

Authoritative English Text of this Department Notification No. TCP-(B)2-2/2014, (Rules)ATP dated 26/10/2017 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)2-2/2014(Rules)ATP Dated Shimla-2 the 26th October, 2017

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 Assistant Town Planner, Class-I (Gazetted) in the Department of Town & Country Planning, Himachal Pradesh, as per Annexure-"A" attached to this notification, namely :-

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|------------------------------|---|
| Short title and commencement | <p>1.(1) These rules may be called the Himachal Pradesh, Town & Country Planning Department, Assistant Town Planner, Class-I (Gazetted), Recruitment and Promotion Rules, 2017.</p> <p>(2) These rules shall come into force from the date of publication in the Rajpatra/e-Gazette, Himachal Pradesh.</p> |
| Repeal & Savings | <p>2(1) The Himachal Pradesh, Town & Country Planning Department, Assistant Town Planner, Class-I (Gazetted) Recruitment and Promotion Rules, 2012 notified vide this Department's Notification number TCP-(B)2-2/2008(Estt.)Rules/ATP dated 26.7.2012, are hereby repealed.</p> <p>(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub-rule (1) supra shall be deemed to have</p> |

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been validity made or done or taken under these rules.

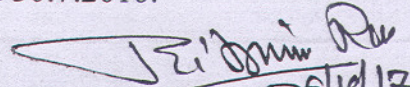
By Order

Manisha Nada

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

Endst.No. TCP-(B)2-2/2014(Rules)ATP Dated Shimla-2 the October,2017
Copy is forwarded for information to :-

1. The Secretary, H.P. Public Service Commission Shimla-2 w.r.t.his letter No.1-1/97-PSC-Part dated 17.7.2017.
2. ALR-cum-Under Secretary(Law)to the Govt. of H.P.,Shimla-2
3. The Senior Law Officer (Opinion)Law Deptt.(Hindi) H.P. Secretariat Shimla-2.
4. The Senior Law Officer (Proof Reading) Law Deptt. (O.L.Wing)H.P.Secretariat, Shimla-2
5. The Director, Town & Country Planning, H.P.Shimla-9 w.r.t.his letter No.HIM/TP/Estt./R&P Rules/ATP/12-13198 dated 30.7.2016.


(Rikhi Ram) 26/10/17

Deputy Secretary(TCP)to the
Government of H.P.,Shimla-2
Ph.No.0177-2880516

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT TOWN PLANNER, CLASS-I, (GAZETTED) IN THE TOWN & COUNTRY PLANNING DEPARTMENT, HIMACHAL PRADESH.

1. Name of the post : Assistant Town Planner
2. Number of post(s) : 15(Fifteen)
3. Classification : Class-I (Gazetted) Non-Ministerial Services.
4. Scale of pay : (i) Pay-band for regular incumbent(s):-
Pay Band- ₹ 15600-39100 + ₹ 5400/- Grade Pay.
(ii) Emoluments for contract employee(s):-
₹21000/-PM as per details given in Column 15-A.
5. Whether "Selection" : Selection.
post or "Non-
Selection" post.
6. Age for direct : 18 to 45 years.
Recruitment

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 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 Servants before absorption in

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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 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.

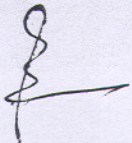
7. Minimum Educational and other qualifications required for direct recruit(s) : (a) **Essential Qualification(s):-**
(i) "Master of Planning/ M.Tech/Post Graduate Degree in Urban Planning or City Planning or Town Planning or Regional Planning or Housing Planning or Country Planning or Rural Planning or Infrastructure Planning or Transport Planning or Rural & Urban Planning or Environmental Planning or its equivalent from a recognized University or an Institute duly recognized by the All India Institute of Town Planner, India.

Or

- (ii)(a) Bachelor of Planning or Bachelor of Technology in Planning from a University or an Institute duly recognized by the All India Institute of Town Planners, India

AND

- (b) Minimum three years experience in Urban



Planning or City Planning or Town Planning or Regional Planning or Housing Planning or Country Planning or Rural Planning or Infrastructure Planning or Transport Planning or Rural & Urban Planning or Environmental Planning in the Central Government or State Government Department after acquiring the qualification of Bachelor of Planning or B.Tech. Degree in Planning.

(b) Desirable Qualification:-

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

9. Period of probation, if any : **(i) Direct Recruitment/Promotion**
(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.
(b) No probation in case of appointment on contract basis, tenure basis, re-employment after superannuation and absorption.

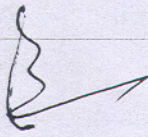
10. Method(s) of recruitment, whether by direct : **(i)** 50% by direct recruitment on a regular basis or by recruitment on contract basis, as the

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recruitment or by promotion/
secondment/transfer and the percentage of post(s) to be filled in by various methods:

case may be, failing which on secondment basis.

