The M.P. Municipal Services (Scale of Pay and Allowances) Rules, 1967

MADHYA PRADESH India

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Rule

THE-M-P-MUNICIPAL-SERVICES-SCALE-OF-PAY-AND-ALLOWANCES of 1967

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The M.P. Municipal Services (Scale of Pay and Allowances) Rules, 1967Published vide Notification No. 5917-7792-18-U-2-PG-67, dated 31-8-1967, M.P. Rajpatra (Asadharan), dated 29-9-1967In exercise of the powers conferred by sub-section (1) and item (b) of clause (iv) of sub-section (2) of Section 355 read with Section 95 of the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (3) of Section 356 of the said Act, namely:-

1. Short title and commencement.

- These rules may be called the Madhya Pradesh Municipal Services (Scale of Pay and Allowances) Rules, 1967.

2. Definitions.

- In these rules, unless the context otherwise requires :-(a)"appointed date" means first of April, 1964;(b)"Basic Pay" means the amount drawn monthly by a Municipal employee as pay but shall not include special pay or pay granted in view of his personal qualification which has been sanctioned for the post held by him substantively or in an officiating capacity or to which he is entitled by virtue of his position in a cadre;(c)["Emoluments for fixing pay" means- [Substituted by Notification 213-4848-XVIII-1-75, dated 17-3-1975.](i)In the case of existing employees the amount arrived at by adding the basic pay and the dearness allowance which was being paid to the employees concerned immediately before the appointed date and subtracting from it, the amount of dearness allowance

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granted by the Municipal Council corresponding to the amount of dearness allowance granted by the State Government to their employees after the revision of pay-scales following the recommendations of the Madhya Pradesh Pay Committee, 1960: Provided that in the case of existing employees appointed against posts the pay scales of which have been revised following the revision of pay scales by the State Government on the recommendations of the Madhya Pradesh Pay Committee, I960, the "emoluments for fixing pay will be the basic Pay" only as on the appointed date.(ii)In the case of new entrants appointed against posts created on or after the appointed date on scales of pay other than existing scales the "emoluments for fixing pay will be the basic pay" only on the date of their appointment: Provided that in the case of employees appointed on posts, the pay scales of which arc "existing scales" only "emoluments tor fixing pay" will be arrived at the adding the basic pay with the dearness allowance, payable to such employees by their Municipal Councils, on the date of their appointment and subtracting from it the amount of dearness allowance granted by the State Government to their employees after the revision of pay scales following the recommendations of the Madhya Pradesh Pay Committee, 1960. Additional or extra dearness allowance or additions to pay if granted by the Municipal Council to their "employees in the nature of interim relief will also be subtracted].(d)"Existing employee" means an employee of a Municipal Council in its service immediately before the appointed date;(e)"Existing posts" means the posts duly sanctioned by the competent authority and in existence immediately before the appointed date.(f)"Existing pay" means the pay admissible to a Municipal employee immediately before the 'appointed date';(g)"Existing scale" means the scale of pay applicable to a Municipal employee in respect of his substantive or officiating post, as the case may be, immediately before the 'appointed date';(h)"New entrant" means the Municipal employee appointed or deemed to have been appointed on or alter the 'appointed date';(i)"New scale" means the scale applicable to a post included in Schedule III:(j)"Officiating" or "Officiated" refers to periods of service during which the absorbed Municipal employee had actually officiated as also periods during which he would have officiated but for the following causes:-(i)leave during which, but for the Municipal employee proceeding on such leave he would have continued to officiate on the same post or a post on the same time scale;(ii)appointment to higher post during which, but for such appointment the Municipal employee would have continued to hold such post; (iii) appointment to another post during which the conditions necessary' for eligibility of the benefit of the next below rule would operate; (iv) suspension followed by re-instatement in the same post, here period of suspension is treated as period spent on duty or leave; (v) deputation on training, during which period the Municipal employee would be considered as on duty and would have officiated in the post, but for such deputation; (vi) leave and such joining time during which the Municipal employee would have continued to hold the same post;(k)"Post of absorption" means the post included in a cadre or otherwise than in a cadre in which a Municipal employee is absorbed or is deemed to have been absorbed, irrespective of whether the post is permanent or temporary(l)"President scale" means the scale of pay applicable to a Municipal employee in respect of his substantive or officiating post, as the case may be, immediately before the date these rules are published in the "Madhya Pradesh Rajpatra";(m)"Present Posts" means the posts duly sanctioned by the competent authority and in existence immediately before the date these rules are published in the "Madhya Pradesh Rajpatra";(n)"Present Pay" means the pay admissible to a Municipal employee immediately before the date these rules are published in the "Madhya Pradesh Rajpatra";(o)"Special Pay" means an addition, of the nature pay, to the emoluments of a post or of a Municipal employee, granted in

