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Authoritative English Text of this Department Notification No. TCP-(B)2-2/2011(Rules)JE dated 8.5. 2012 as required under Clause (3) of Article 348 of the Constitution of India)

**GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF TOWN & COUNTRY PLANNING**

No. TCP-(B)2-2/2011(Rules)JE

Dated Shimla-2 the 8th May,2012

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 Junior Engineer Class-III (Non-Gazetted) in the Department of Town & Country Planning, Himachal Pradesh, as per Annexure-"A" attached to this notification, namely :-

Short title and commencement	1.(i)	These rules may be called the Himachal Pradesh, Town & Country Planning Department, Junior Engineer, Class-III (Non-Gazetted), Recruitment and Promotion Rules, 2012.
	(ii)	These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.
Repeal and savings	2.(i)	The Himachal Pradesh Town & Country Planning Department, Junior Engineer, Class-III(Non-Gazetted) Recruitment and Promotion Rules notified vide this Department's Notification No.TCP-2(B)2-3/99 dated 6.6.2002 are hereby repealed.
	(ii)	Notwithstanding such repeal, any appointment made or any thing done or any action taken under the rules so repealed under sub-rules (1)supra shall be deemed to have been validly made or done or taken under these rules.

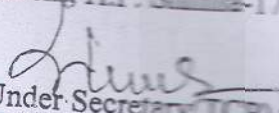
By Order

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

Endst.No. TCP-(B)2-2/2011(Rules)JE Shimla-2

8th May,2012

- 37-
1. The ALR-cum-Under Secretary (Law) to the Govt. of H.P., Shimla-2
 2. The Sr. Law Officer, Law Deptt. (Hindi) H.P. Secretariat Shimla-2.
 3. The Secretary, H.P. Public Service Commission, Shimla-2 w.r.t her letter No.1-1/97-PSC-
Part dated 5.1.2012
 4. The Director, Town & Country Planning Department, H.P. Shimla-171009.


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

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69

ANNEXURE-"A"

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

1.	Name of the posts	:	Junior Engineer
2.	Number of posts	:	29(Twenty Nine)
3.	Classification	:	Class-III(Non-Gazetted)
4.	Scale of pay	:	(i)Pay scale for regular incumbents:- Pay Band-3 ₹10300-34800 +Grade Pay ₹ 3800/- (ii) Emoluments for contract employees ₹ 14100/- as per details given in Column 15-A
5.	Whether Selection Post or Non- Selection Post.	:	Non-Selection
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

Amended vide
Notification dt. 30/12/10
B: 114-121

(a) **ESSENTIAL QUALIFICATION(S)**

- (i) 10+2 or its equivalent from a recognized Board/University.
- (ii) Three years Diploma course in the trade of Civil Engineering or its equivalent from a recognized University or an Institution duly recognized by the State/Central 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 for 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.

(I) 90% by direct recruitment as under:-
(i) 45% by direct recruitment on a regular basis or on contract basis, as the case may be.
(ii) 45% by batchwise basis on a regular basis or on contract basis as the case may be, at the Departmental level from amongst the candidates who possess three year Diploma Course in the trade of Civil Engineering or its equivalent from a recognized University or an Institution

50

-3-

duly recognized by the State/Central Government. The contract employee(s) will get emoluments as given in the Column No.15-A and will be governed by service conditions as specified therein.

Provided that for the purpose of appointment under this sub-column, the year-wise combined seniority list shall be prepared wherein the candidate senior in batch in such recruitment year shall be reckoned senior to the candidate who has obtained recognized Diploma in Civil Engineering or its equivalent in subsequent batch.

Provided further that where in recruitment year more than one candidate for appointment then their inter-seniority will be determined with reference to their date of appointment in that recruitment year, or at the time of making selection for recruitment on contract basis, as the case may be.

(b) 10% by promotion failing which by direct on a regular basis or by recruitment on contract basis.

