

(Authenticative English Text of this department notification No. BW-A-B(13)35/94 dated 5/10/02 as required under clause (3) of Article of 348 of the Constitution of India.)

Government of Himachal Pradesh
Department of Public Works

No. PBW-A-B(13)35/94 Dated: Shimla-171002 the 10/10/2002

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor Himachal Pradesh in consultation with Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Assistant Architect (Class-I, Gazetted) in Himachal Pradesh Public Works Department as per Annexure-A attached to the notification, namely:-

Short title and commencement:

1 (i) These Rules may be called the Himachal Pradesh Public Works Department Assistant Architect (Class-I, Gazetted) Recruitment and Promotion Rules, 2002

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

Repeal and Savings:

2 (i) The Recruitment and Promotion Rules for the post of Assistant Architect Himachal Pradesh Public Works Department notified vide notification No. PWB-147-1/61-ES-II-8363-S401-G, dated 14/17th December, 1965 and as amended from time to time are hereby repealed.

(ii) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under Sub Rule (1) supra shall be deemed to have been validly made, done or taken under these Rules.

Attested

Rejoice
अनुमानित अधिकारी,
लोक निर्माण विभाग,
हि. प्र. सचिवालय, शिमला-2

By Order

Secretary (PW) to the
Government of Himachal Pradesh

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Endst. No. PRW-A-B(13)35/94 Dated Shimla-171002 the 10/10/2001
Copy for information and necessary action:-

1. The Engineer-in-Chief, H.P. Public Works Department, Shimla-1.
2. All the Chief Engineers, HPPWD.
3. The Chief Architect, HP, PWD Shimla-171001.
4. The Secretary, H.P. Public Service Commission, Shimla-171002.
with reference to his letter No. 1-4/71-PSC-Part dated 22.12.2001.
5. The Controller, H.P. Printing and Stationary Press Shimla-5 for publication in the Rajpatra and to supply its copy.
6. The Accountant General Himachal Pradesh, Shimla-3.
7. Dy. Accountant General Himachal Pradesh (A&F) Shimla-3.
8. The Sr. Law Officer (Law Deptt.) HP Sectt. Shimla-2.

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Under Secretary (PW) to the
Government of Himachal Pradesh

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Attended

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लोक निर्माण विभाग,
हि. प्र. सचिवालय, शिमला-2

ANNEXURE-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ASSISTANT ARCHITECT.
CLASS-I GAZETTED IN THE DEPARTMENT OF PUBLIC WORKS HIMACHAL PRADESH.

1. Name of the post: Assistant Architect
2. Number of the posts: 14 (Fourteen)
3. Classification: Class-I- Gazetted
4. Scale of pay: Rs. 7280-13500 (Entry scale) with a start of Rs. 8000/-
Rs. 10075-15100 (After 4 years of regular service in the entry scale)
Rs. 12000-15500 (After 9 years of regular service in the entry scale)
Rs. 14300-18150 (After 14 years of regular service in the entry scale).
5. Whether selection post or Non- Selection post: Selection.
6. Age for direct recruitment: 45 years and below

Provided that the upper age limit for direct recruitment 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 had become overage 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 Corporation/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to Government staff of the Public Sector Corporations/Autonomous Bodies who were /are subsequently appointed by such Corporation/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.

स्थानीय प्रशासन,
लोक निर्माण विभाग,
शिमला

(2) Age and experience in the case of direct recruitment relaxable at the discretion of Himachal Pradesh Public Service Commission in case of candidate is otherwise well qualified.

Essential Qualifications:-
Degree in Architecture or
its equivalent from a
recognised University or an
Institute duly recognised by
the Central/State Govt.

At least two years experience
in the field of Architecture
after qualifying for the
degree in Architecture.

Preference will be given to those Architects who get registration under the Architect Act, 1972.

DESIRABLE QUALIFICATIONS:

DESIRABLE QUALIFICATIONS
knowledge of customs manners and
dialects of Himachal Pradesh and
suitability for appointment in the
peculiar conditions prevailing in
Himachal Pradesh.

Age: 1953-54 NA
Educational - NA
Qualification: Yes
as prescribed
against Column No. 11
below

Two years subject to such further extension for a period not exceeding one year as may be ordered by appointing authority in special circumstances and for reasons to be recorded in writing

10. Method of recruitment whether (i) by direct recruitment or by (ii) promotion, demutation, transfer and the percentage of vacancies to be filled in by various methods.