consideration of-(a)the special arduous nature of the duties; or(b)a specific addition to the work or responsibility.

3. Classification of Municipal Councils.

- For the purposes of these rules, the Municipal Councils and Notified Area Committees are classified as follows:-Class A-Municipal Councils having an annual income of Rs. 5 lakhs or more. Municipal Councils having annual income of Rs. 20 lakhs or more will be designated by symbol AAClass B-Municipal Councils having an annual income of Rs. 1 lakh or more but less than Rs. 5 lakhs.Class C-Municipal Councils having an annual income of less than Rs. 1 lakh, and all Notified Area Committees.Explanation. - For the purposes of this rule the annual income of any Municipal Council/Notified Area Committee will be its gross actual annual income less loans, deposits and grants-in-aid for specific purposes.

4. Actual classification.

- The actual classification of the existing Municipal Councils will be as per Schedule I. The classification will generally stand for a period of 5 years from the date of publication of these rules in the Gazette. The classification will be reviewed from time to time and will be based on the average of the gross actual income for the preceding 5 years: Provided that the classification of any Municipal Council in a higher class than its existing one will not confer any right on the employees of such Municipal Council for an upward revision of pay-scales applicable to them before such review.

5. Classification not to be changed.

- The State Government will have power not to change the classification of any Municipal Council even if the actual annual income for the preceding five years of that Municipal Council may require re-classification as per Rule 4.

6. Departmental set up and designations of posts.

- The office of a Municipal Council may consist of the departments as mentioned in Schedule II. Each such department may consist of the posts as mentioned in Schedule III. The State Government may add to or delete any post in Schedule III, in consultation with the Municipal Council concerned. The set up prescribed in Schedule III shall be deemed to have taken effect from the "appointed date".

7. Equation of posts.

- The present posts in each Municipal Council will be equated with the posts mentioned in Schedule III as per Schedule IV. The State Government will have the power to add, delete or make any amendment in the equation of the post made and shown in Schedule IV after consulting the Municipal Council concerned. Posts other than those of whose equation has been made as per

Schedule IV will continue to be designated as at present until their designation is altered by the State Government.

8. Absorption.

- Except for posts mentioned in sub-section (4) of Section 94 of the Madhya Pradesh Municipalities Act, 1961 and such other posts as may be specified under this section and the posts of Chief Municipal Officer, Health Officer and Engineer mentioned in Sections 87 (1) and 88 (I) of the said Act, the employees working on any post, of which equation has been made as per Rule 7, will be absorbed against such equated posts as follows:-(i)Those who have pul in at least 5 years service on their present posts on the appointed date will be absorbed against posts with which their present posts are equated as per Rule 7, irrespective of the fact whether or not they possess the minimum qualifications of such posts as prescribed in Schedule III.(iii) Those who have put in less than 5 years service on their present posts but possess the minimum qualification for the posts as prescribed in Schedule III with which their existing posts are equated under Rule 7 will be absorbed against such posts.(iii)Employees other than those covered by sub-rules (i) and (ii) above will be screened by the District Selection Committee. If the Committee considers such employees suitable for posts, against which their present posts are equated, they will be absorbed against such posts. If such employees arc not considered suitable by the Committee, they will be absorbed against posts in that Municipal Council which is found suitable by the Committee. The present pay and present scale of such employees will, however, be protected.(iv)The order of absorption will be communicated by the Chief Municipal Officer to each employee by his Municipal Council in the form appended to these rules in Schedule V separately in respect of his officiating and substantive posts. The acknowledgement of the employee in the prescribed form with date of receipt of order as absorption by him will be kept in the personal custody of the Chief Municipal Officer.

