

THE MADHYA PRADESH SHASKIYA SEVAK (ADHIVARSHIKI-AYU) ADHINIYAM, 1967

[No. 29 of 1967]

Received the assent of the Governor, on the 22nd December, 1967;
Assent first published in the Madhya Pradesh Gazette
Extraordinary on the 23rd December, 1967

**An Act to provide for the age of Superannuation of Government
servants in the State of Madhya Pradesh and for certain
matters connected therewith.**

Be it enacted by the Madhya Pradesh Legislature in the Eighteenth Year of
the Republic of India as follows :—

1. **Short title.**—This Act may be called the Madhya Pradesh Shaskiya
Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967.

2. **Amendment of Fundamental Rules.**—For rule 56 of the Fundamental
Rule applicable to the State of Madhya Pradesh as substituted by section 3 of
the Madhya Pradesh Shaskiya Sevak Anivarya Sevavivritti Ka Vidhiman-
yataran Adhiniyam, 1967 (5 of 1967) (hereafter referred to as the said Act),
the following shall be substituted, namely :—

"56. (1) Subject to the provisions of Madhya Pradesh Anivarya Seva
Nivritti-Ayu Niyam, 1967 as specified in the Schedule to the Madhya Pradesh
Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967, the date of compulsory
retirement of a Government servant other than class IV Government servant,
shall be the date on which he attains the age of 58 years.

(2) The date of compulsory retirement of Class IV Government servant
shall be the date on which he attains the age of 60 years.

"2. **Amendment of Fundamental Rule 56 as substituted by Section 2 of the
Principal Act**—In section 2 of the Madhya Pradesh Shaskiya Sevak (Adhivarshiki-
Ayu) Adhiniyam, 1967 (No. 29 of 1967) (hereinafter referred to as the principal
Act) after sub-rule (1) of Rule 56, the following sub-rule shall be inserted;
namely—

(1-a) Subject to the provisions of sub-rule (3), every Government teacher
shall retire from service on the afternoon of the last day of the month in which he
attains the age of sixty years;

Provided that a Government teacher whose date of birth is the first of a
month shall retire from service on the afternoon of the last day of the preceding
month on attaining the age of sixty years

1. The age has been raised to 58 years vide M.P. Act No. 9 of 1976

2. Inserted by Act No. 35 of 1984. Published in M.P. Rajpatra (Asadharan)
dated 15-11-1984 Page 3065. This amendment shall be deemed to have
come into effect from 5th September, 1984.

Explanation.—For the purpose of this sub-rule "Teacher" means a Government servant by whatever designation called, engaged in teaching in an educational institution including technical or medical institutions, run by Government].

3. Amendment of the Madhya Pradesh District and Session Judge Death-Cum-Retirement Benefits) Rules, 1964.—For sub-rule (1) of rule 2 of the Madhya Pradesh District and Sessions Judges (Death-Cum-Retirement Benefits) Rules, 1964 as substituted by section 4 of the said Act, the following sub-rule shall be substituted, namely :—

(1) Subject to the provisions of sub-rule (1-A), the All India Services Death-cum-Retirement Benefits) Rules, 1958, as amended from time to time hereinafter referred to as the said Rules) shall apply mutatis mutandis to—

(a) all permanent District and Sessions Judges drawn from amongst the officers of the Judicial Service of the former State of Madhya Pradesh in the same manner as they have hitherto applied to them with effect from the 29th October, 1951 by virtue of rule 7 (2) of the Madhya Pradesh Judicial Services Classification, Recruitment and Conditions of Services) Rules, 1955;

(b) all permanent, District and Sessions Judges in the State who are drawn from amongst the officers of the Judicial Services of the former States of Madhya Bharat, Vindhya Pradesh and Bhopal, with effect from the 1st April, 1958 subject to the exercise of option as provided in rule 3 ;

(c) all other permanent District and Sessions Judges in the State not falling within clauses (a) and (b) above.

(1-A). With regard to the age of compulsory retirement the permanent, District and Sessions Judge shall be governed by the Madhya Pradesh (Anivarya Seva Nivritti-Ayu) Niyam, 1967 as specified in the Schedule to the Madhya Pradesh Shaskiya Sewak Adhivarsiki-Ayu) Adhiniyam, 1967 and the provisions of Fundamental Rule 56, as substituted by section 2 of the said Act.

4. Amendments when to come into force.—Amendments made by section 2 and 3 shall come into force with effect from the 15th December, 1967.

5. Repeal.—The Madhya Pradesh Shaskiya Sevak (Adhivarsiki-Ayu) Adhyadesh, 1967 (12 of 1967) is hereby repealed.¹

SCHEDULE

[See sections 2 and 3]

Rules

1. (1) These rules may be called the Madhya Pradesh (Anivarya Seva Nivritti-Ayu) Niyam, 1967.

(2) They shall come into force with effect from the 15th December, 1967.

2. (1) The age of compulsory retirement of Government servants other than Class IV Government servants shall be 58 years.

(2) The age of compulsory retirement of Class IV Government servants shall be 60 years.

1. Published in M.P. Rajpatra (Asadharan) dated 23-12-1967 Page 3144.

2. Substituted by M.P. Act No. 9 of 1976.

3. Those Government Servants who have already attained the age of 58 years on the date mentioned in sub-rule (2) of rule 1 and are in service of the said date shall, as from the said date, be entitled to such leave as may be due for a period not exceeding 120 days and shall stand retired on the date next following the date of completion of such leave:

Provided that the duration of such leave shall, in no case, extend beyond the date of attainment of the age of 58 years.

COMMENTS

Synopsis

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| (1) Order of compulsory retirement on payment of three month's salary, not bad. | (3) Court's declaratory decree is not monetary decree. |
| (2) Correction of entry about age. | (4) Raising age of Superannuation. |
| | (5) Compulsory retirement. |

(1) **Order of compulsory retirement on payment of three month's salary, not bad.**—It is argued that there was a man who took his reversion with ill-grace, did not join on his substantive post for long seven years, went to the High Court four years after the passing of the said reversion order, deprived the State of his services in whatever capacity, and thereby exhibited lack of devotion to duty, used intemperate and offensive language towards the superior officer for which he was charge-sheeted and actually removed from service on that count. If the Government took all these factors into consideration in taking a decision as to whether it would be in public interest to retain him after the age of 55 years, could that decision be called *mala fide* at all? And after all, the petitioner was only promoted temporarily as Assistant Engineer. He had no vested right to continue on the post and he was also not selected by Public Service Commission.

The High Court of Madhya Pradesh agreeing with the above argument of Government advocate held that the decision of the Government in compulsorily retiring the petitioner at the age of 55 years, could not be attack on the ground of '*mala fide*'.

It was further argued by the petitioner that the order of retirement under the Rule could be effective only if the State Government simultaneously offered payment to him of his three month's salary. Unless the payment of an exact amount accompanied the service of notice, the order of compulsorily retirement would be bad.

In the case of the *State of Uttar Pradesh Vs. Dinanath Rai*, decided on 11th October, 1968 : 1969 Service Law Reporter 647 (SC) the relevant portion of the Rule for interpretation reads thus:

"..... Provided that in the case of notice of the appointing authority the latter may substitute for the whole or part of this period of notice pay in lieu thereof provided further that it shall be open to the appointing authority to relieve a Government servant without any notice or accept notice for a short period, without requiring the Government servant to pay any penalty in lieu of notice."

Their Lordships construed the rule differently and observed:

"The rule does not say that the pay should be given in cash or by the cheque at the time the notice is issued. Knowing the way the Government are run, it would be difficult to ascribe this intention to the rule making authority. There is no doubt that the Government servant would be entitled to the pay in lieu of notice but this would be in the ordinary course."

In the present case the language of the rule is akin to the language used in the Rule in *Dinanath Rai's Case*, 1969 Ser. L.R. 647 (SC) and we would prefer to construe the rule in the manner it was done in *Dinanath's case*. The payment contemplated by the Rule is neither payment to be made forthwith, simultaneously with the notice, nor would the notice be effective only upon payment being made. Payment could follow in the ordinary course.

Even otherwise there was substantial compliance of the rule. The offer of Rs. 1770/- towards three month's salary, was made, presumably, on the same day notice of compulsory retirement was served or soon thereafter. The petition does not disclose the date of service of notice. The grievance of the petitioner is that the salary offered was calculated on the basis, as if the petitioner was stopped at the Efficiency Bar. According to him, the question of crossing the Competent authority had to consider the question prior to or on the date the petitioner became entitled to it and that date was 1.3.1969. If he was not considered on that date for any reason whatsoever, it would be presumed, he says, that the competent authority had no objection to his crossing the efficiency bar.

The High Court held that the petitioner cannot claim the sanction to cross the Efficiency Bar simply because he had retired. The sanction could be given or withheld or even after his retirement. If it was given, he could claim benefits even though retired. If it was withheld, he did not lose anything, because he had already stopped at that stage. It was, therefore held that no punishment inflicted. *U.K. Narayanan Vs. State of Madhya Pradesh and others*. 1975 M.P.L.J. 404 : 1975 J.L.J. 760.

(2) **Correction of entry about age.**—The facts of the case are that in the year 1957 when for the first time after the reorganisation of States, the petitioner was called upon by the Settlement Officer to disclose his date of birth. The year 1917 mentioned in the Service Book did not seem proper record as the date and the month of the petitioner's birth were not mentioned and the Service Book indicated nothing to show that the entry was verified with reference to any confirmatory documentary evidence like the matriculation certificate or the Municipal Birth certificate. The petitioner produced the matriculation certificate and entered the date of birth as 8th April, 1915, not with an idea of creating conflict, nor there is reason to believe that the entry was made on the insistence of Shri R.L. Gupta. Presumably he made the entry having reason to believe that the same shall be acted upon. Whatever be the real intention in the mind of the petitioner, any reasonable man would accept the declaration to be true and act on it.

A duty was cast upon the petitioner to disclose his date of birth along with confirmatory evidence. He chose to produce the matriculation certificate. He entered the date as shown therein without protest. He was therefore debarred from producing the horoscope instead and asserting that the real date of birth was 13th Shukla Samvat, 1974 equivalent to 20th August, 1917. He could have agitated the issue then and get the decision on the question of his date of birth. He has come to the High Court thirteen years after when the Government has chosen to act on his own admission, they gave him extension of service for a year and retired him with effect from 22nd April, 1971.

It was held that the petitioner was guilty of acquiescence. He accepted the date of birth as 8th April, 1915. The case also attracts the doctrine of estoppel by negligence. The petitioner allowed the two entries to continue and thereby led the Government to choose the entry which *prima facie* appeared genuine and had the support of confirmatory evidence. The petitioner cannot now turn round and say that he has been prejudiced. He should have taken steps to get one of the entries prejudicial to him scored out. He had permitted them to continue and the Government could legitimately act on the entry which was supported by the petitioner's matriculation certificate. It was customary with the Government to rely on the matriculation certificate mostly, for purpose of date of birth. The petitioner's negligence lay in permitting the two entries to continue, and the latter entry in particular to be construed as his own admission in the matter of date of birth.

Further it was held that the petitioner was guilty of suppression and misstatement of facts inasmuch as he did not disclose initially that he had himself entered in Part II of his Service Book the 8th April, 1915, to be his date of birth. He also did not speak about the declaration he had submitted in February, 1960. If he was force to make the entry as he later contended, that would be a disputed question of facts on which the High Court would not go in evidence. In so far as the admission in the declaration of February, 1960 is concerned, there is no such plea of undue influence or coercion or misapprehension. *Prima facie*, however, the two documents were held to be voluntarily executed. *Makraj Singh Vs. State of Madhya Pradesh and another*. 1974 M.P.L.J. 31.