25% by direct recruitment and
75% by promotion, failing
which by direct recruitment.

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

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a) By promotion from amongst the Architectural Assistants possessing Bachelor's Degree in Architecture or its equivalent from a recognised University/Institution with at least three years regular service or regular combined with continuous adhoc (rendered upto 31.3.98) service, if any, combined as Architectural Assistant and Head Draftsman:

....50%

(b) By promotion from amongst the following:-

(i) Architectural Assistants possessing Diploma Course in Architectural Assistantship or its equivalent from a recognised State Board of Technical Education with six years regular service or regular combined with continuous adhoc (rendered upto 31.3.98) service, if any, combined as Architectural Assistant and Head Draughtsman.

and

(ii) Architectural Assistants possessing Certificate Course in Draughtsmanship (Civil) or its equivalent from an I.T.I. recognised by State Govt. with ten years regular service or regular combined with continuous adhoc (rendered upto 31.3.1998) service combined as Architectural Assistant and Head Draughtsman which shall also include essential service of two years as Architectural Assistant.

25%

(For the purpose of promotion, a combined seniority list in respect of eligible Architectural Assistants holding Diploma Course in Architectural Assistantship and Certificate Course in Draughtsmanship (Civil) i.e. in respect of categories mentioned at b(i) and b(ii) above, based

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लोक निर्माण विभाग - क
हि. प्र. उ. विद्यालय, शिमला-2

on the length of service from their date(s) of appointment(s) as such without disturbing their unitwise inter-se-seniority shall be prepared).

For filling up the posts of Assistant Architect, the following four points roster shall be followed:-

1st post-	By promotion from amongst the category (a).
2nd post-	By promotion from amongst the category (a).
3rd post-	By promotion from amongst the category (b).
4th post-	By direct recruitment.

(Thereafter, the roster shall repeat itself).

(1) In all cases of promotion, the continuous adhoc service rendered in the feeder post upto 31.3.98, 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 Recruitment and Promotion Rules, provided that:-

(i) In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis upto 31.3.98) followed by regular service/appointment in the feeder post in view of the provisions referred to above, all persons senior to him in the grade of Architect Assistant 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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By order of the
Joint Director -
H.O. for the District, Bimalgarh

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provided further that where a person(s) becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the persons junior to him shall also be deemed to be ineligible 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-servicemen recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Vacancies in Himachal State Non Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule-3 of Ex-servicemen (Reservation of Vacancies in Himachal Pradesh Technical Services) Rules, 1985 having been given the benefits of seniority thereunder.

(2) Similarly, in all cases of confirmation, continuous adhoc service rendered on the feeder post upto 31.3.98, 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 against 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 upto 31.3.98 shall remain unchanged.

As may be constituted by the Government from time to time.

12. If a Departmental Promotion Committee exists, what is its composition :

As required under the Law.

13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment.

A candidate for appointment to any service or post must be a citizen of India.

14. Essential requirement for a 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 H.P.S.C. or other recruiting authority, as the case may be, so considered necessary or expedient by a written test or practical test the standard or syllabus of which will be determined by the commission/ other recruiting authority as the case may be.

15. Selection for appointment to post by direct recruitment :

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A circular stamp with the number 50 inside.

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Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination on Rules, 1997 as amended from time to time, failing which he shall not be eligible to -

(ii) Confirmation within the service even after completion of probationary period, and

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Provided further that an Officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of

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45 years on 1.3.1976 shall not be required to qualify the departmental examination prescribed under these rules after attaining 50 years for the purpose of crossing of (i) efficiency bar next due and (ii) confirmation in the service after completion of probationary period. However, the gazetted Officers who have crossed that age of 55 years shall not be required to pass the departmental Examination prescribed under these Rules for the purpose of further promotion.

(2) An Officer on promotion to higher post in his direct line of promotion shall not be required to pass the aforesaid Examination if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the H.P.P.S. C. grant in exceptional circumstances and for reasons to be recorded in writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the Departmental Examination in whole or part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

Where the State Government is of the opinion that it is necessary or expedient to do so, it may, for reasons to be recorded in writing relax any of the provisions of these Rules with respect to any class or category of persons or posts.