9. Absorption of employees holding certain equated posts.

- The absorption of employees working at present on posts equated according to Rule 7:-(i)with posts mentioned or specified in sub-section (4) of Section 94 of the Madhya Pradesh Municipalities Act, 1961; and(ii)with the posts of Chief Municipal Officer, Health Officer and Engineer mentioned in Section 87 (1) of the said Act, will be made against the posts mentioned in Schedule III as per orders of the State Government in the Local Government (Urban) Department passed in each individual case: Provided that if the State Government does not consider any employee lit to be absorbed on any post mentioned in clauses (i) and (ii) above his case will be referred to the District Selection Committee for absorption according to Rule 8 (iii).

10. Absorption of employees holding unequated post.

- Employees working on posts on which equation has not been made as per Rule 7 will be absorbed against their present posts.

11. [Constitution of the District Selection Committee. - (1) The District Selection Committee referred to in clause (iii) of Rule 8 shall consist of:-

(i) the Deputy Director of Local Bodies within whose jurisdiction the Municipality concerned is situated-Chairman.(ii)the Chief Municipal Officer of the Municipal Council concerned or where the Chief Municipal Officer of the Municipal Council concerned is the senior most Chief Municipal Officer amongst the Chief Municipal Officers of the Municipal Councils in the district in which the Municipality concerned is situated, the Chief Municipal Officer next in seniority to the said senior most Chief Municipal Officer amongst the Chief Municipal Officers of the Municipal Councils in the district is which the Municipality concerned in situate-Member-Secretary. (iii) the senior most Chief Municipal Officer amongst the Chief Municipal Officers of the Municipal Councils in the district in which the Municipality concerned is situate-Member.(iv)where absorption pertains to the teachers of Higher Secondary Schools, the District Education Officer of the District concerned-Member. (v) where absorption pertains to college teachers, two specialists in the subject concerned nominated by the Kulpati of the University to which the college concerned is affiliated-Member.(vi)where absorption pertains to a Principal of College an officer nominated by the Director of Collegiate Education, Madhya Pradesh-Member.(2)The Chairman of the District Selection Committee shall, as he deems necessary, have the power :-(a)to call for such relevant service record of the individual concerned; and(b)to consult specialists in case of technical posts].

12. Representations and applications for review.

(1)Representation against absorptions of the employees made as per Rule 8 against posts equated under Rule 7 will be submitted to the Commissioner of the Division in which the Municipal Council is situate within a period of 30 days from the date of communication of the order of absorption. The decision of the Commissioner of the Division on such representations will be final.(2)The orders made in the case of employees absorbed according to the provisions contained in Rule 9 may, on the application of the employee concerned made within the periods specified in sub rule (1) be reviewed by the State Government and its decision thereon shall be final.

13. Scales of pay.

- The scales of pay of the posts mentioned in Schedule 111 will be as given in that Schedule. Scales of pay of posts not mentioned therein will remain unchanged provided that the Government will have power to alter the pay scales as and when considered necessary.

14. Election.

- The pay-scale applicable as from the appointed date to a Municipal employee who is absorbed as per Rules 8 and 9 against a post of which equation has been made as per Rule 7 will be the new scale prescribed in Schedule III of that post :Provided that such absorbed Municipal employee may elect to retain his present scale :Provided further that such absorbed Municipal employee may elect to retain his present scale only up to the date of his increment immediately following the appointed

date or the Date of his appointment whichever is later.