(3) **Court's declaratory decree is not monetary decree.**—In Civil Appeal No. 670 of 1965 *J.N. Saxena Vs. State of M.P.*, decided on the 30th January, 1967, the Supreme Court held that retirement of a Government servant after he attains the age of 55 years, on three month's notice on the basis of the General Administration Department Memorandum No. 433-258-I (iii) 763 dated the 28th February, 1963 is invalid in since the said memorandum was merely an executive direction and not a rule governing the conditions of service of Government servants. The decision affected a large number of retirements ordered on the basis of the aforesaid memorandum and involved considerable financial burden on the State Exchequer by way of payment of arrears. There were likely to be other complications regarding continuance in service etc.

Therefore after the decision of that appeal the Governor had promulgated an Ordinance which was replaced on April 20, 1963 by the M.P. Shaskiya Sevak Anivarya Sevanivritti ka Vidhimanyatakarana Vidyayak Takaram Vidyeyak Adhinyam, 1967 (5 of 1967) validating the retirement of certain Government servants, including that of appellant, despite the judgment of Supreme Court.

By virtue of this Act, the State is vested with a right not to pay the dues of appellant from the date of his retirement (December 3, 1963) onwards. In effect this Act has made provisions of Compulsorily Retirement Rules, 1965 applicable from March 1, 1963.

The appellant again moved the High Court challenging the validity of the Act which was dismissed so an appeal was filed to the Supreme Court.

It is argued on behalf of the appellant; (i) that a right of property being a judgment-debt, protected by Article 19 (1) (f) of the Constitution, had been created by the Supreme Court's Decree dated 30th January, 1967 in favour of the appellant and against the State. Since the impugned Act to effect, seeks to expropriate the appellant of that right without providing for any compensation it is ultra vires Article 31 (?) of the Constitution ;

(ii) That the impugned Act is ultra vires the Constitution inasmuch as it seeks to validate the retirement of the appellant and other like him by changing their service conditions with retrospective effect. In so doing, the State legislature has over-stepped the limits of legislative powers conferred on it by Article 309 of the Constitution. Reliance was placed on the decision of the Supreme Court in the *State of Mysore Vs. Padamabhacharya etc.* (1966) 2 SCR 494.

(iii) that the impugned Act, encroaches upon the judicial field inasmuch as it overrules and makes unenforceable the decision dated 30th January, 1967 in Supreme Court in Civil Appeal No 670 of 1963, and in so doing, it offends Articles 141, 142 and 144 of the Constitution ;

(iv) Even if the impugned Act is valid, clauses (b) and (c) of section 5 of the Act, on a proper construction, do not vacate the decree of the Supreme Court, requiring the respondent to the appellant the pecuniary benefits resulting from the success of his earlier appeal (CAA. 670/65) in Supreme Court. Clause (b) of section 5 merely bars the maintenance or continuation of any proceeding for any amount as payment, towards salary. The appellant is not seeking to maintain or continue any execution proceeding in Court, for the recovery of any amount towards salary, the decree being a declaratory one.

None of these contentions were held to be tenable.

On perusal of the Supreme Court decree referred to above would show that it is not a money decree, raising a judgment-debt. It is a declaratory decree declaring that the respondent's order dated September 11, 1963, compulsorily retiring the appellant was invalid, and consequently the appellant would be deemed to have continued in service till he attained the age of 58 years. The further declaration that he will be entitled to such benefits as may accrue to him by virtue of the success of the writ petition was only incidental or ancillary to the main relief and will fall or stand with the same. This being the position the decree did not create an indefeasible right of property in favour of the appellant.

The distinction between a legislative and a judicial act is well known, though in some specific instance the line which separates one category from the other may not be easily discernible. Adjudication of the parties according to law enacted by the legislature is a judicial function. In the performance of this function the court interprets and gives effect to the intent and mandate of the legislature as embodied in the statute. On the other hand, it is for the legislature to lay down the law prescribing norms of conduct which will govern parties and transactions and to require and to give effect to that law.

It was therefore, held that in enacting the impugned provisions, the legislature has not exceeded the limits of its legislative powers nor encroached on the judicial field. *I. N. Saksena Vs. The State of Madhya Pradesh*. 1976 U.J. (SC) 223.

In *Piare Dusada and others Vs. The King Emperor* 1944 F.C.R. 61, the Governor General by Ordinance repealed the Special Criminal Courts Ordinance II of 1942. There was a provision in the repealing ordinance for confirmation and continuance of sentences of Special courts and retrial of pending cases. The appellant therein had been convicted and sentenced by Special Criminal Court which was held to have jurisdiction to try the case by an order of a court Section 3 (1) of the Special Criminal Courts (Repeal) Or-

dinance, 1943 conferred validity and full effectiveness on sentences passed by Special Criminal Courts by conferring jurisdiction on them with retrospective effect. The Federal Court held that by promulgating and repealing Ordinance of 1943, the legislative authority had not attempted to do indirectly what it could not do directly or to exercise judicial power in the guise of legislation. It was further, held that the Ordinance was not invalid on the ground that the legislative authority had validated by respective legislation proceedings held in courts which were void for want of jurisdiction as there was nothing in the Indian Constitution which precluded legislative from doing so.

(4) **Raising the age of superannuation.**—In the case of *Batahari Jena Vs. The State of Orissa*. A.I.R. 1971 S.C. 1516, reliance was placed on certain observations in the decision of the supreme Court in *Gurdev Singh Sindhu Vs. State of Punjab*. (1964) SCR 587 : A.I.R. 1964 S.C. 1585. There the Supreme Court struck down Article 9.1 of the Pepsu Service Regulations under which the Government sought to retain an absolute right to retire any Government servant after he had completed ten years qualifying service without giving any reason. In that case the petitioner who had been appointed as an Assistant Superintendent of Police in the erstwhile Patiala State on February 4, 1942 and confirmed in that rank on the regular vacancy after undergoing practical district training courses, and after promotion to the rank of Superintendent of Police in an officiating capacity in February 1950 in the said State of Pepsu, was asked to show cause by notice dated 25th March 1963 as to why he should not be compulsorily retired. The petitioner complained that the notice issued to him was invalid on the ground that the article on which it was based was itself ultra vires and inoperative and only question before the Court was whether the impugned article was shown to be constitutionally invalid. Referring to *Satish Chandra Anand Vs. The Union of India* 1953 SCR 585 : A.I.R. 1953 S.C. 250, and to certain dicta of the majority Judges in *Moti Ram Deka Vs. General Manager, North East Frontier Railway*. A.I.R. 1964 S.C. 600 : (1964) 5 SCR 683, the Supreme Court observed by way of explanation that : “.....the majority judgment took the precaution of adding a note of caution that if a rule of compulsory retirement purported to give authority to the Government to terminate the services of a permanent public servant at a very early stage of his career the question about the validity of such a rule may have to be examined. That is how in accepting the view that a rule of compulsory retirement can be treated as valid and as constituting an exception to the General rule that the termination of the services of a permanent public servant would amount to his removal under 311 (2), the Supreme Court added a rider and made it perfectly clear that if the minimum period of service which was prescribed by the relevant rules upheld by the earlier decisions was 25 years, it could not be reasonably reduced in that behalf. In other words, the majority judgment indicates that what indicates what influenced the decision was the fact that a fairly large number of years had been prescribed by the rule of compulsory retirement as constituting the minimum period of service after which alone the said rule could be invoked.

The Court further observed that that the safeguards which Article 311 (2) affords to permanent public servants is no more than this that in case it is intended to dismiss, remove or reduce them in rank a reasonable opportunity should be given to them of showing against the action proposed to be taken in regard to them. A claim for security to tenure does not mean security to tenure for dishonest, corrupt, or inefficient public servants. The claim merely insists that before they are removed, the permanent public servants should be given an opportunity to meet the charge on which they are sought to be re-

moved. Therefore, it seems that only two exceptions can be treated as valid in dealing with the scope and effect of the protection afforded by Article 311 (2), if a permanent public servant is asked to retire on the ground that he has reached the age of superannuation which has been reasonably fixed. Article 311 (1) does not apply, because such retirement is neither dismissal nor removal of the public servants. If a permanent public servant is compulsorily retired under the rules which prescribe the normal age of superannuation and provide for a reasonably long period of qualified service after which alone compulsory retirement can be ordered, that again may not amount to dismissal or removal under Article 311 (2) mainly because that is the effect of a long series of decisions of Supreme Court. But where while reserving the power to the State to compulsorily retire a permanent public servant, a rule is framed prescribing a proper age of superannuation, and another rule is added giving the power to the State to compulsorily retire a public servant at the end of 10 years of his service, that cannot be treated as falling outside Article 311 (2). The termination of the service of a permanent public servant under such a rule though compulsory retirement, is, in substance removal under Article 311 (2)".

The above observations relied on the counsel do not help the appellant. The above observations show that a rule which permits a Government to ask an officer to retire after an unreasonably short period of service must before the normal age of superannuation would be hit by Article 311. They cannot apply when the period of qualifying service mentioned in the rule is not unreasonably short and the normal age of superannuation fixed is not unaccountably early. Before May 1963 a Government servant in Government service in Orissa had to retire on attaining the age of 55 years whether he had completed 30 years' qualifying service or not. The fact that the age of superannuation was raised from 55 or 58 while Government reserved to itself a right to ask any employee to retire at the age of 55 does not violate Article 311 (2). Secondly the order did not cast any aspersions or stigma on the appellant which would attract Article 311. A Government has a right to require the Government servant to retire at the age of 55 without assigning any reason. The fact that by the notification of 5th February, 1961 certain guidelines were indicated to the Heads of Departments in considering whether a Government servant should continue in service beyond the age of 55 years, one of the factors for consideration being lack of integrity, did not imply that any officer whose continuance in service was not advised lacked in integrity. *Batahare Jena Vs. The Orissa*, A.I.R. S.C. 1516.

It is well known that a law or statutory rule should be so interpreted as to make it valid and not invalid. If this expression is confined to what was argued before the High Court namely that it gives power to the Government to allow a Government servant to remain in service even beyond the age of 55 years for special reasons the rule will not be rendered invalid and its validity will not be put in jeopardy. So construed it is apparent that the appellant could not have been retired compulsorily under the Saurashtra Rules before he had attained age of 55 years. By applying the Bombay rule his conditions of service were varied to his disadvantage because he could then be compulsorily retired as soon as he attained the age of 50 years. *Takherrary Solidatory Mankad Vs. State of Gujarat*, A.I.R. 1770 S.C. 143.

