

BRITANNIC ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION No.  
(3)-5/97, DATED 21-01-2004 AS REQUIRED UNDER CLAUSE(3) OF ARTICLE 348  
OF THE CONSTITUTION OF INDIA).

GOVERNMENT OF HIMACHAL PRADESH  
DEPARTMENT OF TOWN & COUNTRY PLANNING.

.....  
DATED SHIMLA THE; 21-01-2004.

TCP-A(3)-5/97.

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 and Promotion Rules for the post of Research Assistant, Class-III (Non-Gazetted) in the Town & Country Planning Department, 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, Town & Country Planning Department Research Assistant, Class-III (Non-Gazetted) Recruitment & Promotion Rules, 2004.

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

Repeal & Savings : 2.(1) The Himachal Pradesh Public Works Department Subordinate Services (Town & Country Planning Research Assistant, Class-III-Non-Gazetted) Services Rules, 1981 notified vide Department Notification No. PBW-1-A(3)-1/79, dated 16th Feb., 1981 are hereby repealed. Notwithstanding such repeal, any appointment made or any thing done or any action taken under the rules so repealed under sub-rule(1) supra shall be deemed to have been validly made or done or taken under these rules.



By Order

Secretary (TCP) to the  
Government of Himachal Pradesh.

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Endst.No. TCP-A(3)-5/97. Dated Shimla the; 21-01-2004.

Copy forwarded to :-

- 1. All the Administrative Secretaries to the Govt. of H.P. Shimla-2.
- 2. The Accountant General (Audit), H.P. Shimla-3.
- 3. The Secretary, H.P. Public Service Commission, Shimla-2.
- 4. The Controller, H.P., Printing & Stationery Deptt., Shimla-17100 for publication in the Extra-Ordinary issue of Rajpatra and five copies supplied to this Department.
- 5. The ALR-cum-Under Secretary (Law) to the Govt. of H.P. Shimla-2.
- 6. The Director, Town & Country Planning Department, Shimla-9 with the request that copies of Rajpatra be collected from H.P. Printing & Stationery Deptt., Shimla-5. *alongwith 10 copies.*

*[Signature]*  
Under Secretary (TCP) to the  
Government of Himachal Pradesh.

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ANNEXURE-'A'

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

1. Name of the post : Research Assistant.
2. Number of Posts : 2 (Two).
3. Classification : Class-III (Non-Gazetted)
4. Pay-Scale : Rs.5480-160-5800-200-7000-220-8100-275-8925.
5. Whether Selection Post or Non-Selection Post. : Non Selection.
6. Age for direct Recruitment : Between 18 and 45 year.

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Govt. including those who have been appointed on adhoc or on contract basis;

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 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 Corporation/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 application 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 H.P. Public Service Commission in case the candidate is otherwise well qualified.

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7. Minimum educational and other qualifications required for direct recruits.

ESSENTIAL QUALIFICATION :-

i) B.Com. or B.Sc./B.A. with Economics/Mathematics/Statistics as one of the subject or its equivalent from recognised University.

DESIRABLE QUALIFICATIONS :-

i) At least 3 years experience in the field of collection and compilation of statistical data.  
ii) Higher qualification in any of the above subjects.  
iii) 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 promotees ?

Age : Not Applicable.  
Educational qualifications: N.A.

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 Promotion falling which by direct recruitment.

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

By promotion from amongst the Field Investigator who possess 5 years regular service or regular combined with continuous adhoc service rendered, if any, in the grade.

(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 become eligible for consideration by virtue of his total length of service

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...ing the service rendered on adhoc basis) followed by regular appointment in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the 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 Recruitment and Promotion Rules for the post, whichever is less;

Provided further that where a person becomes ineligible for consideration for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be eligible for consideration for such promotion.

**EXPLANATION :-** The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-serviceman recruited under the provisions of Rules-3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal Stat Non-Technical Services) Rules, 1972 and having been given benefit of seniority thereunder or recruited under the provisions of Rules-3 of Ex-Serviceman (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, continuous 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 against such post 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, adhoc service as referred to above shall remain unchanged.

- 12. If a Departmental Promotion Committee exists, what is its composition. : As may be constituted by the Govt. from time to time.
- 13. Circumstances under which the 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.
- 15. Selection for appointment to the post by direct recruitment. : Selection for appointment to post in the case of direct recruitment shall be made on the basis of viva-voce test in the H.P. Public Service Commission or other recruiting authority as the case may be, so consider necessary or expedient by written

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test or practical test. the standard/syllabus, etc. of which, will be determined by the Commission/other recruiting authority as the case may be.