15. Procedure of election.

(1)The election under proviso to Rule 14 shall be exercised by an absorbed employee within six months from the date of communication of the order of absorption: Provided that Municipal employees who have left service on or after the appointed date but before the publication of these rules may also exercise election within six months from the date of communication of the order of absorption. Election once exercised is final: Provided further that the State Government will have power to grant extension in the period for exercise of election. (2) The prescribed form of option appended to these rules in Schedule VI should be submitted to the Chief Municipal Officer of the concerned Municipal Council, who will issue an acknowledgement over his own signature showing the date on which the form was presented to him. Officiating Municipal employees will have to make two separate elections one each for their substantive and officiating posts.

16. Fixation of strength.

- Despite absorption of existing employee as per foregoing rules, the State Government shall have the power to lay down the strength of the staff in each category in a Municipal Council and to declare existing staff over and above prescribed strength as excessive in accordance with Section 325 of the Madhya Pradesh Municipalities Act, 1961.

17. Fixation of pay.

- The pay of an employee absorbed as per foregoing rules against posts included in Schedule III, who does not elect to retain his present scale or who would be deemed to have come on new scale will be fixed in the new scale on the appointed date or on the date of increment immediately following the appointed date as per his election as follows:-(1)Where "the emoluments for fixing pay" of an employee arc below the minimum of the new scale applicable to him, he shall be placed at the minimum of the new scale.(2)In other cases, the basic pay of an employee in the new scale will be fixed at the stage equal to or if there is no such stage, at the stage next above the "emoluments for fixing pay".(3)The date of next increment in the new scale will remain unaltered: Provided that in the case of a new entrant the pay will be fixed in the 'new scale' on the date of his appointment or on the date of his increment next follows this date as per his election.

18. Checking of the fixation of pay.

- The actual fixation of pay in the new scale will be made by the Chief Municipal Officer of the Municipal Council concerned and will be checked in audit by the Local Fund Audit Department. Any excess payment found to have been made and discovered in audit will be recoverable from the pay of the Municipal employee concerned.

19. Dearness allowance in respect of present scales.

- The rate of dearness allowance admissible to employee electing to retain their present scale will continue to be the same as in force in the Municipal Council where the employee is posted on the date these rules are published in the Madhya Pradesh Gazette: Provided that interim relief by way of additions to pay or additions to dearness allowance or otherwise, if any, granted to its employees by any Municipal Council after the appointed date will not be payable save the interim relief up to Rs. 5 per mensem paid by the concerned Municipal Council to its employees in receipt of pay up to Rs. 200 per mensem on or after the date 1-1-1964.

20. Dearness allowance relating to new scales.

(1)The rale of dearness allowance admissible to those whose pay would be fixed or would be deemed
to have been fixed in the new scale will be as follows :-On pay up to including Rs. 150
p.mRs. 15 per mensem.On pay from Rs. 151 to Rs. 201 p.mRs. 20 per mensem.On
pay from Rs. 200 to Rs. 300 p.mRs. 15 per mensem.On pay from Rs. 301 to Rs. 480
p.mRs. 20 per mensem.On pay from Rs. 481 to Rs. 500 p.mThe amount of which
pay falls short of Rs. 500.(2)The interim relief up to Rs. 5, if any, granted by Municipal Councils to
their employees in receipt of pay up to Rs. 500 on or after the 1st October, 1965, will be absorbed to
the extent possible in the increase in emoluments due to fixation of pay in new scales. Unabsorbed
portion of the said interim relief, if any, will be absorbed in future increments.(3)In cases where the
pay of an employee is fixed at the maximum of the new scale and the increase in emoluments is not
enough to absorb the entire amount of the said interim relief the difference will continue to be paid
to such employees as additional dearness allowance.

21.

The State Government will have power to alter the existing rates of dearness allowance either generally or in respect to a particular Municipal Council as and when it so considers necessary.

22.

Every Municipal Council will pay to its employees electing for the new scales emoluments according to new scales either from the 1st April, 1964 or from the 1st April, 1966 as it may decide: Provided that in the case of new entrant payments as per new scales will begin from the date of his appointment or from the date the Municipal Council decides to pay to its employees the new scales whichever is later.