18. Power to Relax :

Amended

Revised
धन सिंह, निदेशक,
लोक विभाग,

दि. २० अक्टूबर १९७६, शिमला-७ ***

(52) (35)

(AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION NO. PBW-A-A(3)/2008 DATED 14-6-2010 AS REQUIRED UNDER CLAUSE (3) OF ARTICLE 348 OF THE CONSTITUTION OF INDIA).

Government of Himachal Pradesh
Public Works Department

No.PBW-A-A(3)-3/2008

Dated: Shimla-2, 14-06-2010

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 following Rules further to amend the Himachal Pradesh Public Works Department, Assistant Architect (Class-I, Gazetted) Recruitment and Promotion Rules, 2002 notified vide this department notification No.PBW-A-B(13)35/94 dated 10.10.2002, namely:-

Short titled and commencement	1.	(i)	These rules may be called the Himachal Pradesh Public Works Department Assistant Architect (Class-I, Gazetted) Recruitment and Promotion(amendment) Rules, 2010.
		(ii)	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 Public Works Department, Assistant Architect (Class-I, Gazetted) Recruitment and Promotion Rules, 2002,
		(a)	For the existing provisions against Column No.2, the following shall be substituted, namely;
			"13 (Thirteen)"
		(b)	For the existing provisions against Column No.4, the following shall be substituted, namely; <u>Pay Band + Grade Pay.</u> i) Rs.15600-39100+Rs.5400/- Grade pay. ii) Emoluments for contract employees as per details given in Column 15-A.
		(c)	For the existing Column No.10, the following shall be substituted, namely; Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods. (i) 25% by direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get emoluments as given in Column 15-A and will be governed by service conditions as specified in the said Column.

			(ii) 75% by promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis as the case may be. The contract employees will get emoluments as given in Column 15-A and will be governed by service conditions as specified in the said Column.
		(d)	For the existing provision against Column No.11, the following shall be substituted, namely: (a) By promotion from amongst the Architectural Assistants possessing - Bachelor's Degree in Architecture or its equivalent from a recognized University/Institution with at least three years' regular service or regular combined with continuous adhoc service, if any, combined as Architectural Assistant and Head Draughtsman.50% (b) By promotion from amongst the following:- (i) Architectural Assistants possessing Diploma course in Architectural Assistantship or its equivalent from a recognized State Board of Technical Education with <u>six</u> years regular service or regular combined with continuous adhoc service, if any combined as Architectural Assistant and Head Draughtsman. AND (ii) Architectural Assistants possessing certificate Course in Draughtsman-ship (Civil) or its equivalent from an I.T.I recognized by State govt. with ten years' regular service or regular combined with continuous adhoc service combined as Architectural Assistant and Head Draughtsman which shall also include essential service of two years' as Architectural Assistant.25% For the purpose of promotion, a combined seniority list in respect of eligible Architectural Assistants holding Diploma Course in Architectural Assistantship and Certificate Course in Draughtsman-ship (Civil) i.e. in respect of categories mentioned at b(i) and b(ii) above, based on the length of service from their date(s) appointment(s) as such without disturbing their unit wise inter-se-seniority shall be prepared. For filling up the posts of Assistant Architect, the following four points roster shall be followed:- 1st post - By promotion from amongst the category (a). 2nd post - By promotion from amongst the category (a). 3rd post - By promotion from amongst the category (b). 4th post - By direct recruitment. (Thereafter the roster shall repeat itself).

(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 further 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 Services) Rules, 1972 and having been given the benefit of seniority there under or recruited under the provisions of Rule-3 of the Ex-servicemen (Reservation of vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority there under or recruited under the provision of Rule-3 of the Ex-Servicemen (Reservation of vacancies in the 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/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.

- (e) Below existing Column 15, a new column No 15-A with the following provision shall be incorporated, namely:-
- 15-A Selection for appointment to the post by contract appointment:-
1. CONCEPT
- (a) Under this policy, the Assistant Architect in the

Public Works Department Himachal Pradesh 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 /HPSSSB:

The Principal Secretary(PW) 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. Public Service Commission, Shimla.

- ③ The selection will be made in accordance with the eligibility conditions prescribed in these Rules.

