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## HOUSING & URBAN DEVELOPMENT DEPARTMENT

### NOTIFICATION

The 26th June, 2018

**S.R.O. No.245/2018**— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Odisha Town Planning Service Rules, 1970 so far as it covers in these rules and except as respect things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and condition of service of Chief Town Planner, Town Planner, Associate Town Planner and Assistant Town Planner appointed to the Odisha Town Planning Service-Group A, namely:—

### PART – I PRELIMINARIES

**1. Short Title and Commencement:**— (1) These rules may be called the Odisha Town Planning Service-Group A (Methods of Recruitment and Conditions of Service) Rules, 2018.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

**2. Definition:**— (1) In these rules unless the context otherwise requires,—

- (a) “Commission” means the Odisha Public Service Commission;
- (b) “Committee” means the Departmental Promotional Committee constituted under rule 12;
- (c) “Department” means Housing & Urban Development Department, Government of Odisha;
- (d) “Director” means Director of Town Planning appointed under sub-section (1) of Section 3 of the Odisha Town Planning and Improvement Trust Act, 1956 by the Government;

- (e) "Ex-servicemen" means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (f) "Government" means the Government of Odisha;
- (g) "Persons with Disabilities" means persons who have been granted with disability certificates by competent authority as per the provisions of the persons with Disabilities (Equal Opportunities, Protection of Right, and Full Participation) Odisha Rules, 2003;
- (h) "Recognised university or institution" means any University incorporated by an Act of the Central or State Legislature in India or an educational institution established by an Act of Parliament or deemed to be a University under section 3 of the University Grants Commission Act, 1956 or an institution/ course recognised by All Indian Council of Technical Education or a foreign university approved by the Central Government from time to time;
- (i) "Schedule Castes and Schedule Tribes" shall have reference to the Schedule Castes and Schedule Tribes specified in the Constitution (Schedule Castes) order, 1950 and Constitution (Schedule Tribes)order, 1950 as the case may be, made under Article 341 and 342 of the Constitution of India respectively;
- (j) "SEBC" means the Socially and Educationally Backward Classes of citizens other than scheduled castes and scheduled tribes as may be specified by the State Government from time to time in the list under the State Commission for Backward classes Act, 1993;
- (k) "Service" means the Odisha Town Planning Service;
- (l) "Sportsmen" means persons who have been issued with identity card as sportsmen by the Director, Sports as per Resolution No. 24808/Gen, dated 18th November 1985 of the General Administration Department;
- (m) "State" means the State of Odisha and
- (n) "Town Planning" means Town Planning Organisation, Government of Odisha;
- (o) "Year" means the calendar year.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meanings respectively assigned to them in the Odisha Service Code.

**3. Constitution of Service/Cadre:—** (1) The cadre of the service shall consist of the following posts; namely:—

<u>Name of the Post</u>	<u>Classification</u>
a. Chief Town Planner	Group-A
b. Town Planner	Group-A
c. Associate Town Planner	Group-A
d. Assistant Town Planner	Group-A and

(2) Such other posts as may, from time to time, be created by the Government.

**4. Application:—** These rules shall apply to the posts,—

- (a) of Assistant Town Planner, Associate Town Planner, Town Planner and Chief Town Planner in the Directorate of Town Planning, Odisha,
- (b) in such other establishments, under the administrative control of the Department, as the Government may, by notification, decide the number, and the nature of appointment from time to time.

## **PART - II**

### **METHODS OF RECRUITMENT**

**5. Method of recruitment :—**Subject to other provisions contained in these rules the recruitment to the posts in the service shall be made by the following methods, namely:—

(a)The post of Assistant Town Planner shall be filled up by way of direct recruitment through competitive examination in accordance with rule-9,:

Provided that, 20% of the posts shall be reserved to be filled up by way of selection or promotion from amongst the existing Junior Town Planners, Research Officers and Assistant Engineers covered under the Odisha Town Planning Service Rules, 1970 subject to their eligibility provided therein having the requisite qualification for the said post and other suitability.:

Provided further that such Junior Town Planner, Research Officer or Assistant Engineer who are not found suitable for selection or promotion shall continue in their existing post till their retirement, resignation or cessation of service in any other manner.

Provided also that, the number of such posts so reserved, under the first proviso, after selection or promotion or retirement or resignation of the incumbents shall be declared to be treated as direct recruitment quota, by issuance of a notification by Government, and those vacancies shall be filled up by way of direct recruitment in accordance with rule 9.

(b) The post of Associate Town Planner, Town Planner and Chief Town Planner shall be filled up by way of promotion from amongst Assistant Town Planner, Associate Town Planner and Town Planner respectively.

