

HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

MEMORANDUM

Whereas the department upon the approval of government initiated the process for selection for filling up of 125 Nos. posts of Junior Draughtsman on contract basis in accordance with R&P Rules. Accordingly 62 Nos. of posts as per sanction and provision of R&P Rules were to be filled through batch-wise as well as through Ex-men Cell.

And whereas the committee convened interview from 03.07.2014, 04.07.2014 and 05.07.2014 and accordingly total-51 Nos. candidates were selected. The selection process was completed on 21.07.2014 and appointment orders were issued on the same date, but against such selection various court cases were received by the department. Accordingly when large number of court cases received and it also found that by way of misstatements of facts as conveyed by Employment Exchange few candidates have also been able to obtain selection/ appointment wrongly, after considering all above aspects and various orders of Hon'ble Courts of Law, some candidates who were found eligible upon convening review merit were also appointed as Junior Draughtsman on contract basis vide this office memo.No.PWE-119-1-JDM-contract./ESI-14218-58 dated 08.02.2016.

And whereas, against these orders Shri Om Chand S/o Shri Puran Chand, resident of Village-Ghangali, Post Office-Mahadev, Tehsil-Sundernagar, Distt.-Mandi, HP and Shri Roop Chand S/o Shri Shankar, r/o Vill.-Dugrain, PO-Brikhmani, Tehsil-Balh, Distt.-Mandi jointly filed O.A.No.968 of 2015. This was listed on 01.03.2016, when it was disposed of by Hon'ble Tribunal with following directions: -

2.In the facts and circumstances and with the consent of the parties, the original application which has been filed on the following substantive prayers, vide para 7(i) and (ii), is taken up for disposal at this very stage: -

7(i) That the respondents No.1 & 2 may very kindly be directed to select/ appoint the applicants to the post of Junior Draughtsman (J.D.M.) under Scheduled Caste category on batch-wise basis w.e.f. Junior J.D.M. appointed with all consequential benefits.

(ii) That the respondents No.1 and 2 may very kindly be directed to set aside the appointment/ selection of the respondents No.3 to 6 to the post of Junior Draughtsman (J.D.M.), being illegal,"

3.The precise grievance raised by the applicants, who belong to Scheduled Caste category, it that though they are senior to private respondents No.3 to 6 for batch-wise appointment as Junior Draughtsman and had also scored more marks than private respondents No.5 and 6, yet they have been left out and juniors have been promoted.

4.It is stated that pursuant to the interim order dated 19.05.2015 passed by this Tribunal, applicant No.1 Roop Chand, has already been appointed as Junior Draughtsman on contract.

5.In the facts and circumstances and interest of justice, the original application is disposed of with the stipulation that subject to applicant No.2, Om Chand, making a detailed representation supported by documents alongwith certified copy of this order, highlighting the above aspects, to respondents No.2, the Engineer-in-Chief, HP Public Works Department, Himachal Pradesh, within a week from today, who shall consider and decide the same in accordance with law, within two months from the date of production of certified copy of this order by applicant No.2, after affording and an opportunity of being heard to him as well as private respondents No.3 to 6 or any other person likely to be affected by such exercise.

6.The original application stands disposed of in the above terms.

And whereas accordingly the applicant Shri Om Chand was summoned for personal hearing for 30.04.2016. On the date fixed, he appeared in person and made oral statement as well as in writing also. In his statement he requested that he belongs to Scheduled Caste IRDP family and also unemployed. He has done is Draughtsman-ship Diploma in the years 1986-88 and he may be given appointed as given to other applicant Roop Chand.

And whereas it is true that Shri Om Chand has done his diploma from Pilani in the year 1986-1988. During the course of Interview he has not submitted his IRDP certificate. Now, he has submitted his IRDP certificate also which was issued by Panchayat-Mahadev, Development Block Sundernagar, Distt.-Mandi on 23.02.2016. Some posts for of Junior Draughtsman are still lying vacant due to non-availability of eligible candidate against this vacancy/ post he can be appointed from the date of appointment of other candidates. The total 57 posts were filled in against the total 62 Nos. batch-wise notified vacancies. Now 1 person is required to be appointed against above orders of Hon'ble Tribunal.

Sr.No	Name	Date of birth	Batch year	Category
1	Om Chand S/o Shri Puran Chand	21.10.1966	1986-88	SC IRDP

Now therefore, In compliance to Hon'ble HPAT and as well as his indigent family circumstances, Shri Om Chand S/o Shri Puran Chand, resident of Village-Ghangali, Post Office-Mahadev, Tehsil-Sundernagar, Distt.-Mandi, HP is hereby offered a purely temporary post of Junior Draughtsman on contract basis on consolidated monthly emoluments i.e. initial start of the pay scale i.e. Rs.5910-20200+grade pay 2400 Per month and posted in HPPWD Killar Division.