(5) **Compulsory retirement.**—In *Moti Ram Deka Vs. General Manager N. E.F. Railway Maligaon Pendra*, 1964 (5) S.C.R. 1964 L.C.R. 683 : A.I.R. 1964 S.C. 600 one of the matters which came up for consideration was the effect of a service rule which permitted compulsory retirement without fixing the

minimum period of service after which the rule could be invoked. According to the observations of Venkataram Ayyar J. in *State of Bombay Vs. Saubhagchand M. Joshi*, 1958 S.C.R. 571 : A.I.R. 1957 L.C. 892, the application of such a rule would be tantamount to dismissal removal under Article 31 (2) of the Constitution. There were certain other decisions of the Supreme Court which were relevant on this point viz. *P. Balakotiah Vs. Union of India*, 1958 S.C.R. 1052 : A.I.R. 1958 S.C. 232 and *Dalip Singh Vs. State of Punjab*, 1961-1 S.C.R. 88 : A.I.R. 1960 S.C. 1305. All these decisions were considered in *Motiram Deka Vs. General Manager N.E.F. Railways*, A.I.R. 1964 S.C. 600 and the true legal position was stated in the majority judgment at page 726 of S.C.R. and at page 617 of A.I.R. thus : ".....We think that if any rule permits the appropriate authority to retire compulsorily a civil servant without imposing a limitation in that behalf that such civil servant should have put in a minimum period of service, that rule would be invalid and the so-called retirement ordered under the said Rule would amount to removal of the civil servant within the meaning of Article 311 (2)".

In *Gurdev Singh Sidhu Vs. State of Punjab*, 1964 7 S.C.R. 587 : A.I.R. 1964 S.C. 1585, it was pointed out that the only two exceptions to the protection afforded by Article 311 (2) were, (1) where a permanent public servant was asked to retire on the ground that he had reached the age of superannuation which was reasonably fixed ; (2) that he was compulsorily retired under the rule which prescribed the normal age of superannuation and provided a reasonably long period of qualified service after which alone compulsory retirement could be valid. The basis on which this view has proceeded is that for efficient administration it is necessary that public servants should enjoy a sense of security of tenure and that the termination of service of a public servant under a rule which does not lay down a reasonably long period of qualified service is in substance removal under Article 311 (2). The principle is that the rule relating to compulsory retirement of Government servant must not only contain the outside limit of superannuation but there must also be a provision for a reasonably long period of qualified service which must be indicated with sufficient clarity. To give an example, if 55 years have been specified as the age of superannuation and if it is sought to retire the servant even before that period it should be provided in the rule that he could be retired after he has attained the age of 50 years or he has put in service for a period of 25 years

It is well settled that a law or a statutory rule should be so interpreted as to make it valid not invalid. If this expression is confined to what was argued before the High Court, namely that it gives power to government to allow a Government servant to remain in service beyond the age of 55 years for special reasons the rule will not be rendered invalid and its validity will not be put in jeopardy. So construed it is apparent that the appellant could not have been retired compulsorily under the Saurashtra Rules before he had attained the age of 55 years. By applying the Bombay rule his condition of service were varied to his disadvantage because he could then be compulsorily retired as soon as he attained the age of 50 years. As the previous approval of the Central Government was not obtained in accordance with the proviso to Section 115 (7) of the States Re-organisation Act, 1956, the Bombay Rule could not be made applicable to the appellant. *Takhtrary Shivduttary Mankad Vs. State of Gujarat* A.I.R. 1970 S.C. 143 : 1969 Ser. 572 : (1970) 1 S.C.A. 138 : 11 Guj. L.R. 325 : (1970) 1 S.C.R. 244.

4. A Government servant may be given extension of service beyond the age 58 years subject to his physical fitness and outstanding quality of his work but not ordinarily beyond the age of 60 years.

4-A. Notwithstanding anything contained in rule 4, a Government Servant who had been a freedom fighter may, on production of a certificate in the form below and subject to his otherwise being fit to be continued in service, be given extension of service beyond the age of 55 years for such period not exceeding the period for which such government servant was in actual detention and/or imprisonment including the period undergone as under trial in connection with the freedom movement, subject to maximum of three years.

Explanation.—For the purposes of this rule “a freedom fighter” mean a Government servant who was detained and/or imprisoned on account of his political activities in connection with freedom movement during the period from 1919 to 1946.]

5. The Madhya Pradesh (Age of Compulsory Retirement) Rules, 1966 are hereby repealed.

²[FORM OF CERTIFICATE

CERTIFIED that Shri.....S/o.....
R/o..... was imprisoned and/or detained in connection with the freedom movement at the place, for the period and under the provisions of the law mentioned below.

Place

Period

Provision of law under which
imprisoned or detained.

Dated the

District Magistrate.

Seal

RECEIVED
20 JUN 1966
10 10 10

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001.”



पंजीयन क्रमांक “छत्तीसगढ़/दुर्ग,
तक. 114-009/2003 20-01-03.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 10-स]

रायपुर, बुधवार, दिनांक 16 जनवरी 2008—पौष 26, शक 1929

विधि और विधायी कार्य विभाग
मंत्रालय, दाऊ कल्याण सिंह भवन, रायपुर

रायपुर, दिनांक 16 जनवरी 2008

क्रमांक 587/डी. 12/21-अ/प्रा./छ. ग./08.—छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 05-01-2008 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
विमला सिंह कपूर, उप-सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 02 सन् 2008)

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अधिनियम, 2007

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के अठ्ठावनवें वर्ष में छत्तीसगढ़ विधान मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

संक्षिप्त नाम तथा प्रारंभ.

1. (1) इस अधिनियम का संक्षिप्त नाम छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अधिनियम, 2007 है.

(2) यह 1 अप्रैल, 2007 से प्रवृत्त हुआ समझा जायेगा.

छत्तीसगढ़ अधिनियम क्रमांक 29 सन् 1967 की धारा 2 द्वारा यथा प्रतिस्थापित मूलभूत नियम 56 का संशोधन.

2. छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) (जो इसमें इसके पश्चात् मूल अधिनियम के रूप में विनिर्दिष्ट है) की धारा-2 में, मूलभूत नियम के नियम 56 में,—

(एक) उपनियम (1) में, शब्द “शासकीय शिक्षक और चतुर्थ वर्ग के शासकीय सेवक से भिन्न प्रत्येक शासकीय सेवक” के स्थान पर, शब्द “शासकीय शिक्षक, चतुर्थ वर्ग, के शासकीय सेवक, छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का प्रत्येक ऐसा सदस्य जो छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा भर्ती नियम, 1988 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त हुआ हो, छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा का प्रत्येक ऐसा सदस्य जो छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त हुआ हो तथा छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा का प्रत्येक ऐसा सदस्य जो छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा शिक्षक के पद पर नियुक्त हुआ हो, से भिन्न प्रत्येक शासकीय सेवक” स्थापित किये जाए ;

(दो) उपनियम (1-क) के स्पष्टीकरण में, शब्द “या चिकित्सा” और त्रियक (अवलीक) चिह्न तथा शब्द “चिकित्सा” का लोप किया जाए ;

(तीन) उपनियम (1-क) के स्पष्टीकरण में, शब्द “स्कूल/महाविद्यालयीन/तकनीकी/चिकित्सा” के स्थान पर शब्द “स्कूल/महाविद्यालयीन/तकनीकी” प्रतिस्थापित किया जाए ;

(चार) उपनियम (1-ख) के पश्चात् निम्नलिखित अंतःस्थापित किये जायें, अर्थात् :-

“(1-ग) उपनियम (2) के उपबंधों के अधधीन रहते हुए, छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा भर्ती नियम, 1988 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का प्रत्येक सदस्य तथा छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का प्रत्येक सदस्य, उस मास के, जिसमें वह बांसठ वर्ष की आयु प्राप्त कर ले अंतिम दिन के अपराह्न में सेवानिवृत्त हो जायेगा ;

परन्तु छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा भर्ती नियम, 1988 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का ऐसा सदस्य तथा छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा का ऐसा सदस्य जिसकी जन्मतिथि किसी मास की पहली तारीख हो, पूर्ववर्ती मास के अंतिम दिन के अपराह्न में बांसठ वर्ष की आयु प्राप्त कर लेने पर सेवा-निवृत्त हो जायेगा ;

स्पष्टीकरण—इस उपनियम के प्रयोजन के लिए “छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा के किसी सदस्य” तथा “छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा के किसी सदस्य” से अभिप्रेत है, ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसकी नियुक्ति भर्ती नियमों के अनुसार चिकित्सा अधिकारी या विशेषज्ञ के रूप में की गई है और इसमें ऐसा चिकित्सा अधिकारी या विशेषज्ञ भी सम्मिलित है, जो पदोन्नति द्वारा या अन्यथा किसी प्रशासनिक पद पर नियुक्त किया गया हो और जिसने कम से कम बीस वर्षों तक चिकित्सा अधिकारी या विशेषज्ञ के रूप में कार्य किया हो बशर्ते कि वह संबंधित छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा अथवा छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा में किसी पद पर धारणाधिकार रखता हो।

- (1-घ) उपनियम (2) के उपबंधों के अधीन रहते हुए, छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा शिक्षक के पद पर नियुक्त छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा का ऐसा कोई सदस्य, (सामान्य कर्तव्य चिकित्सा अधिकारी, अध्यापन चिकित्सालय के सहायक अधीक्षक तथा दंत शल्य चिकित्सक को छोड़कर) उस मास के, जिसमें वह बांसठ वर्ष की आयु प्राप्त कर ले, अंतिम दिन के अपराह्न में सेवानिवृत्त हो जाएगा ;

परन्तु छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा का कोई सामान्य कर्तव्य चिकित्सा अधिकारी, अध्यापन चिकित्सालय का सहायक अधीक्षक तथा दंत शल्य चिकित्सक, उस मास के, जिसमें वह बांसठ वर्ष की आयु प्राप्त कर ले, अंतिम दिन के अपराह्न में सेवानिवृत्त हो जायेगा और यदि उसकी जन्मतिथि किसी मास की पहली तारीख हो तो पूर्ववर्ती मास के अंतिम दिन के अपराह्न में बांसठ वर्ष की आयु प्राप्त कर लेने पर सेवानिवृत्त हो जायेगा ;

परन्तु यह और कि छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा शिक्षक के पद पर नियुक्त छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा का ऐसा कोई सदस्य, (सामान्य कर्तव्य चिकित्सा अधिकारी, अध्यापन चिकित्सालय के सहायक अधीक्षक तथा दंत शल्य चिकित्सक को छोड़कर) जिसकी जन्मतिथि किसी मास की पहली तारीख हो, पूर्ववर्ती मास के अंतिम दिन के अपराह्न में बांसठ वर्ष की आयु प्राप्त कर लेने पर सेवानिवृत्त हो जायेगा।

परन्तु यह और भी कि 01 अप्रैल, 2007 और इस अधिनियम के प्रकाशन की तारीख के बीच की कालावधि के दौरान (चिकित्सक अथवा चिकित्सा शिक्षक की) मृत्यु होने पर इस अधिनियम का लाभ प्राप्त नहीं होगा।

स्पष्टीकरण—इस उपनियम के प्रयोजन के लिए “छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा के किसी सदस्य” से अभिप्रेत है ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसकी नियुक्ति किसी शासकीय चिकित्सा महाविद्यालय में अध्यापन के प्रयोजनार्थ उन भर्ती नियमों के अनुसार की गई हो जो ऐसी नियुक्ति को लागू होते हैं और उसमें ऐसा चिकित्सा शिक्षक भी सम्मिलित होगा, जो पदोन्नति द्वारा या अन्यथा किसी प्रशासनिक पद पर नियुक्त किया गया हो और जो कम से कम बीस वर्ष तक अध्यापन कार्य में लगा रहा हो बशर्तें वह संबंधित चिकित्सा शिक्षा सेवा के किसी पद पर धारणाधिकार रखता हो।”

निरसन.

3. छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अध्यादेश, 2007 (क्रमांक 5 सन् 2007) एतद्वारा निरसित किया जाता है.

रायपुर, दिनांक 16 जनवरी 2008

क्रमांक 587/डी. 12/21-अ/प्रा./छ. गं./08.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अधिनियम, 2007 (क्रमांक 02 सन् 2008) को अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
विमली सिंह कपूर, उप-सचिव.

CHHATTISGARH ACT
(No. 02 of 2008)

THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU)
(SANSHODHAN) ACT, 2007

An Act Further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Fifty-Eighth year of the Republic of India, as follows :-

Short title and
Commencement.

1. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2007.
(2) It shall be deemed to have come into force on the 1st day of April, 2007.

Amendment of Fundamental Rule 56 as substituted by section 2 of the Chhattisgarh Act No. 29 of 1967.

2. In Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967) (here-in-after referred to as the Principal Act), in Rule 56 of the Fundamental Rules,—
(i) In sub-rule (1), for the words “every Government servant other than a Government Teacher and a Class IV Government Servant”, the words “every Government Servant other than a Government Teacher, a Class IV Government Servant, every member of the Chhattisgarh Public Health and Family Welfare

(Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1988, every member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to a Medical post maintained in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) Recruitment Rules, 1987 and every member of the Chhattisgarh Medical Education (Gazetted) Service appointed to a medical teacher post mentioned in Schedule-I to the Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987" shall be substituted.

- (ii) In explanation to sub-rules (1-a), the words "or medical" shall be omitted.
- (iii) In explanation to sub-rules (1-a), for the words "School/Collegiate/Technical/Medical" the words "School/College/Technical" shall be substituted.
- (iv) After sub-rule (1-b), the following shall be inserted, namely :—

"(1-c) Subject to the provisions of sub-rule (2), every member of the Chhattisgarh Public Health and Family Welfare (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1988 and every member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) Recruitment Rules, 1987 shall retire from service on the afternoon of the last day of the month in which he attains the age of 62 years ;

Provided that a member of the Chhattisgarh Public Health and Family Welfare (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1988 and a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) Recruitment Rules, 1987 whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty two years.

Explanation :— For the purpose of this sub-rule "a member of the Chhattisgarh Public Health & Family Welfare (Gazetted) Service" and "Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service" means a Government servant by whatever designation called, appointed as Medical Officer or Specialist in accordance with the recruitment rules and shall also include such Medical Officer or Specialist who is appointed to a administrative post by promotion or otherwise and who has served as Medical Officer or Specialist for not less than twenty years provided he holds a lien on a post in concerned Chhattisgarh Public Health & Family Welfare (Gazetted) Service or Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service.

- (1-d) Subject to the provisions of sub-rule (2), a member of the Chhattisgarh Medical Education (Gazetted) Service (excluding General Duty Medical Officer, Assistant Superintendent of Teaching Hospital and

Dental Surgeon) appointed to a medical teacher post mentioned in Schedule-I to the Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987 shall retire from service on the afternoon of the last day of month in which he attains the age of sixty five years :

Provided that General Duty Medical Officer, Assistant Superintendent of Teaching Hospital and Dental Surgeon of the Chhattisgarh Medical Education (Gazetted) Service shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty two years and if their date of birth is the first of a month then they shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty two years :

Provided further that a member of the Chhattisgarh Medical Education (Gazetted) Service (excluding General Duty Medical Officer, Assistant Superintendent of Teaching Hospital and Dental Surgeon) appointed to a medical teacher post mentioned in Schedule-I to the Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987 whose date of birth in the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty five years.

Provided further that the benefit of this Act shall not be available in case of death (Doctor or Medical Teachers) occurred during the period in between 1st April 2007 and date of publication of this Act.

Explanation :- For the purpose of this sub-rule "a member of the Chhattisgarh Medical Education (Gazetted) Service" means a Government servant by whatever designation called, appointed for the purpose of teaching in Government Medical College, in accordance with the recruitment rule applicable to such appointment and shall also include the medical teacher who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than twenty years provided he holds a lien on a post in concerned Medical Education Service."

Repeal.

3. The Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhyadesh, 2007 (No. 5 of 2007) is hereby repealed.

“बिजनेस पोस्ट के अन्तर्गत डाक
शुल्क के नगद भुगतान (बिना डाक
टिकट) के प्रेषण हेतु अनुमत. क्रमांक
जी. 2-22-छत्तीसगढ़ राजट/38 सि. से.
भिलाई, दिनांक 30-5-2001.”

पंजीशन क्रमांक “छत्तीसगढ़/दुर्ग/
तक. 114-009/2003/20-01-03.”



छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 119]

रायपुर, मंगलवार, दिनांक 29 अप्रैल 2008—वैशाख 9, शक 1930

विधि और विधायी कार्य विभाग
मंत्रालय, दाऊ कल्याण सिंह भवन, रायपुर

रायपुर, दिनांक 29 अप्रैल 2008

क्रमांक 4409/डी. 130/21-अ/प्रा./छ. ग./08.—छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 23-04-2008 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
यू. के. काटिया, उप-सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 7 सन् 2008)

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अधिनियम,
2008

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के उनसठवें वर्ष में छत्तीसगढ़ विधान मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

संक्षिप्त नाम तथा प्रारंभ.

1. (1) इस अधिनियम का संक्षिप्त नाम छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अधिनियम, 2008 है.

(2) यह 1 अप्रैल, 2007 के प्रथम दिन से प्रवृत्त हुआ समझा जायेगा.

छत्तीसगढ़ अधिनियम
क्रमांक 29 सन् 1967 की
धारा 2 द्वारा यथा
प्रतिस्थापित.

2. छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) (जो इसमें इसके पश्चात् मूल अधिनियम के रूप में विनिर्दिष्ट है) की धारा 2 द्वारा यथा प्रतिस्थापित छत्तीसगढ़ राज्य में लागू मूलभूत नियम के नियम 56 में निम्नानुसार संशोधन सम्मिलित किया जावे, अर्थात् :—

(एक) उपनियम (1) में, शब्द “छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम 1987 की अनुसूची एक में उल्लिखित किसी चिकित्सा पद” के पश्चात् शब्द “या आयुर्वेद शिक्षक के पद पर” अंतःस्थापित किये जायें.

(दो) मूल अधिनियम के उपनियम (1-घ) में शब्द तथा अंक “छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा का ऐसा कोई सदस्य, (सामान्य कर्तव्य चिकित्सा अधिकारी, अध्यापन चिकित्सालय के सहायक अधीक्षक तथा दन्त शल्य चिकित्सक को छोड़कर)” के पश्चात् शब्द तथा अंक “तथा छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम 1987 की अनुसूची एक में उल्लेखित किसी आयुर्वेद शिक्षक के पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा का ऐसा कोई सदस्य” अंतःस्थापित किये जायें.

(तीन) मूल अधिनियम के उपनियम (1-घ) के द्वितीय परंतुक में शब्द तथा अंक “छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा का ऐसा कोई सदस्य, (सामान्य कर्तव्य चिकित्सा अधिकारी, अध्यापन चिकित्सालय के सहायक अधीक्षक तथा दन्त शल्य चिकित्सक को छोड़कर)” के पश्चात् शब्द तथा अंक “तथा छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची एक में उल्लेखित किसी आयुर्वेद शिक्षक के पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा का ऐसा कोई सदस्य” अंतःस्थापित किये जायें.

(चार) उपनियम (1-घ) में शब्द “स्पष्टीकरण” के स्थान पर, निम्नलिखित प्रतिस्थापित किया जाये, अर्थात् :—

“स्पष्टीकरण-I”

(पांच) उपनियम (1-घ) के 'स्पष्टीकरण' के पश्चात् निम्नलिखित जोड़ा जाये :-

स्पष्टीकरण-II— "इस उपनियम के प्रयोजन के लिये "छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 के किसी सदस्य" से अभिप्रेत है, ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसकी नियुक्ति किसी शासकीय आयुर्वेद महाविद्यालय में अध्यापन के प्रयोजनार्थ उन भर्ती नियमों के अनुसार की गई हो, जो ऐसी नियुक्ति को लागू होते हैं और उसमें ऐसा आयुर्वेद शिक्षक भी सम्मिलित होगा, जो पदोन्नति द्वारा या अन्यथा किसी प्रशासनिक पद पर नियुक्त किया गया हो और जो कम से कम बीस वर्ष तक अध्यापन कार्य में लगा रहा हो बशर्ते वह संबंधित आयुर्वेद शिक्षा सेवा के किसी पद पर धारणाधिकार रखता हो।"

रायपुर, दिनांक 29 अप्रैल 2008

क्रमांक 4409/डी. 130/21-अ/प्रा./छ. ग./08.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ शासकीय सेवक (अधिवाषिकी आयु) (संशोधन) अधिनियम, 2008 (क्रमांक 07 सन् 2008) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
यू. के. काटिया, उप-सचिव.

CHHATTISGARH ACT

(No. 7 of 2008)

THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU) (SANSHODHAN) ACT, 2008

An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki Ayu) Adhiniyam, 1967 (No. 29 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Fifty-Ninth year of the Republic of India, as follows :-

1. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2008.
- (2) It shall be deemed to have come into force on the 1st day of April, 2007.
2. In rule 56 of the Fundamental Rules applicable to the state of Chhattisgarh as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam 1967 (No. 29 of 1967) here-in-after referred as the Principal Act, the following amendment shall be incorporated, namely :—
 - (I) In sub-rule (1), after the words "every member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to a Medical post", the words "or to an Ayurved Teacher Post" shall be inserted.

Short title and Commencement.

Amendment of Fundamental Rule 56 as substituted by section 2 of the Chhattisgarh Act, No. 29 of 1967.

- (II) In sub rule (1-d) of the principal act, after the words & figure "Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987", the words & figure "and a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to an Ayurved Teacher post, mentioned in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" shall be inserted.
- (III) In second proviso of sub rule (1-d), after the words & figure "Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987", the words & figure "and a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to an Ayurved Teacher post, mentioned in Schedule-I to the Chhattisgarh Public Health (Indian systems of medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" shall be inserted.
- (IV) In sub rule (1-d) for the word "Explanation" the following shall be substituted, namely :—
- "Explanation-I"**
- (V) After the explanation of sub-rule (1-d), the following shall be added :—

Explanation-II "For the purpose of this sub-rule "a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" means a Government servant by whatever designation called, appointed for the purpose of teaching in Government Ayurved College, in accordance with the recruitment rule applicable to such appointment and shall also include the Ayurved Teacher who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than twenty years provided he holds a lien on a post in concerned Ayurved Education Service."

“बिजनेस पोस्ट के अन्तर्गत डाक
शुल्क के नगद भुगतान (बिना डाक
टिकट) के प्रेषण हेतु अनुमत. क्रमांक
जी. 2-22-छत्तीसगढ़ गजट/38 सि. मे.
भिलाई, दिनांक 30-5-2001.”



पंजीयन क्रमांक “छत्तीसगढ़/दुर्ग/
तक. 114-009/2003/20-01-03.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 91]

रायपुर, बुधवार, दिनांक 25 मार्च 2009—चैत्र 4, शक 1931

विधि और विधायी कार्य विभाग
मंत्रालय, दाऊ कल्याण सिंह भवन, रायपुर

रायपुर, दिनांक 25 मार्च 2009

क्रमांक 2313/डी. 63/21-अ/प्रा./छ. ग./09.—छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 16-03-2009 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
उमेश कुमार काटिया, उप- सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 3 सन् 2009)

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अधिनियम, 2009

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के साठवें वर्ष में छत्तीसगढ़ विधान मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

संक्षिप्त नाम तथा प्रारंभ.