**6. Absorption of the existing employees:—** (1) All the existing officers who are covered in these rules and who are eligible as per their qualifications and experience, and found suitable under the provisions of these rules, shall be allowed to give option, within such period and in such manner as will be decided by the Government, to be absorbed at appropriate level, in the Service.

(2) The officers, who are not found eligible as per their qualifications and experience, and not found suitable under the provisions of these rules, for their absorption in to the new cadre, and the existing officers, who do not exercise their option for being absorbed into the new cadre, shall continue in their existing posts, till their retirement, resignation or cessation of service in any other manner.

**7. Reservations:—** Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for,—

- (1) Schedule Castes and Schedule Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Schedule Castes and Schedule Tribes) Act, 1975 and the rules made thereunder; and
- (2) SEBC, Women, Sportsperson, Ex-Serviceperson and Persons with Disabilities shall be made in accordance with the provisions made under such rules, orders or instructions issued in this behalf by the Government from time to time.

### **PART- III**

#### **DIRECT RECRUITMENT**

**8. Recruitment Procedure:—**The direct recruitment to the service shall be made through Commission.

**9. Eligibility Criteria for Direct Recruitment:—**In order to be eligible for direct recruitment a candidate must, —

- (1) be a citizen of India.
- (2) have attained the age of 21 years and must not be above the age of 32 years on the 1st day of January of the year of recruitment:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 7 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions for the time being in force, for the respective categories.

- (3) be able to read, write and speak Odia and have —
  - (a) passed Middle School Examination with Odia as a language subject; or
  - (b) passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject; or
  - (c) passed in Odia as language subject in the final examination of Class VII from a school or educational institution recognised by the Government of Odisha or the Central Government or ;
  - (d) have passed at least in Odia in Middle English School Standard conducted by the School & Mass Education Department.

- (4) Not have more than one spouse living,;

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule.

- (5) Be an Associate Member of Institute of Town Planners of India, or have Bachelor Degree in Planning or Post Graduate Degree in Planning, from a recognised university and have basic computer knowledge.
- (6) Be of good mental condition and bodily health and free from any physical defect likely to interfere with the discharge of his duties in the service provided that this clause, except good mental condition shall not be applicable to the persons with disability.
- (7) (a) The direct recruitment through Competitive Examination to the posts of Assistant Town Planner shall be conducted by the Commission.
- (b) Ordinarily in the month of January of each year the Government shall communicate to the Commission the total number of vacancies for recruitment taking into account the existing and the anticipated vacancies in that year indicating therein the number of posts required to be filled up and the posts to be reserved for candidates belonging to

different reserved categories and furnish the necessary details in the format prescribed by the Commission for the purpose.

- (c) The Commission, on receipt of the vacancies to be filled up by direct recruitment shall take all necessary steps for the recruitment of suitable candidates and adopt its own procedures.
  - (d) The syllabus, pattern and scheme of examination shall be as decided by the Commission in consultation with the Department.
  - (e) The Commission shall prepare a composite merit list taking into account all categories and separate merit list category wise.
- (8) (a) The merit list received from the Commission shall be placed before the Government for approval and on such approval; it shall form the Select List.
- (b) Appointment to the post of Assistant Town Planner to be filled by direct recruitment shall be made in the order of the names as they appear in the Select List.
- (c) Every candidate included in the Select List shall be examined by a Medical Board and any candidate who fails to qualify the Medical Board shall not be eligible for appointment.
- (d) The Select List shall ordinarily remain in force for one year from the date of its approval by the Government under sub-rule (a) or until another Select List is prepared, whichever is earlier.

**10. Training:—** (1) Every person appointed by direct recruitment to any post in this service shall undergo induction training for such a period as may be decided by the Government.

(2) The period of training shall count for the purpose of service, increments, leave and pension as admissible.

(3) A direct recruitee during the period of training shall be eligible for the initial pay of the post with usual allowances admissible at the place of training.

(4) There shall be orientation or refresher course trainings for the Persons of the service at such periodic intervals as determined by the Government.

(5) Failure to undergo such orientation training whenever summoned will attract severe disciplinary action by the Appointing Authority.

**PART-IV**  
**PROMOTION**

**11. Appointment by way of promotion:**—Subject to the provisions of this rules,—

- (a) the post of Associate Town Planner shall be filled up by way of promotion from among the persons holding the post of Assistant Town Planner at least for a period of seven years as such.
- (b) the post of Town Planner shall be filled up by way of promotion from among the persons holding the post of Associate Town Planner at least for a period of seven years as such.
- (c) the post of Chief Town Planner shall be filled up by way of promotion from among the persons holding the post of Town Planner at least for a period of seven years as such.