(II) CONTRACTUAL EMOLUMENTS:

The Assistant Architect appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 15600/- P.M. (which shall be equal to minimum of the pay band plus grade pay). 3% annual increase in the shape of annual increment on minimum of pay band + grade pay of the post, for the subsequent year(s) will be allowed, if contract is extended beyond one year.

(III) APPOINTING /DISCIPLINARY AUTHORITY:

The Pr. Secretary(PW) will be 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 viva-voce test or if consider 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. PSC.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:

As may be constituted by the concerned recruiting agency i.e. the H.P. PSC 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

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		<p>contractual amount which shall be equal to minimum of the pay band plus grade pay of the post i.e. Rs. 15600/- + 5400/- = 21000/- (Rs 15600-39100 with grade pay of Rs.5400/-). The contract appointee will be entitled 3% annual increase in contractual amount for further extended years and no other allied benefits such as senior/selection scales etc. will be given.</p> <p>(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.</p> <p>(c) Contract Appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year. No leave of any other kind is admissible to the contract appointee. He / She shall not be entitled for Medical Re-imbursement and LTC etc. only maternity leave will be given as per rules.</p> <p>(d) Unauthorized absence from the duty 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.</p> <p>(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.</p> <p>(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 temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.</p> <p>(g) Contract appointee will be entitled to TA/ DA, if required to go on tour in connection with his /her official duty at the same rate as applicable to regular official at the minimum of the pay scale.</p> <p>(h) Provisions of service Rules like FR, SR, Leave Rules, GPF Rules, Pension Rules and 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.</p>
	(f)	<p>For the existing Column No.16, the following shall be substituted, namely; 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.</p>

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		(g)	For the existing Column No.17, the following shall be substituted, namely; Every member of the service shall pass a departmental examination as prescribed in the H.P. Departmental Examination Rules, 1997, as amended from time to time.
		(h)	For the existing Column No.18, the following shall be substituted, namely; 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 provision(s) of these Rules with respect to any Class or Category or person(s) or post(s).

By Order

Dr.P.C.Kapoor
Principal Secretary (PW) to the
Government of Himachal Pradesh
Dated: Shimla-2, 14-06-2010

Endst.No. PBW-A-A(3)-3/2008

Copy is forwarded to the:-

- 1.The Accountant General, H.P.Shimla-3.
2. The Secretary, H.P. Public Service Commission, Shimla-2.
3. The Secretary(Law) to the Government of Himachal Pradesh, Shimla-2.
4. The Engineer-in-Chief, HP, PWD, Nirman Bhawan, Shimla-2.
5. All the Chief Engineer in HP, PWD.
6. The Chief Architect, HP, PWD, Nirman Bhawan, Shimla-2.
7. The Controller, Printing & Stationery, H.P. Shimla-5 for publication in the H.P. Rajpatra.
8. Spare copies 20.

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Under Secretary(PW) to the
Government of Himachal Pradesh,

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ANNEXURE-B

FORM OF CONTRACT/AGREEMENT TO BE EXECUTED BETWEEN THE
Assistant Architect AND THE GOVERNMENT OF HIMACHAL PRADESH
THROUGH ENGINEER-IN-CHIEF, HP PWD.

This agreement is made on this day of in the Year
between • Shri/ Smt..... S/o/ D/o Shri..... resident of
..... Contract appointee (hereinafter called the FIRST PARTY), AND the
Governor, Himachal Pradesh through the Engineer-in-Chief, HP PWD (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 Architect on contract basis on the
following terms and conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a
Assistant Architect 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.

Provided that for-further extebtuil/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 contract is to be renewed/extended.

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2. The contractual amount of the FIRST PARTY will be Rs..... 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 Assistant Architect 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 contractual Assistant Architect. He/she will not be entitled for Medical
Reimbursement & LTC etc. Only maternity Leave will be given as per Rules.
 5. Unauthorized absence from the duty without the approval of the controlling Officer shall
automatically lead to the termination of the contract. A Contractual Assistant Architect
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 on
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
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 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.....

(Signature of the FIRST PARTY)

2.....

(Signature of the SECOND PARTY)

..... (Name & full Address).

(AUTHORATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION No.
PBW-A-A(3)-3/2008 DATED/4-07-2022 AS REQUIRED UNDER CLAUSE(3) OF
ARTICLE 348 OF THE CONSTITUTION OF INDIA)

Government of Himachal Pradesh
Public Works Department

No. PBW-A-A(3)-3/2008

Dated: Shimla- 4-07-,2022

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 following rules further to amend the Himachal Pradesh, Public Works Department, Assistant Architect, Class-I (Gazetted), Recruitment and Promotion Rules, 2002, notified vide this department notification No.PBW-1B(13)35/94 dated 10.10.2002, namely:-

- | | | | |
|------------------------------|----|------|---|
| Short title and commencement | 1. | (i) | These rules may be called the Himachal Pradesh Public Works Department, Assistant Architect, Class-I (Gazetted) Recruitment and Promotion (amendment) Rules, 2022. |
| | | (ii) | These rules shall come into force from the date of publication in the Rajpatra (e-Gazette), Himachal Pradesh. |
| Amendment of Annexure "A" | 2. | | In Annexure-"A". to the Himachal Pradesh Public Works Department, Assistant Architect, Class-I (Gazetted), Recruitment and Promotion Rules, 2002,-
(a) For the existing provision against column No. 6, the following shall be substituted, namely:-
"18 to 45 years".
Provided that the upper age limit for direct recruits will not be applicable to the candidate 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 when 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/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 of such 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 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.

(b) For the existing provision against column No. 7, the following shall

be substituted, namely:

“(a) Essential Qualification:-

(i) B. Arch. (Bachelor of Architecture) Degree from a recognized University or an Institution affiliated to a recognized University or from a deemed University duly recognized by Central/State Government/ Council of Architecture.

OR

Having passed the Associate of the Indian Institute of Architects (AIIA) examination Registered with Council of Architecture under the Architect Act, 1972.

(ii) At least 2 years experience in the field of Architecture after degree in Architecture/ passing Associate of the Indian Institute of Architects (AIIA) examination.

(b) Desirable Qualification:-

Knowledge of custom manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.”

(c) For the existing provision against column No. 9, the following shall be substituted, namely:-

“(i) Direct Recruitment:

(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.

(ii) Promotion:

No probation.”

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

“(i) 25% by direct recruitment on a regular basis or by recruitment on

contract basis, as the case may be.
(ii) 75% by promotion failing which by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be..”;

(e) For the existing provision against column No.11, the following shall be substituted, namely:-

“(a) By promotion from amongst the Architectural Assistant(s) possessing B. Arch. (Bachelor of Architecture) Degree from a recognized University or an Institution affiliated to a recognized University or from a deemed University duly recognized by Central/State Govt./Council of Architecture or having passed the Associate of the Indian Institute of Architects (AIIA) examination Registered with Council of Architecture under the Architect Act, 1972 with 03 (three) years regular service or regular combined with continuous adhoc service, if any, combined as Architectural Assistant and Head Draughtsman.

-----50%

(b) By promotion from amongst the Architectural Assistant(s) possessing diploma in Architecture from a recognized University or an Institution affiliated to a recognized University or from a deemed University duly recognized by Central/ State Govt./ Council of Architecture or State Board of Technical Education with atleast 6 years regular service or regular combined with continuous adhoc service, if any, combined as Architectural Assistant & Head Draughtsman.

-----25%

For filling up the posts of Assistant Architect the following four points post based roster shall be followed:-

Roster Point No.	Category
1 st & 2 nd	Category (a)
3 rd	Category (b)
4 th	Direct Recruitment

Note: The above roster will run till the representation to all categories is achieved upto the prescribed percentage, thereafter, the post will be filled up from the category which vacates the post.

Explanation:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person happened to be ex-servicemen who have joined Armed Forces during the period of emergency and recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Vacancies in Himachal Pradesh State Non-Technical Service) Rule-1972 and having been given the benefit of seniority there under or recruited under the provisions of Rule-3 of Ex-serviceman (Reservation of vacancies in Himachal Pradesh State Non-Technical Services) Rule-1985 and having been given the benefit of seniority there under."

(f) For the existing provision against column No.12, the following shall be substituted, namely:-

"Departmental Promotion Committee/
Departmental Confirmation
Committee:

As may be constituted by the Government from time to time."