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[See Rule 4] Classification of Municipal Councils Municipalities of Class 'AA'

1. Burhanpur, 2. Bilaspur, 3. Chhindwara. 4. Dewas, 5. Damoh, 6. Durg, 7. Dhamtari, 8. Khandwa. 9. Murwara (Kalni), 10. Mandsaur, 11. Morena, 12. Neemuch, 13. Sagar, 14. Satna, 15. Ratlam, 16. Raigarh. 17. Rajnandgaon.

Municipalities of Class "A"

1. Ashoknagar, 2. Ambah, 3. Ambikapur, 4. Alirajpur, 5. Ashta, 6. Agar, 7. Bina (Itawa), 8. Burwah, 9. Barwani, 10. Biaora, 11. Barnagar, 12. Bhind. 13. Belul, 14. Balaghar, 15. Batapara, 16. Chhatarpur, 17. Dalia, 18. Dabra. 19. Dhar, 20. Guna, 21. Gohad, 22. Ganj Basoda, 23. Gadarwara, 24. Hoshangabad, 25. Harda, 26. Itarsi, 27. Jagdalpur, 28. Jaora, 29. Jaura, 30. Khargone, 31. Khurai, 32. Kharsia, 33. Khachrod, 34. Kuksi, 35. Manilla, 36. Multai, 37. Mungeli, 38. Mahidpur, 39. Narsimhapur, 40. Nagda, 41. Pandurna, 42. Piparia. 43. Rewa, 44. Seoni, 45. Shivpuri, 46. Schore. 47. Sabalgarh, 48. Sanawad, 49. Sakti, 50. Sarangpur, 51. Sendhwa, 52. Shahdol, 53. Shajapur, 54. Sheopur Kalan, 55. Shujalpur, 56. Sironj, 57. Sihora, 58. Tikamgarh. 59. Vidisha, 60. Wara-Seoni.

Municipalities of Class "B"

1. Arang, 2. Alot, 3. Anjar, 4. Baikunlhpur, 5. Bareli, 6. Baloda Bazar, 7. Begumganj, 8. Berasia, 9. Betul Bazar, 10. Bag Bahara, 11. Bhanpura, 12. Bhander. 13. Bhaurasa. 14. Badnawar, 15. Bhikangaon, 16. Chachoda-Binagani, 17 Chanderi, 18. Champa, 19. Chhota Chhindwara (Gotegaon). 20. Garhakota, 21. Deori, 22. Dharampuri, 23. Dhamnod, 24. Dongargarh, 25. Depalpur, 26. Garoth, 27. Gobranawapara, 28. Hatpipliya, 29. Halta, 30. Ichhawar, 31. Jamai, 32. Jawad, 33. Jashpurnagar, 34. Jhabua, 35. Jobal, 36. Janjgimela, 37. Kareli, 38. Kawardha, 39. Karera, 40. Kasrawad, 41. Kilchipur, 42. Khetia, 43. Khategaou, 44. Khairagarh, 45. Kota, 46. Kannod, 47. Katangi (Balaghat), 48. Ranker, 49. Kolaras, 50. Kurwai, 51. Lahar, 52. Manendragarh, 53. Manasa, 54. Mungawali, 55. Manawar, 56. Mandleshwar, 57. Mahasamund, 58. Maihar, 59. Maharajpur, 60. Maheshwar, 61. Mehhgaon, 62. Malhargarhli, 63. Nowgong, 64. Nainpur, 65. Narsingarh, 66. Nalkheda, 67. Narayangarh, 68. Panna, 69. Panagar, 70. Petlawad, 71. Pichhor, 72. Rampura, 73. Rajpur, 74. Rajgarh, 75. Raghogarh, 76. Raisen, 77. Ramanujganj, 78. Rehli, 79. Sardarpur Rajgarh, 80. Sarangarh, 81. Seoni-Malwa, 82. Sohagpur, 83. Sonkutch, 84. Sausar, 85. Sidhi, 86. Sailana, 87. Sanwer, 88. Silamau, 89. Susnner, 90. Shamgarh, 91. Tal, 92. Tarana, 93. Thandla. 94. Timarni, 95. Umaria, 96. Vijaypur, 97. Bemetra.