16. Reservation

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.

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 H.P. P.S.C., relax any of the provisions of these Rules with respect to any class or category of persons or posts.

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(AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION  
NO. TCP-A(3)-5/97, DATED 9.1.2008 AS REQUIRED UNDER CLAUSE (3) OF  
ARTICLE 348 OF THE CONSTITUTION OF INDIA)

GOVERNMENT OF HIMACHAL PRADESH  
DEPARTMENT OF TOWN & COUNTRY PLANNING

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No. TCP-A(3)-5/97.

Dated Shimla-2, the

9<sup>th</sup> January, 2008.

**NOTIFICATION**

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with H.P. Public Service Commission is pleased to make the following Rules further to amend the H.P. Town & Country Planning Department, Research Assistant, Class-III (Non-Gazetted) Recruitment & Promotion Rules, 2004 notified vide this Department Notification of even number dated 21-1-2004, namely :-

Short title and  
commencement

1.(1) These Rules may be called the Himachal Pradesh, Town & Country Planning Department, Research Assistant, Class-III (Non-Gazetted), Recruitment and Promotion (1st Amendment) Rules, 2008.

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

Amendment of  
Annexure "A"

2. In Annexure "A" to the Himachal Pradesh, Town & Country Planning Department, Research Assistant, Class-III (Non-Gazetted), Recruitment and Promotion Rules, 2004,--

(a) For the existing provision against column No.10 the following shall be substituted, namely:-

100% by promotion failing which by direct recruitment or on contract basis.

(b) After column No.15, the column No.15A shall be

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inserted as per the following :-

15A. Selection for appointment to the post by contract appointment.

**(I) CONCEPT:**

- (a) Under this policy, the Research Assistant 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.
- (b) The Director, Town & Country Planning Department 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. H.P. Subordinate Services Selection Board, Hamirpur for advertising the details of the vacant post 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 Govt. job.

**(II) CONTRACTUAL EMMULMENTS :**

The Research Assistant on contract basis will be paid contractual amount @ 8220/- per month (which shall be equal to initial pay scale + Dearness pay). An amount of Rs. 160/- as increase in contractual emoluments for the second and third years respectively will be admissible if contract is extended beyond one year.



**(III) APPOINTING/DISCIPLINARY AUTHORITY**

The Director Town & Country Planning Department 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 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 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 contractual amount @ 8220/- per month (which shall be equal to initial of the pay scale + Dearness pay). The Contract Appointee will be entitled for annual increase in contractual amount @ 160/- 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 or conduct of the contract appointee is not found to be good.
- (c) Contract appointee shall not confer any right or claim 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 rules.
- (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 emoluments 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 Regular officials.

**(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 Research Assistant in Department at any stage.

By Order

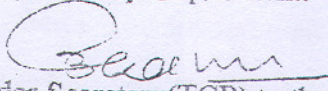
Secretary (TCP) to the  
Government of Himachal Pradesh

Endst.No. TCP-A(3)-5/97;

Dated : Shimla-2 the

9<sup>th</sup> January, 2008

- (i) The Secretary, H.P. Public Service Commission, Shimla-2 alongwith 3 copies..
- (ii) The Controller, H.P. Printing Stationery Deptt. Shimla-5 for publication in the Extra Ordinary Rajpatra and five copies may be supplied to this Department.
- (iii) The Sr. Law Officer, Law Deptt. (Hindi) H.P. Secretariat Shimla-2.
- (iv) The Director, Town & Country Planning Department Shimla-9 with the request that the copies of Rajpatra be collected from H.P. Printing Stationery Department.

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

Form of contract/agreement to be executed between the Research Assistant & 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 Research Assistant on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Research Assistant 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.
2. The contractual amount of the FIRST PARTY will be Rs. 8220/- 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. The contractual appointment shall not confer any right to incumbent for the regularization of service at any stage.
5. Contractual Research Assistant 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 Research Assistant. He will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.

6. Unauthorised absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Research Assistant will not be entitled for contractual emoluments for the period of absence from duty.
7. Transfer of an official appointed on contract basis will not be permitted from one place to another in any case.
8. 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.
9. 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.
10. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the contractual appointee (s).

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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:

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(Name and Full Address)

(signature of the FIRST PARTY)

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

IN THE PRESENCE OF WITNESS:

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

(signature of the SECOND PARTY)

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