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Authoritative English Text of this Department Notification No. TCP-(A)3-9/2006,
(Rules/SPD) dated 04.10.2013 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)3-9/2006(Estt.)(Rules)SPD Dated Shimla-2 the

4th October, 2013

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 Recruitment and Promotion Rules for the post of Senior Planning Draughtsman, Class-II (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, Senior Planning Draughtsman, Class-II (Non-Gazetted), Recruitment and Promotion Rules, 2013.

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

Repeal & savings

2(i) The Himachal Pradesh, Town & Country Planning Department, Senior Draughtsman, Class-II (Non-Gazetted) Recruitment and Promotion Rules, 2007 notified vide this Department's Notification of even number dated 14.12.2007 are hereby repealed.

(ii) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub-rule (1) supra shall be deemed to have been validly made, done or taken under these rules.

By Order

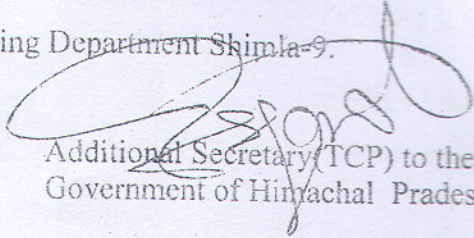
Principal Secretary (TCP) to the
Government of Himachal Pradesh.

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Endst.No. TCP-(A)3-9/2006(Estt.)Rules/SPD Shimla-2

4th October, 2013

1. ALR-cum-Under Secretary (Law-opinion) to the Government of H.P.
2. The Senior Law Officer, Law Deptt. (Hindi), H.P.Secretariat, Shimla-2
3. The Secretary, H.P.Public Service Commission, w.r.t.his letter No.1-1/97-PSC- Part dated 8.7.2013.
4. The Director, Town & Country Planning Department Shimla-9.



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

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Annexure "A"

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

1. Name of the post : Senior Planning Draughtsman
2. Number of post(s) : 13(Thirteen)
3. Classification : Class-II (Non-Gazetted) Non-Ministerial Services.
4. Scale of pay : (i) Pay-scale for regular incumbents:-
Pay Band-3 ₹ 10300-34800 + ₹ 4200/- Grade Pay
(ii) Emoluments for contract employees:-
₹14500/-per month as per details given in Column 15-A.
5. Whether Selection Post or Non- Selection Post : 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 basis;

Provided further that if a candidate appointed on adhoc basis or on 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 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 Corporation/ Autonomous Bodies 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 : (a) **ESSENTIAL QUALIFICATION(S)**
and other B.Tech Degree in Urban/City/town/Regional
qualifications required Planning or its equivalent from a recognized
for direct recruit(s) University or from an Institute duly recognized by the
Central/H.P. Government

(b) **DESIRABLE QUALIFICATION(S) :-**
Knowledge of customs, manners & dialects of
Himachal Pradesh & suitability for appointment in
the peculiar conditions prevailing in the Pradesh.

8. Whether age and : Age : Not applicable
educational Educational Qualification : Yes as prescribed under
qualification(s) Column No.11 below
prescribed for direct
recruit(s) will apply in
the case of the
promotee(s)?

9. Period of probation, if : Two years' subject to such further extension for a
any 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, : (i) 50% by promotion

whether by direct recruitment or by promotion, deputation, transfer and the percentage of post(s) to be filled-in by various methods.

(ii) 50% by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be.

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

- (i) 25% by promotion from amongst the Draughtsman possessing recognized 3 years Diploma course in Architectural Assistantship with four years regular service or regular combined with continuous adhoc service rendered, if any, in the grade.
- (ii) 25% by promotion from amongst the Draughtsman possessing recognized 02 years certificate course in the trade of Draughtsmanship with five years regular service or regular combined with continuous adhoc service rendered, if any, in the grade.

For filling up the post of Senior Planning Draughtsman the following 04 point roster shall be followed.

Roster Point No.	Category
1st	Promotee(i)
2 nd	Promotee (ii)
3 rd & 4 th	Direct recruit.
Note: The roster will be repeated after every 4 th point till the representation to all categories is achieved upto the given percentage. Thereafter, the vacancy is to be filled up from amongst the category which vacates the post.	

(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-Servicemen 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 the Himachal Pradesh Technical Service) 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/ promotion 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 provision 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? : DPC to be presided over by the Chairman, H.P. Public Service Commission or a member thereof to be nominated by him.
13. Circumstances under : As required under the law.

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which the HP Public Service Commission is to be consulted in making recruitment.

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 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.
- 15-A Selection for appointment to the post by contract recruitment : Notwithstanding anything contained in these Rules, contract appointments to the post will be made subject to the terms and conditions given below:-

CONCEPT

- (a) Under this policy the Senior Planning Draughtsman 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 contract is to be renewed/extended.

(b) POST FALLS WITHIN THE PURVIEW OF HPPSC:

The Administrative Secretary(TCP) to the Government of H.P. 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. Public Service Commission.

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

(II) CONTRACTUAL EMOLUMENTS :

The Senior Planning Draughtsman appointed on contract basis will be paid consolidated fixed contractual amount @ ₹14500/-per month.(which shall be equal to minimum of the payband + grade pay). An amount of ₹ 435/-(3% of the minimum of the 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, Himachal Pradesh will be the appointing and disciplinary authority.

(IV) SELECTION PROCESS:

(a) Selection for appointment to the post in the case of contract appointment will be made on the basis of viva-voice 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. Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

(a) As may be constituted by the concerned recruiting agency i.e. H.P. Public Service Commission 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 Contractual appointee will be paid fixed contractual amount @ ₹14500/- 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 @ ₹ 435/- (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.

(c) Contract Appointee will be entitled for one day's casual leave after putting one-month service. However, the contract employee will also be entitled for 12 weeks Maternity Leave and 10 days' Medical Leave. He/she shall not be entitled for Medical Re-

imbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

Provided that the un-availed Casual Leave and Medical Leave can be accumulated upto the Calendar Year and will not be carried forward for the next Calendar Year.

(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 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 from a Government/ Registered Medical Practitioner. Women candidate, pregnant beyond 12 weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.

(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 counterpart official 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 case of regular employees will not be applicable in 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 and in consultation with the

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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).

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Annexure-"B"

Form of contract/agreement to be executed between the Senior Planning Draughtsman & 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 Senior Planning Draughtsman on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as Senior Planning Draughtsman 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. That the contractual amount of the FIRST PARTY will be ₹ 14500/- per month.
3. That 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. That Contractual Senior Planning Draughtsman will be entitled for one day's casual leave after putting one-month service. However, the contract employee will also be entitled for 12 weeks Maternity Leave and 10 days' Medical Leave. He/she shall not be entitled for Medical Re-imburement and LTC etc. No leave of any other kind except above is admissible to the contractual Senior Planning Draughtsman.

Provided that the un-availed Casual Leave and Medical Leave can be accumulated upto the Calendar Year and will not be carried forward for the next Calendar Year.

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5. That unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Senior Planning Draughtsman will not be entitled for contractual amount for the period of absence from duty.
6. That an official appointed on contract basis who have completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.
7. That selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. In case of women candidates pregnant 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. That 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 at the minimum of pay scale.
9. That 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.

(Name and Full Address)

(signature of the FIRST PARTY)

2.

(Name and Full Address)

(signature of the SECOND PARTY)