

The M.P. Panchayat Adhyapak Samvarg (Employment and Conditions of Services) Rules, 2008

MADHYA PRADESH

India

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Rule

THE-M-P-PANCHAYAT-ADHYAPAK-SAMVARG-EMPLOYMENT-AND-C of 2008

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The M.P. Panchayat Adhyapak Samvarg (Employment and Conditions of Services) Rules, 2008 Published vide Notification No. F-1-3-2008-22-P-2, dated 11-9-2008, M.P. Rajpatra (Asadharan), dated 11-9-2008 at pp. 1112 (5)-(10) In exercise of the powers conferred by sub-section (1) of Section 95 read with sub-section (2) of Section 70 of the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), the State Government, hereby makes the following Rules, the same having been previously published in Madhya Pradesh Gazette, dated 13th August, 2008 as required by the sub-section (3) of Section 95 of the said Adhiniyam, namely :

1. Short title and commencement.

(1) These rules may be called the Madhya Pradesh Panchayat Adhyapak Samvarg (Employment and Conditions of Services) Rules, 2008. (2) They shall come into force from the date of the publication in the Madhya Pradesh Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994); (b) "Appointing Authority" in relation to the teacher means the authority specified in column (4) of Schedule-1; (c) "Government" means the Government of Madhya Pradesh; (d) "Qualification" means the qualifications of Adhyapak Samvarg specified in Schedule-II; (e) "Panchayat" means any Jila Panchayat or Janpad Panchayat as the case may be constituted under the Act; (f) "Adhyapak Samvarg" means the person employed or

merged by Zila Panchayat or Janpad Panchayat for teaching in the schools under their control;(g)"Shiksha Karmi" means a person appointed for teaching by the Zila Panchayat or Janpad Panchayat, as the case may be, under the Madhya Pradesh Panchayat Shiksha Karmi (Recruitment and Conditions of Services) Rules, 1997;(h)"Samvida Shala Shikshak" means a person employed/appointed by Zila Panchayat or Janpad Panchayat, as the case may be, under the Madhya Pradesh Panchayat Samvida Shala Shikshak (Conditions of Employment and Contract) Rules, 2005 for teaching in the schools under their control;(i)"Scheduled Castes" means any caste, race or tribe or part of, or groups within a caste, race or tribe specified as Scheduled Castes with respect to the State of Madhya Pradesh under Article 341 of the Constitution of India;(j)"Scheduled Tribes" means any tribe or tribal community or part of or group within a tribe or tribal community specified as Scheduled Tribes with respect to the State of Madhya Pradesh under Article 342 of the Constitution of India;(k)"Other Backward Classes" means the Other Backward Classes of citizen as specified by the State Government vide Notification No. F-8-5-XXV-4-84, dated 26th December, 1994 as amended from time to time;(l)"Schedule" means Schedule appended to these rules; and(m)"State" means the State of Madhya Pradesh.

3. Extent and Application.

- These rules shall apply to every Adhyapak cadre appointed/merged by Janpad Panchayat or Zila Panchayat as the case may be, for all the Schools under their control.

4. Classification and Scale of Pay.

- The classification and scale of pay of the Adhyapak Samvarg shall be such as may be specified in Schedule-I appended to these rules. The number of posts included in the service shall not be altered except prior approval of the State Government in this behalf.