The above appointments have been ordered notionally w.e.f. 01.08.2014 when other candidates were issued appointment order by this office and on actual basis from the date of physical joining subject to the following terms and conditions: - The appointment shall be on contract basis initially for a period of one year from the date of

- joining the post, but contract can be reviewed thereafter on yearly basis which will stand terminated automatically at the end of contractual period without notice.

1. His/her appointment is on contract basis and he/she will be paid consolidated contractual amount i.e. Rs.8310/- (BP=Rs.5910/-+Rs.2400/-grade pay) per month.
2. No travelling allowance will be paid to him/her for joining the post.
3. He/she shall not claim any right for the regularization in service at any time in future.
4. The appointment shall further be subject to terms and conditions of attached agreement and surety Bond for Rs. 10,000/- on Non-judicial paper of Rs.3/- and Rs. 15/- respectively which are to be executed before the Executive Magistrate before acceptance of joining report.
5. He/she will be entitled for one day casual leave after putting one month service. This leave can be accumulated up to one year, In addition to this other leave(s) shall be granted in accordance with instructions issued by govt. from time to time. He/she shall not be entitled for medical reimbursement and LTC etc.
6. The appointment may be terminated at any time or on one month notice given by either side, viz, the appointment or the appointing authority. However, the appointing authority reserves the rights of terminating the services of the appointee forthwith or before expiry of the stipulated period of notice by making payment of a sum equivalent to the pay and allowances for the period of notice of the un expired period thereof.
7. He/she will produce medical certificate of fitness signed by the Chief Medical officer indicating specifically whether he/she is suffering from any communicable disease or not.
8. If he/she has worked anywhere in any capacity, he should bring a clearance certificate from the authorities concerned before he can be permitted to take up the appointment in the department.
9. He/she should produce a certificate of approved character from 1st Class Magistrate or from two Gazetted Officers known to him at least for the last three years.
10. He/she will have to serve at any place where Himachal Pradesh Public Works Department has its Administrative units.
11. He/she should produce original certificates of educational qualification/ technical education i.e. Matric/ Higher Secondary/ 10+2 /Diploma in Draughtsmanship (Civil) etc. age proof/ SC/ST/ Backward class/ freedom fighter and I.R.D.P. certificates issued by competent authority.
12. Original certificates and testimonials in support of his qualification, experience should also be produced at the time of joining the department.
13. He/she will be required to take oath/ affirm in the following lines: -

"I do swear and solemnly affirm that I shall be faithful and bear true allegiance to India and to the constitution of India as by law established and that I will carry out the duties of office loyally, honestly and with impartiality, so help me God".


14. He/she will have to give a declaration that he has got only one living spouse and that he/she shall take prior permission of the Government before keeping more than one spouse in accordance with provision of Central Civil Services (Conduct) Rules-1964.

15. He/she should produce a certificate duly attested by the Magistrate 1st class to the effect that he is a bonafide resident of Himachal Pradesh, before he/she can be permitted to join the appointment in the department.
16. In case any declaration given for information furnished by the candidate proved to be false/ incorrect or if the candidate is found to have wilfully suppressed any material information, he/she will be liable to be removed from service and for such other action as the government may deem necessary.
17. He/she will be subject to the condition of services applicable to temporary civil Government servant and Central Civil Services (Conduct) Rules-1964 as applicable to Himachal Pradesh Government employees.
18. These orders can be withdrawn without notice on administrative grounds.

If he/she is willing to accept the offer on the terms and conditions as mentioned above, he/she should report to the station/place of posting but not later than 15 days issuance of this order failing which the appointment orders shall be deemed to be withdrawn automatically. No specific orders with reference to withdrawal of appointment will be issued separately. His/her joining will be accepted after satisfying all above mentioned conditions and diploma of Draughtsman-ship may be verified whether it is affiliated from Government or not.

Regd.

Shri Om Chand S/o Puran Chand,
Vill.-Ghangali, PO-Mahadev,
Tehsil-Sundernagar, Distt.-Mandi



Engineer-in-Chief,
HP.PWD., Nirman Bhawan,
Nigam Vihar, Shimla-2.

No.PWE-119-1-JDM-contract./ESI-

5436-42 Dated: - 27/6/16.

Copy is forwarded to the following: -

1. The Registrar, Hon'ble Himachal Pradesh Administrative Tribunal, HP Shimla-2.
2. The Chief Engineers, Kangra Zone HPPWD at Dharamshala .
3. The Superintending Engineer, 7th Circle, HPPWD Dalhousie.
4. The Executive Engineer, Killar Division.
5. The Sub-Employment Exchange, Sundernagar.
6. Guard file.


Registrar,
HP.PWD., Nirman Bhawan,
Nigam Vihar, Shimla-2.