(ii) 50% by promotion

11. In case of recruitment : (i) 25% by promotion from amongst the Planning Officer(s) who possess M.Tech/B.Tech. Degree in Urban Planning or City Planning or Town Planning or Regional Planning or Housing Planning or Country Planning or Rural Planning or Infrastructure Planning or Transport Planning or Rural & Urban Planning or Environmental Planning or Degree in Architecture or Civil Engineering and having five years' regular service or regular combined with continuous adhoc service rendered, if any, in the grade.
- (ii) 25% by promotion from Planning Officer(s) who possess a recognized Diploma in Architecture Assistantship or Civil Engineering and having seven years' regular service or regular combined with continuous adhoc service rendered, if any, in the grade.
- (iii) On secondment basis from amongst the incumbents of this post possessing a recognized M.Tech/B.Tech. Degree in Urban Planning or City Planning or Town Planning or Regional Planning or Housing Planning or Country Planning or Rural Planning or Infrastructure Planning or Transport Planning or Rural & Urban Planning or Environmental Planning or Degree in Architecture or Civil Engineering or Diploma in Architecture Assistantship or Civil Engineering and working in the identical pay
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scale in other H.P. Government/ other States/Central Government Departments.

Provided that for filling up the post of Assistant Town Planner the following 20 point recruitment roster shall be followed:-

Roster Point No.	Category
Ist, 2 nd , 3 rd , 6 th , 7 th , 10 th , 11 th , 14 th , 15 th and 18 th	Direct recruitment
4 th , 9 th , 12 th , 17 th and 19 th	Degree Holder
5 th , 8 th , 13 th , 16 th and 20 th	Diploma Holder

Note: The roster will be repeated after every 20th point till the representation to all categories is achieved upto the prescribed percentage. Thereafter, the post is to be filled up from 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:

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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:

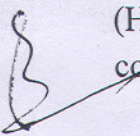
Explanation:- The last proviso shall not render the junior incumbent(s) ineligible for consideration for promotion if the senior ineligible person(s) happened to be Ex-Servicemen recruited under the provisions of Rule-3 of the Demobilized Armed Forces Personnel (Reservation of vacancies in Himachal State 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, continuous 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 : **(i)Departmental Promotion/Confirmation Committee**
Promotion Committee exists, As may be constituted by the Govt. from time to time.
what is its composition?

13. Circumstances : As required under the law.
under which the H.P. Public Service Commission (HPPSC) 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 interview/personality test or if the Himachal Pradesh Public service Commission or other recruiting agency/authority as the case may be, so consider necessary or expedient on the basis of interview/personality test preceded by a screening test (objective test)/written test or practical test or physical 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:-

I CONCEPT

(a) Under this policy the Assistant Town Planner 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 HIMACHAL PRADESH PUBLIC SERVICE COMMISSION

The Administrative Secretary (TCP) 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. the Himachal Pradesh Public Service Commission.

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

(II) CONTRACTUAL EMOLUMENTS :

The Assistant Town Planner appointed on contract basis will be paid consolidated fixed contractual amount @ ₹21000/-per month.(which shall be equal to minimum of the pay-band + grade pay). An amount of R 630/-(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 Administrative Secretary(TCP) to the Govt. of H.P. will be the appointing and disciplinary authority.

(IV) SELECTION PROCESS:

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of interview/personality test or if considered necessary or expedient on the basis of interview/personality test preceded by a screening test (objective type) /written test or practical test or physical test, the standard/syllabus etc. of which will be determined by the concerned recruiting agency i.e.the Himachal Pradesh Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. the 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 @ ₹21000/- 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 @ ₹ 630/- (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.

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(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) The Contract Appointee will be entitled for one day's casual leave after putting one-month service. However, the contract appointee will also be entitled for 135 days' Maternity Leave, 10 days' Medical Leave and 5 days' special leave. 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. He/She shall not be entitled for Medical Reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee:

Provided that the un-availed Casual Leave, Medical Leave and Special 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. However, in exceptional cases where the circumstances for un-authorized 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 this 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 from a Government/ Registered Medical Practitioner. Women candidate pregnant beyond 12 (Twelve) weeks will stand temporarily unfit till the confinement is over. The women candidate shall 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 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

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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 the orders regarding reservation in the service for Scheduled Castes/ Scheduled Tribes/ Other Backwards Classes/ other categories of persons issued by the Himachal Pradesh Government from time to time.
17. Departmental Examination. : Every member of the service shall pass a Departmental Examination as prescribed in the Himachal Pradesh Departmental Examination Rules,1997, as amended from time to time.
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).



Annexure-"B"

Form of contract/agreement to be executed between the Assistant Town Planner & the Government of Himachal Pradesh through Administrative Secretary(TCP)

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 Administrative Secretary(TCP) (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 Assistant Town Planner on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as Assistant Town Planner on contract basis for a period of 1 year commencing on day of and ending on the day ofIt 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 contret is to be renewed/extended.

2. The contractual amount of the FIRST PARTY will be ₹ 21000/- 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 satisfactory.
4. Contractual Assisnat Town Planner will be entitled for one day's casual leave after putting one-month service. However, the contract employee will also be entitled for 135 days' maternity leave, 10 days' medical leave and 5 days' special leave. A

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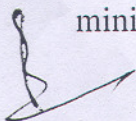
female contract appointee shall also be entitled for maternity leave not exceeding 45 days' (irrespective of the number of surviving children) during the entire service, in case of miscarriage including abortion, on production of medical certificate issued by the authorized Government Medical Officer. He/She shall not be entitled for Medical Re-imbusement and LTC etc. No leave of any other kind except above is admissible to the contract appointee:

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

5. Unauthorized absence from the duties without the approval of the Controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized 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 this 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 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. 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 shall 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 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.....
.....
.....

2.....
.....
.....

(Name and Full Address)

(signature of the FIRST PARTY)

1.....
.....
.....

2.....
.....
.....

(Name and Full Address)

(signature of the SECOND PARTY)