1. (1) इस अधिनियम का संक्षिप्त नाम छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) (संशोधन) अधिनियम, 2009 है.

(2) यह 1 सितंबर, 2008 से प्रवृत्त हुआ समझा जायेगा.

छत्तीसगढ़ अधिनियम क्रमांक 29 सन् 1967 की धारा 2 द्वारा यथा प्रतिस्थापित मूलभूत नियम 56 का संशोधन.

2. छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) (जो इसमें इसके पश्चात् मूल अधिनियम के रूप में निर्दिष्ट है) की धारा 2 द्वारा यथा प्रतिस्थापित छत्तीसगढ़ राज्य में लागू मूलभूत नियम के नियम 56 में, निम्नलिखित संशोधन निगमित किया जायें, अर्थात् :—

(एक) उपनियम (1) में, शब्द तथा अंक "छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची एक में उल्लिखित किसी चिकित्सा शिक्षक के पद पर नियुक्त हुआ हो" के पश्चात् शब्द तथा अंक "तथा छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) का प्रत्येक ऐसा सदस्य जो छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) भर्ती नियम, 1966 की अनुसूची-एक में उल्लिखित किसी "पशु चिकित्सा" पद पर नियुक्त हुआ हो" अन्तःस्थापित किया जाये.

(दो) उपनियम (1) में, शब्द तथा अंक "छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची एक में उल्लिखित किसी चिकित्सा पद या आयुर्वेद शिक्षक के पद पर नियुक्त हुआ हो" के पश्चात् वर्णित शब्द "तथा" का लोप किया जाये.

(तीन) उपनियम (1) में, शब्द तथा अंक "छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची एक में उल्लिखित किसी चिकित्सा पद या आयुर्वेद शिक्षक के पद पर नियुक्त हुआ हो" के पश्चात्, विराम चिह्न " (कामा)" अन्तःस्थापित किया जाये.

(चार) उपनियम (1-ग) में, शब्द तथा अंक "छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का प्रत्येक सदस्य" के पश्चात् शब्द तथा अंक "तथा छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) भर्ती नियम, 1966 की अनुसूची-एक में उल्लिखित किसी "पशु चिकित्सा" पद पर नियुक्त छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) का प्रत्येक सदस्य" अन्तःस्थापित किया जाये.

(पांच) उपनियम (1-ग) में, "छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा भर्ती नियम, 1988 की अनुसूची एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का प्रत्येक सदस्य" के पश्चात् वर्णित शब्द "तथा" का लोप किया जाये.

- (छः) उपनियम (1-ग) में, शब्द तथा अंक “छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा भर्ती नियम, 1988 की अनुसूची एक में उल्लिखित किसी चिकित्सा पद पर नियुक्त छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का प्रत्येक सदस्य” के पश्चात्, विराम चिन्ह “, (कामा)” अंतःस्थापित किया जाये.
- (सात) उपनियम (1-ग) के परंतुक में, शब्द “लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा का ऐसा सदस्य” के पश्चात् शब्द तथा अंक “तथा छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) भर्ती नियम, 1966 की अनुसूची-एक में उल्लिखित किसी “पशु चिकित्सा” पद पर नियुक्त छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) का ऐसा सदस्य” अंतःस्थापित किया जाये.
- (आठ) उपनियम (1-ग) के परंतुक में, “छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का ऐसा सदस्य” के पश्चात् वर्णित शब्द “तथा” का लोप किया जाये.
- (नौ) उपनियम (1-ग) के परंतुक में, “छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का ऐसा सदस्य” के पश्चात् विराम चिन्ह “, (कामा)” अंतःस्थापित किया जाये.
- (दस) उपनियम (1-ग) में, शब्द “स्पष्टीकरण” के स्थान पर निम्नलिखित प्रतिस्थापित किया जाये, अर्थात् :—
“स्पष्टीकरण—1”
- (ग्यारह) उपनियम (1-ग) के स्पष्टीकरण के पश्चात् निम्नलिखित जोड़ा जाये :—
स्पष्टीकरण—2 “इस उपनियम के प्रयोजन के लिये “छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) के किसी सदस्य” से अभिप्रेत है, ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसकी नियुक्ति भर्ती नियमों के अनुसार पशु चिकित्सा अधिकारी या विशेषज्ञ के रूप में की गई है और इसमें ऐसा पशु चिकित्सा अधिकारी या विशेषज्ञ भी सम्मिलित है, जो पदोन्नति द्वारा या अन्यथा किसी प्रशासनिक पद पर नियुक्त किया गया हो और जिसने कम से कम बीस वर्षों तक पशु चिकित्सा अधिकारी या विशेषज्ञ के रूप में कार्य किया हो बशर्ते कि वह संबंधित छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) में किसी पद पर धारणाधिकार रखता हो.”
3. छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकीय आयु) (संशोधन) अध्यादेश, 2008 (क्रमांक 4 सन् 2008) एतद्वारा निरसित किया जाता है. निरसन.

रायपुर, दिनांक 25 मार्च 2009

क्रमांक 2313/डी. 63/21-अ/प्रा./छ. ग./09.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकीय-आयु) (संशोधन) अधिनियम, 2009 (क्रमांक 3 सन् 2009) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
 उमेश कुमार काटिया, उप-सचिव.

CHHATTISGARH ACT

(No. 3 of 2009)

**THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU)
(SANSHODHAN) ACT, 2009**

An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Sixtieth Year of the Republic of India, as follows :-

Short title and Commencement.

1. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Sanshodhan Act, 2009.

(2) It shall be deemed to have come into force on the 1st day of September, 2008.

Amendment of Fundamental Rule 56 as substituted by section 2 of the Chhattisgarh Act No. 29 of 1967.

2. In Rule 56 of the Fundamental Rules applicable to the State of Chhattisgarh as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967) here-in-after referred as the Principal Act, the following amendment shall be incorporated, namely :—

- (i) In sub-rule (1), after the words and figure "Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987", the words and figures "and every member of the Chhattisgarh Veterinary Service (Gazetted) appointed to a 'veterinary medical' post mentioned in schedule-I to the Chhattisgarh Veterinary Service (Gazetted) Recruitment Rules, 1966" shall be inserted.
- (ii) In sub-rule (1), the word "and" appearing after the words and figure "Chhattisgarh Public Health (Indian System of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" shall be omitted.
- (iii) In sub-rule (1), after the words and figure "Chhattisgarh Public Health (Indian System of Medicine and Homeopathy) (Gazetted) Service recruitment Rules, 1987" the punctuation mark ", (comma)" shall be inserted.
- (iv) In sub-rule (1-c), after the words and figure "Recruitment Rules, 1987" the words and figure "and every member of the Chhattisgarh Veterinary Service (Gazetted) appointed to a 'veterinary medical' post mentioned in schedule-I to the Chhattisgarh Veterinary Service (gazetted) Recruitment Rules, 1966" shall be inserted.
- (v) In sub-rule (1-c), the word "and" appearing after "Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1988", shall be omitted.
- (vi) In sub-rule (1-c), after the words and figure "Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1988" the punctuation mark ", (comma)" shall be inserted.
- (vii) In proviso of sub-rule (1-c), after the words and figure "Recruitment Rules, 1987", the words and figure "and every member of the Chhattisgarh Veterinary Service (Gazetted) appointed to a 'veterinary medical' post mentioned in schedule-I to the Chhattisgarh Veterinary Service (Gazetted) Recruitment Rules, 1966" shall be inserted.
- (viii) In proviso of sub-rule (1-c), the word "and" appearing after "Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1988", shall be omitted.

(ix) In proviso of sub-rule (1-c), after the words "Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1988" the punctuation mark ",", (comma)" shall be inserted.

(x) In sub-rule (1-c), for the word "Explanation" the following shall be substituted, namely :—

"Explanation-I"

(xi) After the explanation of sub-rule (1-c), the following shall be added :—

Explanation-II— "For the purpose of this sub-rule "a member of the Chhattisgarh Veterinary Service (Gazetted)" means a Government servant by whatever designation called, appointed as veterinary medical officer or specialist in accordance with the recruitment rule applicable to such appointment and shall also include such veterinary medical officer or specialist who is appointed to an administrative post by promotion or otherwise and who has served as veterinary medical officer or specialist for not less than twenty years provided he holds a lien on a post in concerned Chhattisgarh Veterinary Service (Gazetted)".

3. The Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhyadesh, 2008 (No. 4 of 2008) is hereby repealed.

Repeal.

“बिज़नेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2010-2012.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 96]

रायपुर, बुधवार, दिनांक 18 अप्रैल 2012—चैत्र 29 शक 1934

विधि और विधायी कार्य विभाग

मंत्रालय, दाऊ कल्याण सिंह भवन, रायपुर

रायपुर, दिनांक 18 अप्रैल 2012

क्रमांक 3265/डी. 113/21-अ/प्रा./छ. ग./12.—छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 12-04-2012 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
डी. पी. पारांशर, उप-सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 12 सन् 2012)

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन)
अधिनियम, 2012

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के तिरसठवें वर्ष में छत्तीसगढ़ विधान मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित

हो :—

संक्षिप्त नाम तथा प्रारंभ.

1. (1) यह अधिनियम छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अधिनियम, 2012 कहलायेगा.

(2) यह 1 अप्रैल, 2012 से प्रवृत्त हुआ समझा जायेगा.

छत्तीसगढ़ अधिनियम
क्रमांक 29 सन् 1967
की धारा 2 द्वारा यथा
प्रतिस्थापित मूलभूत
नियम 56 का संशोधन.

2. छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) की धारा 2 द्वारा यथा प्रतिस्थापित छत्तीसगढ़ राज्य में लागू मूलभूत नियम के नियम 56 में, निम्नलिखित संशोधन निगमित किया जाये, अर्थात् :—

(एक) उप-नियम (1-क) में, शब्द “प्रत्येक शासकीय शिक्षक” के पश्चात् शब्द “उप-नियम (1-ड) में विनिर्दिष्ट से भिन्न” अन्तःस्थापित किया जाए.

(दो) नियम 56 के उप-नियम (1-घ) के पश्चात्, निम्नलिखित उप-नियम अन्तःस्थापित किया जाये, अर्थात् :—

“(1-ड) उप-नियम (2) के उपबंधों के अध्वधीन रहते हुए, उच्च शिक्षा विभाग के अधीनस्थ शासकीय महाविद्यालय, शासकीय अभियांत्रिकी महाविद्यालय, शासकीय पॉलीटेक्निक संस्था, शासकीय दंत चिकित्सा महाविद्यालय के शिक्षक संवर्ग का ऐसा सदस्य एवं राज्य शासन के नर्सिंग शिक्षण संस्था में नर्सिंग प्राध्यापक वर्ग का नर्सिंग में एम.एस.सी. सदस्य, जो केवल क्लासरूम (कक्षा) शिक्षण कार्य में लगा हो तथा जो गैर-शिक्षकीय अथवा प्रशासकीय पद को धारित न कर रहा हो, उस माह के, जिसमें कि वह पैंसठ वर्ष की आयु प्राप्त कर ले, अंतिम दिन के अपराह्न में सेवानिवृत्त हो जायेगा:

परन्तु शिक्षक संवर्ग का ऐसा सदस्य जो शैक्षणिक पद पर धारणाधिकार रखता हो तथा जो प्रशासकीय पद को धारित कर रहा है, यदि पैंसठ वर्ष की आयु तक सेवा करना चाहता है तो उसे शिक्षकीय पद पर नियुक्ति हेतु विकल्प देना होगा:

परन्तु यह और कि शिक्षक संवर्ग का ऐसा सदस्य जो इस उप-नियम के अन्तर्गत सेवानिवृत्त होता है, जिसकी जन्मतिथि किसी मास की पहली तारीख हो, पूर्ववर्ती मास के अंतिम दिन के अपराह्न में पैंसठ वर्ष की आयु प्राप्त कर लेने पर सेवानिवृत्त हो जायेगा.”

