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(AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT
NOTIFICATION NO PBW-A-A(3)-5/2006 DATED 3.7.2008 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)-5/2006- Dated Shimla-171002, the... 3.7.2008.

NOTIFICATION

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

1 Short title and
Commencement.

- (1) These rules may be called the Himachal Pradesh Public Works Department Jr. Draughtsman (Architecture.) (Class-III (Non Gazetted) Recruitment and Promotion Rules, 2008.
- (2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

By Order

Bairam Sharma,
Secretary(PW) to the
Government of Himachal Pradesh

Dated Shimla-2, 3.7.2008

Encl. No. PBW-A-A(3)-5/2006

Copy is forwarded to the:-

1. The Engineer-in-Chief, HP PWD U.S. Club, Shimla-1.
2. All the Chief Engineers in HP PWD.
3. The Chief Architect, HP PWD, U.S. Club, Shimla-1.
4. The Accountant General, I.P. Shimla-3.
5. The Controller, printing and Stationery, HP, Shimla-5 for publication in the H.P. Rajpatra.
6. The Secretary, H.P. Public Service Commission, Shimla-2.
7. The Sr. Law Officer (Himachal) Law Dept. H.P. Secy. Shimla-2.
8. Spare copies 20.
9. P.H.D. - under Secy. (Gen) HP PWD Shimla-1.

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

Pl. put up for the information
of worthy CA.

LA. F.R. C.A. 10/7/08

ANNEXURE "A"

RECRUITMENT AND PROMOTION RULES FOR THE POST OF JUNIOR DRAUGHTSMAN (ARCHITECTURE) CLASS-III(NON-GAZETTED) IN THE DEPARTMENT OF PUBLIC WORKS, HIMACHAL PRADESH.

1.	Name of the post	Junior Draughtsman (Architecture)
2.	Number of post(s)	15 (Fifteen)
3.	Classification	Class-III-Non-Gazetted (Non Ministerial Services)
4.	Scale of Pay	Rs.4020-150-5000-160-5800-200-6200.
5.	Whether "Selection" post or "Non-Selection" post.	Non-Selection
6.	Age for direct recruitment	Between 18 & 45 years
Provided that 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 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 / Corporations / Autonomous Bodies and who are / were finally absorbed in the service of such Corporations / Autonomous after initial constitution of the Public Sector Corporations / Autonomous Bodies. (7) 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. (8) 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 and other qualifications required for direct recruit(s)	Essential Qualification(s): (i) <u>Matric or its equivalent / Higher qualification from a recognised Board / University and should have passed the Diploma in Architectural Assistantship from the Institute recognised by the State / Central Government.</u> OR (ii) <u>Should have passed the Matriculation Examination from a recognised Board of School Education / Institution & have passed 02 years certificate course in the trade of Draughtsmanship / Diploma in Draughtsmanship or its equivalent from a Polytechnic Institute / I.T.I. or an Institute duly recognised by the Central / State Government.</u>

		Desirable Qualification(s): 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: Not applicable								
9.	Period of probation, if any	Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.								
10.	Method(s) of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of post(s) to be filled in by various methods:	i) 25% by direct recruitment on regular basis or on contract basis; ii) 25% by batchwise on regular basis or on contract basis; and iii) 50% by transfer failing which by direct recruitment on regular basis or on contract basis.								
11.	In case of recruitment by promotion, deputation, transfer, grade from which promotion / deputation / transfer is to be made:	i) By transfer on the basis of seniority subject to option from amongst the Junior Draughtsmen of the Civil Wing who possess educational qualification prescribed for the direct recruitment in column No. 7 (i) above and having 03 years service in the grade with 02 years experience of having worked in Architectural Wing of Public Works Department failing which by direct recruitment 35% ii) By transfer on the basis of seniority subject to option from amongst the Junior Draughtsmen of the Civil Wing who possess Diploma in Draughtsmanship / Certificate Course in the trade of Draughtsmanship or its equivalent from recognised Institute by the State / Centre Government and having 10 years service including 05 years experience working as Junior Draughtsman / Draughtsman in Architectural Wing of Public Works Department failing which by direct recruitment 15% The roster for filling up of the posts by direct recruitment and by transfer will be as under: -								
		<table border="1"> <tr> <td>1st, 4th, 10th, 13th & 18th point</td><td>By direct recruitment on regular basis or on contract basis</td></tr> <tr> <td>2nd, 6th, 11th, 15th & 20th point</td><td>By batchwise on regular basis or on contract basis</td></tr> <tr> <td>3rd, 5th, 7th, 9th, 12th, 14th & 17th point</td><td>By transfer from category (i) above</td></tr> <tr> <td>8th, 16th & 19th point</td><td>By transfer from category (ii) above</td></tr> </table>	1 st , 4 th , 10 th , 13 th & 18 th point	By direct recruitment on regular basis or on contract basis	2 nd , 6 th , 11 th , 15 th & 20 th point	By batchwise on regular basis or on contract basis	3 rd , 5 th , 7 th , 9 th , 12 th , 14 th & 17 th point	By transfer from category (i) above	8 th , 16 th & 19 th point	By transfer from category (ii) above
1 st , 4 th , 10 th , 13 th & 18 th point	By direct recruitment on regular basis or on contract basis									
2 nd , 6 th , 11 th , 15 th & 20 th point	By batchwise on regular basis or on contract basis									
3 rd , 5 th , 7 th , 9 th , 12 th , 14 th & 17 th point	By transfer from category (i) above									
8 th , 16 th & 19 th point	By transfer from category (ii) above									
		Note:- The roster will be repeated after every 20 th vacancy till the representation to all the categories is achieved up to the given percentage. Thereafter, the vacancy is to be filled up from the category which vacates the post.								