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

By promotion from amongst the following:-

(i) 5% from amongst the Surveyors having three years Diploma in the trade of Civil Engineering or its equivalent from a recognized University or Institute duly recognized by the State Govt./Central Govt. with atleast three years regular combined with continuous adhoc service in the grade, if any.

(ii) 5% from amongst thje Surveyors having ITI course of two years duration in the trade of Surveyor/Draughtsman (Civil) or its equivalent from a recognized ITI/Institute with atleast 05 years regular service or regular combined with continuous adhoc service in the grade, if any.

Provided that for filling up the posts of Junior Engineer (Civil) the following 40 point roster shall be followed:-

- 1st point Direct
- 2nd point Batch-wise.
- 3rd point Direct
- 4th point Batch-wise
- 5th point Direct
- 6th point Batch-wise
- 7th point Direct
- 8th point Batch-wise

9 th point	Direct
10 th point	Batch-wise
11 th point	Direct
12 th point	Batch-wise
13 th point	Direct
14 th point	Batch-wise
15 th point	Direct
16 th point	Batch-wise
17 th point	Direct
18 th point	Batch-wise
19 th point	Promotee (Diploma in Civil Engineering)
20 th point	Promotee (I.T.I.Diploma)
21 st point	Direct
22 nd point	Batch-wise
23 rd point	Direct
24 th point	Batch-wise
25 th point	Direct
26 th point	Batch-wise
27 th point	Direct
28 th point	Batch-wise
29 th point	Direct
30 th point	Batch-wise
31 st point	Direct
32 nd point	Batch-wise
33 rd point	Direct
34 th point	Batch-wise
35 th point	Direct
36 th point	Batch-wise
37 th point	Direct
38 th point	Batch-wise
39 th point	Promotee (Diploma in Civil Engineering)
40 th point	Promotee (I.T.I.Diploma)

Note: The roster will be rotated after every 40th point and will restart from 1st point in the 2nd cycle.

1. In all cases of promotion, the continuous adhoc 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 adhoc appointment/ promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P 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 adhoc basis, followed by regular service/ appointment) in the feeder post in view of the provision referred to above, all persons senior to him/ her 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 at least three years or that prescribed in the R&P 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-Serviceman recruited under the provisions of Rule-3 of the Demobilized Armed Forces Personnel (Reservation of vacancies in Himachal State Non-Technical Service) Rules, 1972 and having been given the benefit of seniority there-under or recruited under the provisions of Rule-3 of the Ex-Serviceman (Reservation of vacancies in Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there-under :-

(2) Similarly, in all cases of confirmation adhoc service rendered on the feeder post, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc appointment/ promotion had been made after proper selection and in accordance with the provisions of the R&P Rules.

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.

12. If a Departmental Promotion Committee exists, what is its composition.
13. Circumstances under which the HP Public Service Commission is to be consulted in

making recruitment.

14. Essential requirement : 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 H.P. Public Service Commission or other recruiting authority as the case may be, so consider necessary or expedient by written test or practical test, the standard/syllabus, etc. of which, will be determined by the commission or 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:

(I) CONCEPT:

(a) Under this policy, the Junior Engineer in the Department of Town & Country Planning, HP 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 ontract is to be renewed/ extended.

(b) POST FALLS WITHIN THE PURVIEW OF THE HPSSSB:-

The Director, Town & Country Planning after obtaining the approval of the Government 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) POST FALLS OUT OF THE PURVIEW OF THE HPSSSB:-

The Director, Town & Country Planning after obtaining

the approval of the Government to fill up the posts on contract basis will advertise the details of the vacant posts in atleast two leading newspapers and invite applications from candidates having the prescribed qualifications and fulfilling the other eligibility conditions as prescribed in these Rules.

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

(II) CONTRACTUAL EMOLUMENTS :

The Junior Engineer appointed on contract basis will be paid consolidated fixed contractual amount @ ₹ 14100/- per month (which shall be equal to minimum of the Pay Band + Grade Pay). An amount of ₹ 430/- (equal to 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.