Municipalities of Class "C"

1. Amla, 2. Bagli, 3. Balod, 4. Bamor, 5. Badi, 6. Banda, 7. Bijawar, 8. Birsinhapur, 9. Chhuikhadan, 10. Gormi. 11. Jethari, 12. Kodagaon, 13. Katangi (Jabalpur), 14. Rahatgarh, 15. Tildanewara. 16. Jetwara (Satna), 17. Shahhpura (Khandwa).

Notified Area Committees

1. Kotma, 2. Burhar, 3. Beohari, 4. Dhanpuri, 5. Chandia, 6. Naurojabad, 7. Harsud, 8. Harpalpur, 9. Kelaras, 10. Mauganj, 11. Nagod, 12. Uchehara, 13. Pichhor, 14. Sewrha, 15. Takhatpur, 16. Jatara, 17. Niwari, 18. Chirimiri, 19. Dongarparasia, 20. Dhharamjavgarh, 21. Amarwara, 22. Amarpatan, 23. Dindori, 24. Mhowgaon, 25. Patan, 26. Govindgarh, 27. Piploda, 28. Mihoba, 29. Mau, 30. Alampur, 31. Akoda, 32. Khujner, 33. Jirapur, 34. Ranipur, 35. Sarni Thermal Power Station, 36. Lakhnadaun, 37. Palharia, 38. Gadhi Malhara, 39. Maksi, 40. Laundi, 41. Udaipura, 42. Pachor, 43. Naigarhi, 44. Jhagrakhand, 45. Pathalgaon, 46. Khaniadhana, 47. Baikunthpur, 48. Majhauli, 49. Rampur Vaghelan, 50. Naya Baradwar, 51. Barod, 52. Hanumana, 53. Bijuri, 54. Shahpur, 55. Mangawan, 56. Sirmaur, 57. Kantaphod, 58. Anunpur, 59. Shapura, 60. Pasan, 61. Semariya, 62. Pali, 63. Madhavgarh, 64. Sehora. 65. Khargapur, 66. Mundi, 67. Daboh, 68. Soyatkalan, 69. Chandia, 70. Barigarh, 71. Prithvipur, 72. Kotar, 73. Ratanpur, 74. Chakghat.

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(See Rule 6)Departments of Municipal Council

- 1. General Administration Department.
- 2. Revenue Department.
- 3. Medical and Public Health Department.
- 4. Public Works Department.

- **5. Water Works Department**
- 6. Work-shop Department.
- 7. Fire Brigade Department.
- 8. Education Department.

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(See Rule 6)Statement Regarding Name of Posts, Pay Scales and Qualifications of The Municipal Employees(Not reproduced here).

IV

(See Rule 7)Statement Showing Equation of Present Posts in the New Set up(Now reproduced here).

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- 2. Shri...... who has been officiating/had officiated on the post of......with effect from......to.....shall be deemed to be holding purely in an officiating/temporary capacity the post of in the new scale until further orders.
- 3. The order of absorption will take effect from the appointed date or the Date of appointment whichever is later.

VI

(See Rule 15)Form of ElectionI,	hereby elect the new scale for my post or absorption	
(substantive/officiating) with effect from 1-4-1964/my date of annual increment immediately		
following 1-4-1964.I,hereby elect my	present scale of pay Rsfor my post of absorption	
(substantive/officiating)	Signature of the employeewith	
designation.PlaceDate	Name of Municipal Councilwhen	
employed.Note 1. Strike out whichever is inapplicable.		

2. Separate form of election should be used for substantive/officiating post of absorption.

Form of AcknowledgementAcknowledge the receipt this day the of 19....... of the form of election duly filled in and signed by Shri...... in respect of his substantive/officiating post of absorption.Place......Date......Signature of Chief MunicipalOfficer, Municipal Council.[Substituted by Notification No. 127-XVIII-I-80, dated 27-2-1980.]