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(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 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.

12.	If a Departmental Promotion Committee exists, what is its composition?	As may be constituted by the Government from time to time.
13.	Circumstances under which the H.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 post by direct recruitment	Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test if the 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
appointment

(I) CONCEPT:

(a) Under this policy the Junior Draughtsman (Architecture) in P.W.D. will be engaged on contract basis initially for one year, which may be extendable for two more years on year to year basis.

(b) POSTS FALLS WITHIN THE PURVIEW OF HPSSSB:

The Engineer-in-Chief, H.P.P.W.D. after obtaining the approval of the Government to fill up vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board, Hamirpur.

(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 for regularization or permanent absorption in the Government job.

(II) CONTRACTUAL EMOLUMENTS:

The Junior Draughtsman (Architecture) appointed on contract basis will be paid consolidated fixed contractual amount @Rs.6030/- P.M. (which shall be equal to initial of the pay scale + dearness pay).

An amount of Rs.150/- (equal to annual increase in the pay scale of the post) as per annual increase in contractual emoluments for the second and third years respectively will be allowed if contract is extended beyond one year.

(III) APPOINTING / DISCIPLINARY AUTHORITY:

The Superintending Engineer of the concerned circle of H.P.P.W.D. 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 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 APPOINTMENT:

As may be constituted by the concerned recruiting agency i.e. the H.P. Subordinate Services Selection Board from time to time.

(VI) AGREEMENT:

After selection of a candidate, he / she shall sign an agreement as per Annexure-B appended to these Rules.

(VII) TERMS AND CONDITIONS:

- (a) The contract appointee will be paid fixed contractual amount @Rs.6030/- per month (which shall be equal to initial of the pay scale + dearness pay). The contract appointee will be entitled for increase in contractual amount @Rs.150/- (equal to annual increase in the pay scale) 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 / conduct of the contract appointee is not found satisfactory.
- (c) Contractual appointment shall not confer any right to 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 twelve days in a calendar year and casual leave not availed in a calendar year shall lapse on the close of a calendar 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.
- (e) 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.
- (f) Transfer of a 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 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.
- (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 at the minimum of the pay scale.

(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 Junior Draughtsman (Architecture) in the Department at any stage.

16.	Reservation	The appointment to the service shall be subject to the reservation regarding reservation in the service for Scheduled Castes / Scheduled Tribes / Other Backward Classes / categories of persons issued by the Himachal Pradesh Government from time to time.
17.	Departmental Examination	Not applicable
18.	Powers 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 provision(s) of these Rules with respect to any Class or Category of person(s) or post(s).

(5)

ANNEXURE "B"

Form of contract/agreement to be executed between the Junior Draughtsman(Arch.) & the Government of Himachal Pradesh through Engineer-in-Chief, H.P. Public Works 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 Engineer-in-Chief HP PWD(here-in-after the SECOND PARTY).

Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Junior Draughtsman(Arch.) on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Junior Draughtsman (Arch.) 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. 6030/- 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 Junior Draughtsman(Arch.) will be entitled for one day casual leave after putting one month service. This leave can be accumulate upto one year. No leave of any kind is admissible to the contractual Junior Draughtsman(Arch.). He/She will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.

6. Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Junior Draughtsman(Arch.) will not be entitled for contractual amount for the period of absence

7. Transfer of a 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 pregnant beyond twelve weeks will render her temporarily unfit until the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/ practitioner.

9. Contractual Junior Draughtsman(Arch.) 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 the pay scale.

10. The Employees Group Insurance Scheme as EFF/GPF facility will not be applicable to the contractual appointee(s).

IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first, above written.

IN THE PRESENCE OF WITNESS.

1. _____

(Name and Full Address)

(Signature of the FIRST PARTY)

2. _____

(Name and Full Address)

IN THE PRESENCE OF WITNESS.

1. _____

(Name and Full Address)

(Signature of the SECOND PARTY)

2. _____

(Name and Full Address)