

**THE JAMMU AND KASHMIR TOWN PLANNING (GAZETTED)
SERVICE RECRUITMENT RULES, 1995.**

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Housing and Urban Development Department's Notification SRO-262 dated 6th October, 1995.— In exercise of the powers conferred by the proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor hereby makes the following rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Jammu and Kashmir Town Planning (Gazetted) Service Recruitment Rules, 1995.

(2) They shall come into force from the date of their publication in the Government Gazette.

2. *Definitions.*—In these rules, unless context otherwise requires,—

(a) "Administrative Department" means the Department of the Government in the Civil Secretariat holding the administrative charge of the service ;

(b) "Cadre" means cadre of the service ;

(c) "Commission" means the Jammu and Kashmir Public Service Commission ;

(d) "Member of the service" means a person appointed to a post in the service under the provisions of these rules ;

(e) "Schedule" means the Schedule annexed to these rules ;

(f) "Service" means the Jammu and Kashmir Town Planning (Gazetted) Service ;

Words and expressions used in these rules but not defined shall have the same meaning as are assigned to them in the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

3. *Constitution of Service.*—

(i) From the date of commencement of these rules there shall be constituted the Jammu and Kashmir Town Planning (Gazetted) Service.

(ii) The Government may, at the commencement of these rules, appoint to the service any person who at the commencement of

these rules is holding any post in its sanctioned scale of pay included in the cadre of the service and is otherwise eligible :

Provided that for the purpose of initial constitution of the service, the person holding any post on regular basis included in the cadre of the service in its sanctioned scale of pay shall be deemed to have been appointed to the service under these rules.

4. *Strength and composition of the service.*—The authorised permanent and temporary strength of the cadre and the nature of the posts included therein shall be determined by the Government from time to time and shall at the initial constitution of the service under these rules, be such as specified in Schedule 'I' annexed to these rules :

Provided that the Government may create temporary posts in the cadre of the service for specified period as may be considered necessary from time to time.

5. *Qualifications and method of recruitment.*—(1) No person shall be eligible for appointment or promotion to any post in any category or grade in the service unless he possesses the qualifications as laid down in Schedule "II" and fulfils other requirements of recruitment as provided in the rules and orders for the time being in force.

(2) Appointment to the service shall be made—

- (a) by direct recruitment (which will include appointment by transfer) ;
- (b) by promotion ; and
- (c) partly by direct recruitment and partly by promotion in the ratio and in the manner mentioned against each in the Schedule.

6. *Probation.*—

- (i) Persons appointed to the service, either by direct recruitment or by promotion shall be on probation or trial for two years.
- (ii) If it appears at any time during or at the end of the period of probation or trial that an officer has not made sufficient use of his opportunities or if he has otherwise failed to give satisfaction and has not passed the prescribed departmental examination or training if any, if directly recruited, be discharged from the service and if appointed by promotion, be reverted to the post on which he holds a lien.

- (iii) The Government may in the case of any person extend the period of probation up to the maximum period of four years.

Explanation :—Appointments on probation will be made against substantive vacancies only . All other appointments will be on trial provided that any period of officiating appointment, shall be reckoned as period spent on probation when a person appointed on trial is given regular appointment to the service.

- (iv) A candidate appointed to the service by direct recruitment shall be allowed the minimum of the time scale during the first year and at the second stage of that scale during the remaining period of probation/trial. Where the period of probation/trial is extended beyond two years for reasons not directly attributable to probationer, he shall be allowed to draw second and third increments after the expiry of second and third year of probation/trial :

Provided that where a person has immediately before such appointment been holding any post under the Government in a substantive capacity and was drawing therein pay equal to or more than the minimum of the time scale, his initial pay at the time of his appointment to the service shall be regulated under Article 77 (a), (II) read with Article 67 (a) (ii) J&K CSRs.

- (v) In respect of a person who immediately before such appointment held a post under the Government in an officiating capacity and drew his presumptive pay equal to or higher than the minimum of the time scale, his initial pay at the time of appointment to the service shall be regulated under Article 77 (a) (II) of J&K CSRs treating his presumptive pay as substantive pay for purposes of such fixation alone. He shall, not however, get the benefit of Article 67 (a) (II) either at the time of initial fixation or subsequently.
- (vi) In the case of persons who are appointed under these rules other than by direct recruitment their fixation of pay shall be regulated under the normal rules relating to such fixation from time to time.