→ **(III) APPOINTING/DISCIPLINARY AUTHORITY**

The Director (Town & Country Planning) H.P. 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. H.P.Subordinate Service Selection Board, Hamirpur.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

“As may be constituted by the concerned recruiting authority i.e. the H.P.Subordinate Service Selection, Board, Hamirpur from time to time.

(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 @ ₹ 14100/- 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 @ ₹ 430/-(3% of the minimum of 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 shall not be entitled for Medical Reimbursement & LTC etc. Only maternity leave will be given as per rules.

(d) 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.

(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 Govt./ Registered Medical Practitioner. Woman candidate, pregnant beyond 12 weeks will be temporarily unfit till the confinement is over. The woman candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.

(g) Contract appointee will be entitled to TA/DA if

- 9 -

103 (53) 205

required to go on tour in connection with his/her official duties at the same rate as applicable to their regular counterpart officials at the minimum of the pay scale.

(h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension Rules & Conduct rules etc. as are applicable in the case of regular employees will not be applicable in the 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 the 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 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, relax any of the provision(s) of these Rules with respect to any Class or Category of person(s) or post(s).

57

302

Annexure-"B"

Form of contract/agreement to be executed between the Junior Engineer & the Government of Himachal Pradesh through Director H.P. Town & Country Planning Department.

This agreement is made on this day of in the year..... Between Sh/Smt.S/o/D/o

Shri.....R/o.....

....., contract appointee (hereinafter called the FIRST PARTY),
AND The Governor, Himachal Pradesh through Director, Town & Country Planning 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 Junior Engineer on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as Junior Engineer on contract basis for a period of 1 year commencing on the day ofand 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 period of contract is to be renewed/extended.

2. The contractual amount of the FIRST PARTY will be Rs. 14100/- 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 Junior Engineer 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 Junior Engineer. He will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per rules.

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5. Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Junior Engineer 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 pregnancy 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 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**)

IN THE PRESENCE OF WITNESS:

1.
.....
(Name and Full Address)
2.
.....
(Name and Full Address)

(signature of the **SECOND PARTY**)

59

Authoritative English Text of this Department Notification No. TCP-B(2)-2/2011(Rules)JE dated 30/10/2012 as required under Clause (3) of Article 348 of the Constitution of India)

**GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF TOWN & COUNTRY PLANNING**

No. TCP-B(2)- 2/2011 (Rules) JE Dated Shimla-2 the

30th October, 2012

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 following rules further to amend the Himachal Pradesh Department of Town & Country Planning Junior Engineer, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2012 notified vide this Department notification of even number dated 8.5.2012 namely:-

Short title and commencement

1.(1) These rules may be called the Himachal Pradesh, Town & Country Planning Department, Junior Engineer, Class-III (Non-Gazetted) Recruitment and Promotion (First Amendment) Rules, 2012.

(2) These rules shall come into force from the date of publication in the Rajpatra/e-Gazette, Government of Himachal Pradesh.

Amendment of Annexure-'A'

2. In Annexure-"A" to the Himachal Pradesh Town and Country Planning Department, Junior Engineer Recruitment and Promotion Rules, 2012.

For the existing entry against Column No.7 (a)(i) the following shall be substituted, namely:-

Essential Qualification(s):

"Diploma in Civil Engineering or its equivalent from a recognized University or an Institution duly recognized by the H.P./Central Government."

By Order,

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

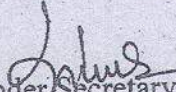
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Shimla-2

30th October, 2012

- 108 -

1. The ALR-cum-Under Secretary (Law) to the Govt. of H.P., Shimla-2
2. The Sr. Law Officer, Law Deptt. (Hindi) H.P. Secretariat Shimla-2.
3. The Secretary, H.P.Public Service Commission, Shimla-2 w.r.t.her letter No.1-1/97-PSC-
Part dated 15.9.2012
4. The Director, Town & Country Planning Department, H.P. Shimla-171009.


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