स्पष्टीकरण :— इस उप-नियम के प्रयोजन के लिए, “क्लासरूम (कक्षा) शिक्षण” का अर्थ होगा विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) या अखिल भारतीय तकनीकी शिक्षा परिषद् अधिनियम, 1987 (1987 का 52), दंत चिकित्सा अधिनियम, 1948 (1948 का 16), भारतीय नर्सिंग कौंसिल अधिनियम, 1947 (1947 का 48), के अंतर्गत या तत्समय प्रवृत्त किसी अन्य विधि के अन्तर्गत यथा प्राधिकृत कोई उपाधि या किसी अन्य अर्हता को प्रदान करने के लिए अग्रसर होते हुए किसी विषय या संकाय में पाठ्यक्रम या अध्ययन के कार्यक्रम का कक्षा में विद्यार्थियों को अध्यापन (शिक्षण).”

रायपुर, दिनांक 18 अप्रैल 2012

क्रमांक 3265/डी. 113/21-अ/प्रा./छ. ग./12.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अधिनियम, 2012 (क्रमांक 12 सन् 2012) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
डी. पी. पाराशर, उप-सचिव.

CHHATTISGARH ACT
(No. 12 of 2012)

THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU)
(SANSHODHAN) ADHINIYAM, 2012

An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Sixty-third year of the Re-public of India as follows :—

1. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2012.

Short title and commencement.

(2) It shall be deemed to have come into force on the 1st day of April 2012.

2. In Rule 56 of the Fundamental Rules applicable to the State of Chhattisgarh as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967), the following amendment shall be incorporated, namely :—

Amendment of Fundamental Rule 56 as substituted by section 2 of the Chhattisgarh Act No. 29 of 1967.

(i) In sub-rule (1-a), after the words “every Government teacher” the words “other than those specified in sub-rule (1-e)” shall be inserted.

(ii) After sub-rule (1-d) of rule 56, the following sub-rule shall be inserted, namely :—

“(1-e) Subject to the provisions of sub-rule (2), a member of the teaching cadre of a Government College under Higher Education department, Government Engineering College, Government Polytechnic Institute, Government Dental College and a member of nursing teaching faculty with M.Sc. in Nursing in the State Government nursing teaching institution, who is engaged only in class room teaching activities and not occupying non-teaching or administrative post, shall retire from service on the afternoon of the last day of the month on which he attains the age of sixty five years:

Provided that such member of a teaching cadre who is holding a lien on a teaching post and occupying administrative post, shall have the option of seeking appointment to the teaching post in case he wishes to continue in service up to sixty five years:

Provided further that such member of the teaching cadre who retires under this sub-rule, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty five years.

Explanation.— For the purpose of this sub-rule ‘class room teaching’ shall mean teaching students in a class room in a course or programme of study in a subject or faculty leading to award of a degree or any other qualification as recognized under the University Grants Commission Act, 1956 (3 of 1956) or the All India Council for Technical Education Act, 1987 (52 of 1987), the Dentists Act, 1948 (16 of 1948), the Indian Nursing Council Act, 1947 (48 of 1947) or any other law for the time being in force.”

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्गा/09/2012-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 343]

रायपुर, सोमवार, दिनांक 5 अगस्त 2013—श्रावण 14, शक 1935

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, कैपिटल कॉम्प्लेक्स नया रायपुर

रायपुर, दिनांक 5 अगस्त 2013

क्रमांक 6757/डी. 240/21-अ/प्रारू./छ.ग./13.—छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 30-07-2013 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुषमा सावंत, अतिरिक्त सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 25 सन् 2013)

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन)
अधिनियम, 2013

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के चौंसठवें वर्ष में छत्तीसगढ़ विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

संक्षिप्त नाम तथा प्रारंभ.

1. (1) यह अधिनियम छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अधिनियम, 2013 कहलायेगा.

(2) यह अधिनियम राजपत्र में उनके प्रकाशन की तारीख से प्रवृत्त होगा.

छत्तीसगढ़ अधिनियम
क्रमांक 29 सन् 1967 की
धारा 2 द्वारा यथा
प्रतिस्थापित मूलभूत नियम
56 का संशोधन.

2. छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) अधिनियम, 1967 (क्रमांक 29 सन् 1967) की धारा 2 में, मूलभूत नियम के नियम 56 में निम्नलिखित संशोधन समाविष्ट किया जाये, अर्थात् :—

(एक) उप-नियम (1) के स्थान पर, निम्नलिखित उप-नियम प्रतिस्थापित किया जाए, अर्थात् :—

“(1) उप-नियम (2) के उपबंधों के अध्यधीन रहते हुए, उप-नियम (1-क), (1-ख), (1-ग), (1-घ), (1-ङ) एवं (1-च) में उल्लिखित शासकीय सेवक से भिन्न प्रत्येक शासकीय सेवक उस मास के, जिसमें कि वह साठ वर्ष की आयु प्राप्त कर ले, अन्तिम दिन के अपरान्ह में सेवानिवृत्त हो जाएगा :

परन्तु उपरोक्त वर्णित शासकीय सेवक जिसकी जन्मतिथि किसी मास की पहली तारीख हो, साठ वर्ष की आयु प्राप्त कर लेने पर, पूर्ववर्ती मास के अन्तिम दिन के अपरान्ह में, सेवानिवृत्त हो जाएगा.”

(दो) उप-नियम (1-क) के स्थान पर, निम्नलिखित उप-नियम प्रतिस्थापित किया जाए, अर्थात् :—

“(1-क) उप-नियम (2) के उपबंधों के अध्यधीन रहते हुए, उप-नियम (1-घ) एवं (1-ङ) में उल्लिखित शासकीय शिक्षक से भिन्न प्रत्येक शासकीय शिक्षक, उस मास के, जिसमें कि वह बासठ वर्ष की आयु प्राप्त कर ले, अन्तिम दिन के अपरान्ह में, सेवानिवृत्त हो जाएगा :

परन्तु उपरोक्त वर्णित शासकीय शिक्षक जिसकी जन्मतिथि किसी मास की पहली तारीख हो, बासठ वर्ष की आयु प्राप्त कर लेने पर, पूर्ववर्ती मास के अन्तिम दिन के अपरान्ह में सेवानिवृत्त हो जाएगी.

स्पष्टीकरण— इस उप-नियम के प्रयोजन के लिए, “शासकीय शिक्षक” से अभिप्रेत है, उप-नियम (1-घ) एवं (1-ङ) में उल्लिखित शासकीय शिक्षक से भिन्न ऐसा कोई शासकीय शिक्षक, चाहे वह किसी भी पदनाम से जाना जाता हो, जो किसी शासकीय शिक्षण संस्था में अध्यापन के प्रयोजनार्थ, ऐसी नियुक्ति को लागू, भर्ती नियमों के अनुसार नियुक्त किया गया हो और उसमें ऐसा शिक्षक भी सम्मिलित होगा, जो, किसी प्रशासनिक पद पर पदोन्नति द्वारा या अन्यथा नियुक्त किया गया हो और जो बीस वर्ष से अन्त्युन अध्यापन कार्य में लगी रहें हो बशर्ते कि वह संबंधित शासकीय शिक्षण संस्था में किसी पद पर धारणाधिकार रखता हो.”

- (तीन) उप-नियम (1-ग) के स्थान पर, निम्नलिखित उप-नियम प्रतिस्थापित किया जाए, अर्थात् :—
 “(1-ग) (क) उप-नियम (2) के उपबंधों के अध्वधीन रहते हुए, छत्तीसगढ़ पशु चिकित्सा (राजपत्रित) सेवा का प्रत्येक सदस्य, जो छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) भर्ती नियम, 1966 की अनुसूची-एक में उल्लिखित किसी “पशु चिकित्सा” पद पर नियुक्त हुआ हो, वह सेवा से उस मास के अंतिम दिन के अपराह्न में सेवानिवृत्त हो जायेगा, जिसमें वह बासठ वर्ष की आयु प्राप्त कर लें.

परन्तु उपरोक्त वर्णित नियम का उपरोक्त वर्णित सदस्य जिसकी जन्म तिथि किसी मास की पहली तारीख हो, पूर्ववर्ती मास के अंतिम दिन के अपराह्न में बासठ वर्ष की आयु प्राप्त कर लेने पर सेवानिवृत्त हो जायेगा.

स्पष्टीकरण— इस उप-नियम के प्रयोजन के लिए, “छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) के किसी सदस्य” से अभिप्रेत है, ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जो पशु चिकित्सा अधिकारी या विशेषज्ञ के रूप में, ऐसी नियुक्ति को लागू भर्ती नियम के अनुसार, नियुक्त किया गया हो और उसमें ऐसा पशु चिकित्सा अधिकारी या विशेषज्ञ भी सम्मिलित होगा जो किसी प्रशासनिक पद पर पदोन्नति द्वारा या अन्यथा नियुक्त किया गया हो और जिसने बीस वर्ष से अन्यून पशु चिकित्सा अधिकारी या विशेषज्ञ के रूप में कार्य किया हो बशर्ते कि वह संबंधित छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित) में किसी पद पर धारणाधिकार रखता हो.

- (ख) खण्ड (क) में अधिवार्षिकी आयु में साठ वर्ष से बासठ वर्ष की, की गई वृद्धि दिनांक 1 सितम्बर, 2008 से लागू हुई समझी जाएगी.”

- (चार) उप-नियम (1-घ) के स्थान पर, निम्नलिखित उप-नियम प्रतिस्थापित किया जाए, अर्थात् :—
 “(1-घ) (क) उप-नियम (2) के उपबंधों के अध्वधीन रहते हुए, छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा (सामान्य कर्तव्य चिकित्सा अधिकारी, अध्यापन चिकित्सालय के सहायक अधीक्षक तथा दन्त शल्य चिकित्सक को छोड़कर) का सदस्य जिसकी नियुक्ति, छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा शिक्षक के पद पर हुई हो और छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा का ऐसा कोई सदस्य जिसकी नियुक्ति छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी आयुर्वेद शिक्षक के पद पर हुई हो, वह उस मास के, जिसमें वह पैंसठ वर्ष की आयु प्राप्त कर लिया हो, अंतिम दिन के अपराह्न में सेवानिवृत्त हो जाएगा :

परन्तु उक्त नियम का उपरोक्त वर्णित सदस्य, जिसकी जन्मतिथि किसी मास की पहली तारीख हो, पूर्ववर्ती मास के अंतिम दिन के अपराह्न में पैंसठ वर्ष की आयु प्राप्त कर लेने पर सेवानिवृत्त हो जायेगा.