**12. Constitution of Departmental Promotion Committee:**—(1) The Departmental Promotion Committee for the purpose of considering promotion to the post of Chief Town Planner, shall consist of the following members, namely:-

- (i) Chief Secretary ..... Chairman
- (ii) Commissioner-*cum*-Secretary to Government. .... Member  
Housing & Urban Development Department
- (iii) Additional Secretary/ Joint Secretary/  
Special Secretary to Government .....Member– Convener  
Housing & Urban Development Department

(2) The Departmental Promotion Committee for the purpose of considering promotion to the post of Town Planner and Associate Town Planner shall consist of the following members; namely:-

- (i) Commissioner-*cum*-Secretary to Government ..... Chairman  
Housing and Urban Development Department
- (ii) Director Town Planning, Odisha ..... Member
- (iii) Representative of ST & SC Department ..... Member
- (iv) Additional Secretary/ Joint Secretary/  
Special Secretary to Government ..... Member Convener  
Housing & Urban Development Department

**13. Procedure for Selection by the Committee:**— (1) The Committee shall meet at least once in a year preferably in the month of January to prepare a list of officers, as are held by them suitable for promotion to the next higher post taking into account the

existing vacancies and the anticipated vacancies of the year and furnish its recommendation.

(2) The recommendation of the Committee shall be valid and can be acted upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

(3) The Committee while considering the cases based on merit and suitability of the officers and preparation of the list shall follow the provisions of—

- (i) The Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988.
- (ii) The Odisha Civil Services (Criteria for Promotion) Rules, 1992
- (iii) The Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.
- (iv) The Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Schedule Tribes) Act, 1975 and the rules made thereunder.

(4) The recommendations of the Committee under sub-rule (1) shall be referred to the Commission for concurrence along with the list of all eligible officers, including those who have not been recommended together with the service particulars and other documents, if any.

(5) The Commission shall consider the list along with the service particulars received under sub-rule (4) and shall furnish its recommendations to the Government.

**14. Select List in case of Promotion:—** (1) The recommendations of the Commission in respect of reference made to it under sub-rule (5) of rule 13 shall be considered by the Government and the list approved by Government shall form the Select List.

(2) The list referred to under sub rule (1) shall ordinarily be in force for a period of one year from the date of its approval by the Government or until another Select List is prepared afresh whichever is earlier.

(3) Appointment on promotion to different posts in the service shall be made in the order in which the names of officers appear in the Select List prepared under sub-rule (1).



**PART-V**  
**OTHER CONDITIONS OF SERVICE**

**15. Probation and Confirmation:**— (1) All persons appointed to any post in the service by direct recruitment shall be on probation for a period of two years ( including training) and one year in case of promotion(including refresher course training and officiating if any) which shall be counted from the date of joining the post;

Provided that the Appointing Authority may, if think fit in any case or class of cases, extend the period of probation.

Provided further that the period of probation shall not include the following namely:—

- (a) Extraordinary Leave
- (b) Period of un-authorized leave
- (c) Any other period held to be not being on actual duty.

(2) The appointment of a probationer may, for good and sufficient reasons to be recorded in writing, be terminated by Government at any time without previous notice during the period of probation including extension of such period, if any, and after such termination, the employee shall deem to be reverted to his/ her former cadre/ post, if he/ she is a promote.

(3) A probationer after completing the period of probation to the satisfaction of Government shall be eligible for confirmation subject to availability of substantive vacancy in the service.

**16. Inter-se Seniority:**—The *inter-se* seniority of the officers appointed to any post in the service in a particular year shall be in the order in which their names appear in the Select List prepared under sub-rule (8) of rule 8 and sub-rule (5) or rule 10 as the case may be:

Provided that officers appointed on promotion against the vacancies of a year shall en-bloc be senior to those appointed by direct recruitment against the vacancies of that year, where the posts are being filled up both by way of promotion and direct recruitment.

**17. Departmental and Professional Examination:**—Every member of the service shall be liable to pass the prescribed Departmental and Professional Examination during the period of probation.

**18. Other Conditions of Service:**—The conditions of service in regard to matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the State Government.

**PART-VI**  
**MISCELLANEOUS**

**19. Relaxation:**— Notwithstanding anything contained in these rules the Government may, for reasons to be recorded in writing, relax any of the provisions of these rules for any class /category of post in public interest.

**20. Interpretation:**— If any question arises relating to the interpretation of these rule, it shall be referred to Government whose decision thereon shall be final.

**21. Power to issue instructions:**— The Government may issue such instructions not inconsistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

[No. 16402–HUD-TP-HR-0001/2018/HUD.]

By Order of the Governor

G. MATHI VATHANAN

Commissioner-*cum*-Secretary to Government