty Four)
3. Classification : Class-IV (Non-Gazetted)
4. Scale of pay : Rs.2520-100-3220-110-3660-120-4140(with initial start of Rs.2620/-)
5. Whether Selection Post or Non- Selection Post : N.A.
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 appointment;

Provided further that if a candidate appointed on adhoc basis or on contract basis had become over-age on the date when he 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 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 Corporation/ Autonomous Bodies at the time of initial constitutions of such Corporation/ 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 Corporation/ Autonomous Bodies who were/ are subsequently appointed by such Corporation/ Autonomous Bodies and who are/ were

finally absorbed in the service of such Corporation/ Autonomous Bodies after initial constitution of the Public Sector Corporation/ 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 application or notified to 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.
7. Minimum Educational and other qualification required for direct recruits :
(a) **ESSENTIAL QUALIFICATION(S)**
Should be a Middle Pass or its equivalent from a Board of School Education/Institution recognized by the Central/Himachal Pradesh Government.

(b) **DESIRABLE QUALIFICATION :-**
Knowledge of customs, manners & dialects of Himachal Pradesh & 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: Not applicable
Educational Qualification : 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 post(s) to be filled-in by various methods. :
100% by direct recruitment or on contract basis.

11. In case of recruitment by promotion, deputation, transfer, grade 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 HP 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 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 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 recruiting authority as the case may be.

15A Selection for appointment to the post by contract appointment

(1) CONCEPT:

(a) Under this policy, the Chairman in the Department of Town & Country Planning, HP will be engaged on contract basis initially for one year, which may be extendable for two more years on year to year basis.

(b) POST FALLS OUT OF THE PURVIEW OF HPPSC

The Director, Town & Country Planning Department after obtaining the approval of the Government to fill up the post(s) on contract basis will advertise the details of the vacant posts in at least two leading newspapers and invite applications from

candidates having the prescribed qualifications and fulfilling the other eligibility conditions as prescribed in these rules.

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

(d) Contract appointee so selected under these Rules will not have any right to claim regularization or permanent absorption in Government job.

(II) CONTRACTUAL EMOLUMENTS :

The Chairman appointed on contract basis will be paid consolidated fixed contractual amount @ 3780/- per month (which shall be equal to minimum of the pay scale plus Dearness pay). An amount of Rs. 100/- (equal to annual increase in the payscale of the post) as per annual increase in contractual emoluments for the second and third years respectively will be allowed if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY

The Director, Town & Country Planning, Himachal Pradesh will be the appointing and disciplinary authority.

(IV) SELECTION PROCESS:

Selection for appointment to the post in the case of Contract Appointment recruitment will be made on the basis of viva-voce test or if considered necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting authority i.e. Director, Town & Country Planning, H.P.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting authority i.e. the Director, Town & country Planning, H.P.

(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. 3780/- per month (which shall

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be equal to minimum of the pay scale plus Dearness pay). The Contract Appointee will be entitled for annual increase in contractual amount @ 100/- (equal to annual increase in the pay scale) per annum for second and third years respectively and no other allied benefits such as senior/ selection scales etc. shall 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 appointment shall not confer any right to incumbent for the regularization in service at any stage.

(d) 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 shall not be entitled for Medical Reimbursement & LTC etc. Only maternity leave will be given as per Maternity Benefit Act, 1961.

(e) Unauthorized absence from the duties without the approval of the Controlling Officer 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.

(f) Transfer of contract appointee will not be permitted from one place to another in any case.

(g) Selected candidate will have to submit a certificate of his/her fitness from a Govt./ Registered Medical Practitioner. Women candidate, pregnant beyond 12 weeks will be temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.

(h) 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

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regular officials at the minimum of the pay scale.

**(VIII) RIGHT TO CLAIM REGULAR
APPOINTMENT**

The candidate engaged on contract basis under these rules shall have no right to claim for regularization/permanent absorption as Chairman in Town & Country Planning Department at any stage.

16. Reservation : The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Caste/ Scheduled Tribes/ Other Backwards Classes/ other categories of persons issued by the Himachal Pradesh Government from time to time.
17. Departmental Examination. : Not Applicable.
18. Power to Relex. : 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 relax any of the provision(s) of these Rules with respect to any Class or Category of person(s) or post(s).