स्पष्टीकरण-1— इस उप नियम के प्रयोजन के लिये “छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा के किसी सदस्य” से अभिप्रेत है ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसकी नियुक्ति किसी शासकीय चिकित्सा महाविद्यालय में अध्यापन के प्रयोजनार्थ ऐसी नियुक्ति को लागू भर्ती नियमों के

अनुसार की गई हो और उसमें ऐसा चिकित्सा शिक्षक भी सम्मिलित होगा, जो किसी प्रशासनिक पद पर पदोन्नति द्वारा या अन्यथा नियुक्त किया गया हो और जो बीस वर्ष से अन्यून अध्यापन कार्य में लगा रहा हो बशर्ते वह संबंधित चिकित्सा शिक्षा सेवा के किसी पद पर धारणाधिकार रखता हो।

स्पष्टीकरण-2—इस उप-नियम के प्रयोजन के लिए “छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा के किसी सदस्य” से अभिप्रेत है ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसकी नियुक्ति किसी शासकीय आयुर्वेद महाविद्यालय में अध्यापन के प्रयोजनार्थ ऐसी नियुक्ति को लागू भर्ती नियमों के अनुसार की गई हो और उसमें ऐसा आयुर्वेद शिक्षक भी सम्मिलित होगा, जो किसी प्रशासनिक पद पर पदोन्नति द्वारा या अन्यथा नियुक्त किया गया हो और जो बीस वर्ष से अन्यून अध्यापन कार्य में लगा रहा हो बशर्ते वह संबंधित आयुर्वेद शिक्षा सेवा के किसी पद पर धारणाधिकार रखता हो।

(ख) खण्ड (क) में, अधिवार्षिकी आयु में बासठ वर्ष से पैंसठ वर्ष की, की गई वृद्धि दिनांक 1 अप्रैल, 2007 से लागू समझी जाएगी।”

(पांच) उप-नियम (1-ड) को उसके खण्ड (क) के रूप में पुनर्क्रमांकित किया जाए और इस प्रकार पुनर्क्रमांकित खण्ड (क) के पश्चात् निम्नलिखित नया खण्ड जोड़ा जाए, अर्थात् :—

“(ख) खण्ड (क) में, अधिवार्षिकी आयु में बासठ वर्ष से पैंसठ वर्ष की, की गई वृद्धि दिनांक 1 अप्रैल, 2012 से लागू समझी जाएगी।”

(छ:) उप-नियम (1-ड) के पश्चात्, निम्नलिखित उप-नियम जोड़ा जाए, अर्थात् :—

“(1-च) (क) उप-नियम (2) के उपबंधों के अध्वधीन रहते हुए, छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा का प्रत्येक सदस्य, जिसकी नियुक्ति छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा भर्ती नियम, 1988 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर हुई हो एवं छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा का प्रत्येक सदस्य जिसकी नियुक्ति, छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर हुई हो, छत्तीसगढ़ कर्मचारी राज्य बीमा सेवा (राजपत्रित) का प्रत्येक सदस्य जिसकी नियुक्ति, छत्तीसगढ़ कर्मचारी राज्य बीमा सेवा (राजपत्रित) भर्ती नियम, 1981 की अनुसूची-एक में उल्लिखित किसी चिकित्सा पद पर हुई हो तथा छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा का प्रत्येक सदस्य जिसकी नियुक्ति, छत्तीसगढ़ चिकित्सा-शिक्षा (राजपत्रित) सेवा भर्ती नियम, 1987 की अनुसूची-एक में उल्लिखित सामान्य कर्तव्य चिकित्सा अधिकारी, अध्यापन चिकित्सालय के सहायक अधीक्षक तथा दन्त शल्य चिकित्सक के पद पर हुई हो वह उस मास के, जिसमें वह पैंसठ वर्ष की आयु प्राप्त कर लें अंतिम दिन के अपराह्न में सेवानिवृत्त हो जायेगा :।

परन्तु उपरोक्त वर्णित सेवाओं के उपरोक्त वर्णित पदों के सदस्य, जिसकी जन्मतिथि किसी मास की पहली तारीख हो, पूर्ववर्ती मास के

प्रक्रिया के अपरान्त में सैलठ वर्ग की आयु प्राप्त कर लेने पर सेवानिवृत्त हो जायेगा।

स्पष्टीकरण-1 — इस उप नियम के प्रयोजन के लिये “छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा के किसी सदस्य”, “छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा के किसी सदस्य”, “छत्तीसगढ़ कर्मचारी राज्य बीमा सेवा (राजपत्रित) का कोई सदस्य” तथा छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा के किसी सदस्य से अभिप्रेत है, ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसकी नियुक्ति चिकित्सा अधिकारी या विशेषज्ञ के रूप में ऐसी नियुक्ति को लागू भर्ती नियमों के अनुसार की गई है और उसमें ऐसा चिकित्सा अधिकारी या विशेषज्ञ भी सम्मिलित है, जो किसी प्रशासनिक पद पर पदोन्नति द्वारा या अन्यथा नियुक्त किया गया हो बशर्ते कि वह संबंधित छत्तीसगढ़ लोक स्वास्थ्य एवं परिवार कल्याण (राजपत्रित) सेवा, छत्तीसगढ़ लोक स्वास्थ्य (भारतीय चिकित्सा पद्धति तथा होम्योपैथी) (राजपत्रित) सेवा, छत्तीसगढ़ कर्मचारी राज्य बीमा सेवा (राजपत्रित) अथवा छत्तीसगढ़ चिकित्सा शिक्षा (राजपत्रित) सेवा में किसी पद पर धारणाधिकार रखता हो।

(ख) खण्ड (क) के उपबंध, दिनांक 1 अप्रैल, 2013 से लागू हुई समझी जाएगी।”

रायपुर, दिनांक 5 अगस्त 2013

क्रमांक 6757/डो. 240/21-अ/प्रारू/छ.ग./13.— भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अधिनियम, 2013 (क्रमांक 25 सन् 2013) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुषमा सावंत, अतिरिक्त सचिव.

CHHATTISGARH ACT

(No. 25 of 2013)

**THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU) (SANSHODHAN)
ADHINIYAM, 2013**

An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Sixty-fourth Year of the Republic of India, as follows :—

Short title, and commencement.

1. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2013.

(2) It shall come into force from the date of its publication in the Official Gazette.

Amendment of Rule 56 of Fundamental Rules substituted by section 2 of the Chhattisgarh Act No. 29 of 1967.

2. In Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967), in Rule 56 of Fundamental Rules, following amendment shall be incorporated, namely :—

(i) For sub-rule (1), the following shall be substituted, namely :—

“(1) Subject to the provisions of sub-rule (2), every Government Servant other than a Government Servant mentioned in sub-rules (1-a), (1-b), (1-c), (1-d), (1-e) and (1-f), shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years :

Provided that on attaining the age of sixty years above mention Government Servant, whose date of birth falls on first of a month shall retire from service on the afternoon of the last day of the preceding month.”

(ii) For sub-rule (1-a), the following shall be substituted, namely :—

“(1-a) Subject to the provisions of sub-rule (2), every Government Teacher other than a Government Teacher mentioned in sub-rules (1-d) and (1-e), shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty two years :

Provided that on attaining the age of sixty two years above mention Government Teacher, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month.

Explanation— For the purpose of this sub-rule, “Government Teacher” means a Government Teacher, other than a Government Teacher mentioned in sub-rules (1-d) and (1-e), by whatever designation called, appointed for the purpose of teaching in a Government educational institution in accordance with the recruitment rules applicable to such appointment and shall also include a teacher who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than twenty years; provided that he holds a lien on the post in the concerned Government educational institution”.

(iii) For sub-rule (1-c), the following shall be substituted, namely :—

“(1-c) (a) Subject to the provisions of sub-rule (2), every member of the Chhattisgarh Veterinary (Gazetted) Service appointed to a ‘veterinary medical’ post mentioned in Schedule-I to the Chhattisgarh Veterinary Service (Gazetted) Recruitment

and no lien on the post shall be held by him in the concerned Veterinary Medical Service.

Rules, 1966 shall retire from service on the afternoon of the last day of the month in which he attains the age of 62 years :

Provided that on attaining the age of sixty two years every above mentioned member of the above mentioned Rules, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty two years.

Explanation— For the purpose of this sub rule "a member of the Chhattisgarh Veterinary Services (Gazetted)" means a Government servant, by whatever designation called, appointed as a veterinary medical officer or specialist in accordance with the recruitment rules applicable to such appointment and shall also include such veterinary medical officer or specialist who is appointed to an administrative post by promotion or otherwise and who has served as veterinary medical officer or specialist for not less than twenty years, provided he holds a lien on the post in concerned Chhattisgarh Veterinary Services (Gazetted).

- (b) The increase of age of superannuation from sixty years to sixty two years in clause (a) shall be deemed to have come into force from 1st of September, 2008."

- (iv) For sub-rule (1-d), the following shall be substituted, namely :—

- "(1-d) (a) Subject to the provisions of sub-rule (2), a member of Chhattisgarh Medical Education (Gazetted) Services (excluding General Duty Medical Officer, Assistant Superintendent of Teaching Hospital and Dental Surgeon) appointed to a medical teacher post mentioned in Schedule-I to the Chhattisgarh Medical Education (Gazetted) service Recruitment Rules, 1987 and a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Services appointed to an Ayurvedic Teacher Post, mentioned in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987 shall retire from service on the afternoon of the last day of month in which he attains the age of sixty five years :

Provided that on attaining the age of sixty five years the above mentioned member of the said Rules, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month.

Explanation-I For the purpose of this sub-rule "a member of the Chhattisgarh Medical Education (Gazetted) Services" means a Government servant, by whatever designation called, appointed for the purpose of teaching in Government Medical College, in accordance with the recruitment rules applicable to such appointment and shall also include the medical teacher who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than twenty years, provided he holds a lien on the post in concerned Medical Education Service.

Explanation-II- For the purpose of this sub-rule "a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Services Recruitment Rules, 1987" means a Government servant, by whatever designation called, appointed for the purpose of teaching in Government Ayurved College, in accordance with the recruitment rules applicable to such appointment and shall also include the Ayurved teacher who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than twenty years, provided he holds a lien on the post in concerned Ayurved Education Service.

- (b) The increase of age of superannuation from sixty two years to sixty five years in clause (a) shall be deemed to have come into force from 1st April, 2007."
- (v) Sub-rule (1-e), the clause shall be renumbered as clause (a) and after clause (a) of sub-rule (1-e) the following shall be added, namely :—
 "(b) The increase of age of superannuation from sixty two years to sixty five years in clause (a) shall be deemed to have come into force from 1st April, 2012."
- (vi) After sub-rule (1-e) the following shall be added, namely :—
 "(1-f) (a) Subject to the provision of sub-rule (2), every member of the Chhattisgarh Public Health and Family Welfare (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health and Family Welfare (Gazetted) Services Recruitment Rules, 1988, every Member of the Chhattisgarh Public Health (Indian Systems of medicine and Homeopathy) (Gazetted) Services appointed to a medical post mentioned in Schedule I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopath) Recruitment Rules, 1987, every member of the Chhattisgarh Employees State Insurance Services (Gazetted) appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Employees State Insurance Services (Gazetted) Recruitment Rules, 1981 and a member of the Chhattisgarh Medical Education (Gazetted) Services appointed to a General Duty Medical Officer, Assistant Superintendent of teaching Hospital or Dental Surgeon mentioned in Schedule I to the Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987 shall retire from service on the afternoon of the last day of the month in which he attains the age of 65 years :

Provided that on attaining the age of sixty five years, a member of the abovementioned Services in the above mentioned posts, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month.