(g) For the existing provision against column No.15, the following shall be

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substituted, namely:-

"Selection for appointment to the post in the case of direct recruitment shall be made on the basis of Interview/ Personality test, 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 type) /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."

and

(h) For the existing provision against column No.15-A, the following shall be substituted, namely:-

"Notwithstanding anything contained in these rules, contract appointments to the posts will be made subject to the terms and conditions given below:-

(I) CONCEPT:

(a) Under this policy the Assistant Architect in the Department of Public Works, Himachal Pradesh 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/her period of contract is to be renewed/extended.

(b) POSTS FALL WITHIN PURVIEW OF HPPSC:

The Principal Secretary (PW) after obtaining the approval of the Govt. to

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fill up vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. Himachal Pradesh Public Service Commission.

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

(II) CONTRACTUAL EMOLUMENTS:-

The Assistant Architect appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 21000/-P.M. (which shall be equal to minimum of the pay band + grade pay). An amount of Rs. 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 Principal Secretary (PW) to the Government of Himachal Pradesh will be 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 consider necessary or expedient on basis of interview/ personality test preceded by screening test (objective type) written test or practical test or physical test, the standard/ syllabus etc. of which will be determined by concerned recruiting agency i.e. Himachal Pradesh Public Service Commission.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:-

As may be constituted by the concerned recruiting agency i.e. Himachal Pradesh 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 & CONDITIONS:-

a) The contractual appointee will be paid consolidated fixed contractual amount @ Rs. 21000/-P.M. (which shall be equal to minimum of the pay band + grade pay). An amount of Rs. 630/-(3% of the 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 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. In case the contract appointee is not satisfied with the termination orders issued by the Appointing Authority, he/she may prefer an appeal before the Appellate Authority who shall be higher in rank to the Appointing Authority, with a period of 45 days from the date on which a copy of termination orders is delivered to him/her.

c) The contract appointee will be entitled for one day casual leave after putting one month service, 10 days medical leave and 5 days special leave in a calendar year. A female contract appointee with less than two surviving children may be granted maternity leave for 180 days. 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

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production of medical certificate issued by the authorized Govt. Medical Officer. A contract employee shall not be entitled for medical reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

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) Un-authorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for unauthorized absence from Govt. 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 the period of absence from duty.

Provided that he/she shall submit the certificate of illness/fitness issued by the medical officers, 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 of the transfer of need based basis wherever required on administrative grounds.

f) Selected candidates will have to submit a certificate of his/her fitness issued by a Medical Board in the case of a Gazetted Government servant and by Government Medical Officer in the case of a Non-Gazetted

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Government servant. In case of women candidates who are to be appointed against posts carrying hazardous nature of duties, and in case they have to complete a period of training as a condition of service, such woman candidate, who as a result of tests is found to be pregnant of twelve weeks' standing or more shall be declared temporarily unfit and her appointment shall be held in abeyance until the confinement is over. Such woman candidate be re-examined for medical fitness six weeks after the date of confinement, and if she is found fit on production of medical fitness certificate from the authority as specified above, she may be appointed to the post kept reserved for her.

g) Contract appointee will be entitled to TADA 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 applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this column."

BY ORDER

Bharat Khara

**Principal Secretary (PW) to the
Government of Himachal Pradesh**

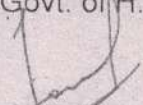
Endst.No. PBW-A-A(3)-3/2008, Dated Shimla-2,

14-07-2022

Copy forward to:-

1. All the Additional Chief Secretaries/ Administrative Secretaries to the Govt. of H.P. Shimla-2.
2. The Secretary, HP, Public Service Commission Shimla-2.

3. The Engineer-in-Chief, HP PWD/ JSV, Shimla-1
4. All the Chief Engineers, HPPWD.
5. Chief Architect, HPPWD Shimla and Mandi.
6. All the Superintending Engineers, HPPWD.
7. The Controller, Printing and Stationery, HP Department, Press, Shimla-5, for publication in the Rajpatra.
8. ALR-cum-Under Secretary (Law) or Hindi-II to the Govt. of H.P. Shimla-2
9. Guard file.


(Toru S. Raveesh)
Special Secretary (PW) to the
Government of Himachal Pradesh
Phone No. 0177-2621110.