

# Chhattisgarh Civil Sewa (Samvida Niyukti) Niyam, 2004

CHHATTISGARH

India

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### Rule

### CHHATTISGARH-CIVIL-SEWA-SAMVIDA-NIYUKTI-NIYAM-2004 of 2004

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Chhattisgarh Civil Sewa (Samvida Niyukti) Niyam, 2004 Published vide Notification No. F 9-1/2004/1-3, dated 28.7.2004 Last Updated 18th September, 2019 Notification No. F 9-1/2004/1-3 dated the 28th July, 2004. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of the Chhattisgarh hereby, makes the following rules, namely : -

#### 1. Short title and commencement.

- (i) These rules may be called Chhattisgarh Civil Sewa (Samvida Niyukti) Niyam, 2004. (ii) They shall come into force from the date of their publication in the Chhattisgarh Gazette.

#### 2. Definitions.

- In these rules, unless the context otherwise requires : - (a) In relation to any service or post "Appointing Authority" means the government or the authority who has been conferred with powers to appoint on the service or post, conferred in the recruitment rules regarding the service or post or conferred by the government by general or specific order or later on conferred hereafter. (b) "Government" means the Government of Chhattisgarh. (c) "State" means the Chhattisgarh State. (d) "Departmental Recruitment Rules" means current Service Recruitment rules for appointment on the related service or post. (e) "Commission" means Chhattisgarh Public Service Commission.

### **3. Scope and Application.**

- These rules shall apply regarding each such post and to the persons to be appointed (getting appointment) on the posts being declared as posts on contract appointment by the State Government under these rules (4).

### **4. Posts for Contract Appointment.**

- Subject to anything in the Departmental Recruitment Rules, the government may declare any post for direct recruitment as posts on contract appointment by general or specific order, in the said order for the specified period not exceeding 5 (five) years. But such posts cannot be declared as posts on contract appointment, which are to be filled by promotion i.e. promotion quota. But due to non-availability of government servants for the posts to be filled up by promotion with minimum qualification or due to unavoidable reasons fulfilment of the posts, may not be possible, by promotion, then for that period only, till promotion may not be possible, such posts may be filled by contract.

### **5. Method of Appointment.**

- (i) Declared posts of contract appointment for period declared in order under Rule 4 may be filled by Contract. Contract Appointment may be made by two ways : (a) Contract Appointment by direct recruitment. (b) Contract Appointment of persons are Retired from government service. (ii) Contract appointment may be done by direct recruitment by inviting names of candidates from Employment Exchange offices of the State or by public advertisement. Contract appointment of retired persons from government services can be made through public advertisement or on the basis of his ability and suitability of particular person with concurrence of finance department.

### **6. Selection Committee.**

(a) By direct recruitment for contract appointment selection committee may be the same as prescribed in Departmental Recruitment Rules. For the posts to be filled in by Commission on contract appointment the committee will have any additional Principal Secretary, Chief Secretary or any other equivalent officer nominated by the State Government in place of Chairman Member of the Commission. (b) For constitute Selection Committee provisions of Section 8 of Chhattisgarh Lok Sewa (Anusuchit Jatiyon, Anusuchit Janjatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994 (Sl. No. 21 of 1994) shall also be applicable.

### **7. Age Limi.**

(a) Age limit for Contract appointment by Direct recruitment shall be the same as prescribed in Departmental Recruitment Rules for the same related posts or services, but orders instructions issued relating to relaxations in age limit by the General Administrative Department from time to time shall be apply for contract appointment. (b) Contract appointment to retired persons shall be

maximum to the age of 65 years.

## **8. Eligibility and qualifications for appointment.**

- Eligibility and qualifications for contract appointment shall be the same as prescribed in the rules 5 and 6 of the Chhattisgarh Civil Services (General Conditions of Service) Rules, 1961.(a)For contract appointment by direct recruitment minimum academic qualifications and other qualifications shall be the same as prescribed for the same post in Departmental Recruitment Rules.(b)In case of Contract appointment of retired persons, academic qualifications shall not be binding for appointment to equivalent post to which he was holding before his retirement.

## **9. Reservations.**

- Chhattisgarh Lok Sewa (Anusuchit Jatiyon, Anusuchit Janjatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994 and rules/instructions issued herein shall apply to all posts of contract appointment by direct recruitment. Besides reservation rules/instructions in force for women and handicapped, etc. in force shall also be applicable.

## **10. Pay.**

- (i) Monthly lump-sum pay shall only be payable in Contract Services. In addition to it no special pay. D.A. Compensation allowance. HRA, etc. will be paid; and have not eligibility for annual increment under contract appointment.(ii)Determination of monthly lump-sum pay shall be as follows :(a)In case of contract appointment by direct recruitment monthly lump-sum pay shall be as fixed by the general or specific orders issued from time to time by the Finance Department. But this pay shall never exceed the total or minimum basic pay and DA payable on 1st January of the year of appointment of the similar post on which the contract appointment is made.(b)Determination (Fixation) of monthly lump-sum pay, in case of contract appointment of retired person shall be fixed after deducting the total amount of pension and relief amount on pension payable to him to the total amount of his basic pay, DA., HRA. TCA (if payable) payable to him at the time of his retirement. That shall be eligible separately for pension and relief amount on pension.

## **11. Period of Appointment.**

- Normally contract appointment shall be merely for a year. The department may take decision to extend the period of appointment as per the necessity and on assessing the suitability of the person appointed on contract. On expiry of the period of the Contract appointment, automatically contract appointment shall stand terminated.

## **12. Eligibility for leave.**

- (i) Employee, appointed on contract by direct recruitment, shall be eligible for 18 days casual leave and 3 days optional leave in each calendar year. In case of appointment in the middle of the year, or

on termination of his service, eligibility for casual leave shall be calculated for full completed months on proportional basis. Incomplete day shall be adjusted/rounded with the next full day in calculation. Calendar year means actual service of 12 months in vocational departments.(ii)Retired person appointed on contract, shall be eligible for leave as per the temporary government servant.

### **13. Travelling Allowances.**

- (i) Person, appointed on contract by direct recruitment shall be eligible for T.A. equivalent to the government servant of the similar post, he holds.(ii)Retired persons shall be eligible for T.A. in the same way as he was availing immediately before his retirement.

### **14. Other Conditions.**

- (i) Persons appointed on contract shall be governed by the Chhattisgarh Civil Service (Conduct) Rules 1965.(ii)During the course of appointment, either of the parties may terminate the appointment, by giving one month's notice in advance or paying one month's salary in its place.(iii)Persons, appointed on contract, shall not be eligible for any kind of pension, gratuity or death benefit, etc. Whatsoever for the period of service he rendered as a government servant, after termination of his contract appointment.(iv)Confidential Report of the person, appointed on contract shall be written so that his work may be assessed if he is to be re-appointed on contract the next year.(v)Employee, appointed on contract by direct recruitment, shall deposit minimum 10% of his contract amount for social security of his family in L.I.C. pension scheme or PPF and he shall intimate this fact to the appointing authority that which of the two schemes he has opted.

### **15. Interpretation.**

- Any question if arises regarding interpretation of these rules, the decision of the Governor shall be final on it.

### **16. Repeal and savings.**

- All the rules and instruction corresponding to these rules which were enforce immediately before the commencement of these rules are hereby repealed :Provided that any order made or action taken under the rules deemed to have been made or taken under the corresponding provisions of these rules.