

The Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967

CHHATTISGARH

India

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Act 29 of 1967

- Published on 6 April 2015
- Commenced on 6 April 2015
- [This is the version of this document from 6 April 2015.]
- [Note: The original publication document is not available and this content could not be verified.]

The Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (C.G. Act No. 29 of 1967) Last Updated 1st November, 2019 Received the assent of the Governor on the 22nd December, 1967; assent first published in the "Chhattisgarh Gazette (Extra-ordinary)", dated 23-12-1967, at page 3144. An Act to provide for the age of superannuation of Government servants in the State of Chhattisgarh and for certain matters connected therewith. Be it enacted by the Chhattisgarh Legislature in the Eighteenth Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967.

2. Amendment of Fundamental Rules.

- For Rule 56 of the Fundamental Rules applicable to the State of Chhattisgarh as substituted by Section 3 of the Chhattisgarh Shaskiya Sevak Anivarya Seva Nivritti Ka Vidhi Manyatakaran Adhiniyam, 1967 (No. 5 of 1967) (hereinafter referred to as 'the said Act') the following Rule shall be substituted, namely :-

56. [Age of Superannuation. - [(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.] [Substituted by C.G. Act No. 25 of 2013, dated 30.7.2013.](1a)[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 leaching for not less than twenty years, provided that he holds a lien on the post in the concerned Government educational institution.] [Substituted by C.G. Act No. 25 of 2013, dated 30.7.2013.](1-b) Subject to the provisions of sub-rule (2), every Class IV Government Servant 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 a Class IV Government Servant 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.[(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 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.]](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-1 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. [(1-e) (a) 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 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.] [Inserted by C.G. Act No. 12 of 2012, dated 12.4.2012.] (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.] [Added by C.G. Act No. 25 of 2013, dated 30.7.2013.] [(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 above-mentioned 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 Homoeopathy)"(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 an 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.](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 above-mentioned service on the above-mentioned 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.](2)(a)A Government servant may, in the public interest, be retired at any time after he has completed 20 years qualifying service, or he attains the age of fifty years, whichever is earlier, without assigning any reason by giving him a notice in writing.(b)The period of such notice shall be three months :Provided that such Government Servant may be retired forthwith and on such retirement the Government Servant shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of notice at the same rates at which he was drawing them immediately before his retirement or, as the case may be, for the period by which such notice falls short of three months.] [Added by C.G. Act No. 10 of 2015, dated 6.4.2015.]

3. Amendment of the Chhattisgarh District and Sessions Judges (Death-cum-Retirement Benefits) Rules, 1964.

- For sub rule (1) of Rule 2 of the Chhattisgarh 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 Rule') 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 Chhattisgarh 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 Chhattisgarh Judicial Services (Classification, Recruitment and Conditions of Service) 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, 1.958 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 Judges shall be governed by the provisions of Fundamental Rule 56 as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967) as amended from time to time.

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[* * *][Schedule][Added by C.G. Act No. 25 of 2013, dated 30.7.2013.][Substituted by C.G. Act No. 25 of 2013, dated 30.7.2013.][Substituted by C.G. Act No. 25 of 2013, dated 30.7.2013.]