Explanation-I For the purpose of this sub-rule "a member of the Chhattisgarh Public Health & Family Welfare (Gazetted) Services", "A Member of Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Services"

a member of the Chhattisgarh Employees State Insurance Services (Gazetted) and a member of the Chhattisgarh Medical Education (Gazetted) Services means a Government servant, by whatever designation called, appointed as Medical Officer or Specialist in accordance with the recruitment rules and shall also include such Medical officer or Specialist who is appointed to a administrative post by promotion or otherwise, provided he holds a lien on a Medical post in concerned the Chhattisgarh Public Health & Family Welfare (Gazetted) Services or the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) service or Chhattisgarh Employees State Insurance Services (Gazetted) or Chhattisgarh Medical Education (Gazetted) Services.

- (b) The provision of clause (a) shall be deemed to have come into force from 1st April, 2013."

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2012-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 99]

रायपुर, मंगलवार, दिनांक 25 फरवरी 2014 — फाल्गुन 6, शक 1935

विधि और विधायी कार्य विभाग

मंत्रालय, महानदी भवन, कैपिटल कॉम्प्लेक्स, नया रायपुर

रायपुर, दिनांक 25 फरवरी 2014

क्रमांक 1929/डी. 34/21-अ/प्रारू./छ. ग./14. — छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 22-02-2014 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुषमा सावंत, अतिरिक्त सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 4 सन् 2014)

**छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन)
अधिनियम, 2014**

**छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी - आयु) अधिनियम, 1967 (क्र. 19 सन् 1967)
को और संशोधित करने हेतु अधिनियम.**

भारत गणराज्य के पैंसठवें वर्ष में छत्तीसगढ़ विधान मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

- | | | |
|---|----|--|
| संक्षिप्त नाम तथा प्रारंभ. | 1. | <p>(1) यह अधिनियम छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अधिनियम, 2014 कहलाएगा.</p> <p>(2) यह राजपत्र में इनके प्रकाशन की तारीख से प्रवृत्त होगा.</p> |
| छत्तीसगढ़ अधिनियम क्रमांक 19 सन् 1967 की धारा 2 द्वारा यथा प्रतिस्थापित मूलभूत नियम (फंडामेंटल लूट्स) के नियम 56 का संशोधन. | 2. | <p>छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) अधिनियम, 1967 (क्र. 19 सन् 1967) की धारा 2 द्वारा यथा प्रतिस्थापित मूलभूत नियम के नियम 56 में, निम्नलिखित संशोधन निगमित किया जाये, अर्थात् :-</p> <p>(एक) उप-नियम (1) में, शब्द, अंक, कोष्ठक, हायफन तथा विरामचिह्न (1-क), (1-ख) एवं (1-ग) को विलोपित किया जाए.</p> <p>(दो) उप-नियम (1) में, जहां कहीं भी शब्द "साठ" आया हो, के स्थान पर शब्द "बासठ" प्रतिस्थापित किया जाए.</p> <p>(तीन) उप-नियम (1-क), (1-ख) एवं (1-ग) को विलोपित किया जाए.</p> |
| निरसम. | 3. | छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अध्यादेश, 2013 (क्रमांक 2 सन् 2013) एतद्द्वारा निरसित किया जाता है. |

रायपुर, दिनांक 25 फरवरी 2014

क्रमांक 1929/डी. 34/21-अ/प्रारू./छ. ग./14.— भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी -आयु) (संशोधन) अधिनियम, 2014 (क्रमांक 4 सन् 2014) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुषमा सावंत, अतिरिक्त सचिव.

CHHATTISGARH ACT

(No. 4 of 2014)

THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU)

(SANSHODHAN) ADHINIYAM, 2014

An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Sixty-fifth Year of the Republic of India, as follows :-

- | | | | |
|----|-------|--|---|
| 1. | (1) | This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2014. | Short title and commencement. |
| | (2) | It shall come into force from the date of its Publication in the Official Gazette. | |
| 2. | | In Rule 56 of the Fundamental Rules as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967), following amendment shall be incorporated, namely :- | Amendment of Rule 56 of Fundamental Rules as substituted by Section 2 of the Chhattisgarh Act No. 29 of 1967. |
| | (i) | In sub-rule (1), the words, figures, Parenthesis, hyphen and punctuation, (1-a), (1-b) and (1-c) shall be omitted. | |
| | (ii) | In sub-rule (1), for the words, "Sixty" wherever it occurs, the word "Sixty- two" shall be substituted. | |
| | (iii) | Sub-rule (1-a), (1-b) and (1-c) shall be omitted. | |
| 3. | | The Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Ordinance, 2013 (No. 2 of 2013) is hereby, repealed. | Repeal. |

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 220]

रायपुर, बुधवार, दिनांक 8 अप्रैल 2015— चैत्र 18, शक 1937

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नया रायपुर

रायपुर, दिनांक 8 अप्रैल 2015

क्रमांक 3191/डी. 121/21-अ/प्रारू./छ.ग./15.— छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 06-04-2015 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुषमा सावंत, अतिरिक्त सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 10 सन् 2015)

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अधिनियम, 2015

छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) अधिनियम, 1967 (क्र. 29 सन् 1967) को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के छियासठवें वर्ष में छत्तीसगढ़ विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

- संक्षिप्त नाम तथा प्रारंभ. 1. (1) यह अधिनियम छत्तीसगढ़ शासकीय सेवक (अधिवार्षिकी-आयु) (संशोधन) अधिनियम, 2015 कहलाएगा.
(2) यह 1 दिसम्बर 2014 से प्रवृत्त हुआ समझा जायेगा.

छत्तीसगढ़ अधिनियम क्र. 29 सन् 1967 की धारा 2 द्वारा यथा प्रतिस्थापित मूलभूत नियम 56 में, निम्नलिखित संशोधन निगमित किया जाये, अर्थात्:-

2. (एक) उप-नियम (1) में, शब्द “एवं” के स्थान पर, अल्पविराम चिन्ह “,” प्रतिस्थापित किया जाये.
(दो) उप-नियम (1) में, कोष्टक, अंक, हायफन तथा शब्द “(1-च)” के पश्चात्, कोष्टक, अंक, हायफन तथा शब्द “एवं (1-छ)” अंतःस्थापित किया जाये.
(तीन) उप-नियम (1-च) के पश्चात्, निम्नलिखित जोड़ा जाये, अर्थात्:-

“(1-छ) (क) उप नियम (2) के उपबंधों के अध्यधीन रहते हुए, छत्तीसगढ़ पशु चिकित्सा (राजपत्रित) सेवा का प्रत्येक सदस्य, जो छत्तीसगढ़ पशु चिकित्सा सेवा (राजपत्रित)भर्ती नियम, 1966 की अनुसूची-एक में यथा उल्लिखित किसी ‘पशु चिकित्सा’ के पद पर नियुक्त हुआ हो, उस मास के, जिसमें वह पैंसठ वर्ष की आयु प्राप्त कर लें, अंतिम दिन के अपरान्ह में, सेवानिवृत्त हो जायेगा :

परंतु उपरोक्त वर्णित सेवा के उपरोक्त वर्णित पदों के सदस्य, जिसकी जन्मतिथि, किसी मास की पहली तारीख हो, पूर्ववर्ती मास के अंतिम दिन के अपरान्ह में, पैंसठ वर्ष की आयु प्राप्त कर लेने पर, सेवानिवृत्त हो जायेगा.

स्पष्टीकरण - इस उप-नियम के प्रयोजन के लिए “छत्तीसगढ़ पशु चिकित्सा (राजपत्रित) सेवा के किसी सदस्य” से अभिप्रेत है, ऐसा शासकीय सेवक चाहे वह किसी भी पदनाम से जाना जाता हो, जिसे पशु चिकित्सा अधिकारी या विशेषज्ञ के रूप में, ऐसी नियुक्ति को लागू भर्ती नियमों के अनुसार नियुक्त किया गया हो और इसमें ऐसा पशु चिकित्सा अधिकारी या विशेषज्ञ भी सम्मिलित होगा, जो पदोन्नति द्वारा या अन्यथा किसी प्रशासनिक पद पर नियुक्त किया गया हो और जिसने कम से कम बीस वर्षों तक पशु चिकित्सा अधिकारी या विशेषज्ञ के रूप में कार्य किया हो, बशर्ते कि वह संबंधित छत्तीसगढ़ पशु चिकित्सा (राजपत्रित) सेवा में किसी पद पर धारणाधिकार रखता हो.

(ख) खण्ड (क) में अधिवार्षिकी आयु में बासठ वर्ष से पैंसठ वर्ष की, की गई वृद्धि, दिनांक 1 दिसम्बर, 2014 से प्रवृत्त हुई समझी जाएगी.”

रायपुर, दिनांक 8 अप्रैल 2015

क्रमांक 3191/डी. 121/21-अ/प्रारू./छ.ग./15. — भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में इस विभाग की समसंख्यक अधिसूचना दिनांक 08-04-2015 का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुषमा सावंत, अतिरिक्त सचिव.

CHHATTISGARH ACT
(No. 10 of 2015)

THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI -AYU)
(SANSODHAN) ADHINIYAM, 2015

An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967).

Be it enacted by the Chhattisgarh Legislature in the Sixty-sixth Year of the Republic of India, as follows :-

1. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sansodhan) Adhiniyam, 2015. Short title and commencement.
- (2) It shall be deemed to have come into force from the 1st day of December, 2014.
2. In Rule 56 of the Fundamental Rules as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967), the following amendment shall be incorporated, namely :- Amendment of Rule 56 of the Fundamental Rules as substituted by Section 2 of the Chhattisgarh Act No. 29 of 1967.
 - (i) In sub-rule (1), for the word "and", the punctuation comma ",", shall be substituted.
 - (ii) In sub-rule (1), after the parenthesis, figure, hyphen and word "(1-f)", the parenthesis, figure, hyphen and word "and (1-g)" shall be inserted.
 - (iii) After sub-rule (1-f), the following shall be added, namely :-

"(1-g) (a) Subject to the provision of sub-rule (2), every member of the Chhattisgarh Veterinary (Gazetted) Service appointed to the post of 'Veterinary Medical' as mentioned in Schedule-I to the Chhattisgarh Veterinary Service (Gazetted) Recruitment Rules, 1966, shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty five years :

Provided that on attaining the age of sixty five years, a member of the abovementioned service on the abovementioned post, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month.

Explanation - For the purpose of this sub-rule "a member of the Chhattisgarh Veterinary (Gazetted) Services" means a Government Servant, by whatever designation called, appointed as a Veterinary Medical Officer or Specialist in accordance with the recruitment rules as applicable to such appointment and shall also include such Veterinary Medical Officer or Specialist, who is appointed to an administrative post by promotion or otherwise and who has served as Veterinary Medical Officer or Specialist for not less than twenty years provided that he holds a lien on a post in the concerned Chhattisgarh Veterinary (Gazetted) Services.

- (b) The increase of age of superannuation from sixty two years to sixty five years in clause (a) shall be deemed to have come into force from 1st December, 2014."