7. *Training and Departmental Examinations.*—Persons appointed to the service by competitive examination shall be required to undergo such training from time to time during the course of service and to pass during the period of probation or trial such departmental examination as the government may prescribe.

Provided that the Government may exempt either wholly or partly, from such training or departmental examination persons who have passed a departmental examination or undergone training declared by Government to be equivalent to a departmental examination or training prescribed under these rules.

8. *Eligibility of Government servants for direct recruitment.*—A person already in Government service may apply through proper channel for direct recruitment to a vacant post in any particular class or category in the service if he possesses the educational and other qualifications prescribed for recruitment to such a class or category of posts. The upper age limit of such Government servants shall be as prescribed in the general rules :

Provided that in case of a post which requires a higher degree of specialization and/or experience, the Government may prescribe a higher age limit.

9. *Power to relax.*—Where the Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing and in consultation with the Public Service Commission relax any of the provisions of these rules with respect to any class, category of persons or posts :

Provided that while exercising this discretion the Government would be guided by the following principle in view :—

- (a) That the discretion is exercised bonafide ;
- (b) That such an exercise specifies objective test ;
- (c) That it would satisfy any responsible man in place of authority competent to relax ; and
- (d) That the power should be vested with the Chief Minister only.

10. *Maintenance of Seniority Lists.*—Seniority of the members of the service shall be regulated under the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956. The Administrative Department in the Civil Secretariat shall maintain an up to date and final seniority list of the service.

11. *Residuary matters.*—In regard to matters not specifically covered by these rules the members of the service shall be governed by the rules, regulations and orders applicable to the State Civil Services in general.

12. *Interpretation.*—If any question arises from these rules, the matter shall be referred to the Government, whose decision thereon shall be final and binding.

13. *Repeal and savings.*—

- (i) All rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed.
- (ii) Notwithstanding such repeal, any appointment, order made or action taken under the provisions of the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

SCHEDULE -

S. No.	Name of the post	Scale	Number of posts
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'A'

- | | | | |
|----|------------------------|-----------|----|
| 1. | Chief Town Planner | 4500-5700 | 2 |
| 2. | Sr. Town Planner | 3700-5000 | 2 |
| 3. | Town Planner | 3000-4500 | 6 |
| 4. | Assistant Town Planner | 2200-3800 | 12 |

'B'

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|----|--------------------|-----|----------------|
| 1. | Deputation Reserve | 20% | } of 'A' above |
| 2. | Leave Reserve | 10% | |
| 3. | Training Reserve | 10% | |

SCHEDULE II

S. No.	Class	Name of the post	Grade	Minimum qualification for direct recruitment	Method of recruitment
1.	I.	Chief Town Planner	4500-5700	...	By selection from Class II from persons possessing 15 years service in J&K Town Planning Gazetted Service including 5 years service as Senior Town Planner.
2.	II.	Sr. Town Planner	3700-5000	...	By promotion from Class III with seven years service as such with Post Graduate Diploma or its equivalent as recognised by Institute of Town Planners or Degree in Town and Country Planning as recognised by the Institute of Town Planners.
3.	III.	Town Planners	3700-5000	...	By promotion from Class IV with 7 years service as such.

4. IV. Assistant Town Planners 2200-3806

Bachelor Degree in Architecture./AMITP. 50% by direct recruitment.

OR

Post Graduate Diploma in Town and Country Planning from a recognised Institute or its equivalent as also recognised by the Institute of Town Planners.

50% by promotion from amongst the Planning Assistants and Field Inspectors, in the subordinate cadre of the service on the basis of length of service possessing the following qualifications :—

OR

Degree in Architecture/Civil Engg./AMIE/AMITP with 3 years experience in the TPO as Planning Assistant/Field Inspector

OR

Degree in Town and Country Planning or its equivalent from a recognised Institute/University as also recognised by the Institute of Town Planners.

Degree in Town and Country Planning/Post Graduate Diploma in Town and Country Planning or its equivalent qualification recognised by the Institute of Town Planners with two years experience

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ence in the TPO as Planning Assistant/Field Inspectors.

OR

Inter-Architecture/3 Years Diploma in Architecture from any recognised Institute with 5 years experience in the Town Planning Org. as Planning Assistant/Field Inspectors.

OR

2 Years Draftsman Course with 7 years experience in the Town Planning Organisation as Planning Assistant/Field Inspector.