5. Selection and Method of appointment.

- The recruitment in Adhyapak Samvarg after commencement of these rules shall be done in accordance with the following method, namely :-(1)By merger of the Shiksha Karmies appointed under the Madhya Pradesh Panchayat Shiksha Karmi (Recruitment and Conditions of Service) Rules, 1997;Explanation :(i)Shiksha Karmi Grade-1 shall be merged on the post and pay scale of Varishth Adhyapak.(ii)Shiksha Karmi Grade-2 shall be merged on the post and pay scale of Adhyapak.(iii)Shiksha Karmi Grade-3 shall be merged on the post and pay scale of Sahayak Adhyapak.(iv)Every person merged in Adhyapak Samvarg on dated 1-4-2007 while fixing his pay in Adhyapak Samvarg, a person having three year continuous service as a Shiksha Karmi shall be given the benefit of one increment in Adhyapak Samvarg. The date of next increment shall be effective from 1-4-2008.(2)[The Samvida Shala Shikshak shall be appointed on the relevant post of the Adhyapak Samvarg' under the following conditions :- [Substituted by Notification dated 14.12.2017, published in M.P. Government Gazette dated 14.12.2017, Extraordinary, pages 1352 (2) to 1352(4).](a)In the Adhyapak Samvarg, such Samvida Shala Shikshak shall be appointed who has completed the three years contract appointment period and have been found eligible as per the norms specified by the State Government and fixed by the Scrutiny Committee constituted to

consider the eligibility for appointment in Adhyapak Samvarg.(b)Samvida Shala Shikshak Grade-1 shall be appointed as Varishth Adhyapak, Samvida Shala Shikshak Grade-2 as Adhyapak and Samvida Shala Shikshak Grade-3 as Sahayak Adhyapak respectively on minimum of the pay scale of Adhyapak Samvarg. The date of next increment shall be after completion of one year service.(c)In Adhyapak Samvarg such Samvida Shala Shikshak shall be appointed who have acquired the educational and teaching/training qualification as prescribed in Column (3) of the Schedule-II.(d)A committee shall be constituted known as Scrutiny Committee for the appointment of Adhyapak Samvarg which shall consist of the following persons :-

- | | |
|--|------------------|
| (i) Chief Executive Officer, Jila Panchayat | President |
| (ii) Chief Executive Officer, Janpad Panchayat (Concerned) | Member |
| (iii) District Education Officer/Assistant Commissioner. TribalWelfare | Member Secretary |
| (iv) One Officer from the Scheduled Caste/Scheduled Tribe category | Member] |

(3)At the time of appointment/merger, the provisions of 'Madhya Pradesh Lok Seva (Reservation for Scheduled Caste, Scheduled Tribe and Other Backward Classes) Act, 1994 (No. 21 of 1994) and the instructions issued by General Administration Department vide its Notification No.

F-6-l-2002-A.P.-One, dated 19-9-2002 shall be complied with and action shall be taken in pursuance of the orders issued from time to time.

6. [Promotion. [Substituted by Notification dated 14.12.2017, published in M.P. Government Gazette dated 14.12.2017, Extraordinary, pages 1352 (2) to 1352(4).]

- The norms for promotion in Adhyapak Samvarg shall be specified by the Government.

Appointment on promotion shall be made through Departmental Promotion Committee constituted as specified in Schedule-IV. Fixation of the Pay shall be as per rules of Panchayat Department made in this behalf.]

7. Appeal.

- Any person aggrieved by the order passed under these rules shall prefer in appeal to the concerned Appellate Authority as mentioned in the Act.

8. Other Conditions.

(a)A person employed under these rules shall discharge his duties under the administrative and disciplinary control of Zila Panchayat or Janpad Panchayat. Disciplinary Authority for 'Adhyapak Samvarg' shall be :-

S.No.	Adhyapak Samvarg	Disciplinary Authority	Appellate Authority
(1)	(2)	(3)	(4)

1.	Varishth Adhyapak	Appointing Authority/Additional Chief Executive Officer Schooleducation/Tribal Welfare Department as the case may be.	District Collector
2.	Adhyapak	Appointing Authority/Additional Chief Executive Officer,School Education/Tribal Welfare Department as the case may be.	District Collector
3.	Sahayak Adhyapak	Appointing Authority/Additional Chief Executive Officer,School Education,Tribal Welfare Department as the case may be.	District Collector

Note : Disciplinary Authority as specified in column (3) shall exercise disciplinary powers as per specified procedure.(b)A person employed or merged under these rules shall be entitled for leave similar as regular teachers in School Education Department.(c)A person employed under these rules shall be governed by the Madhya Pradesh Panchayat Seva (Conduct) Rules, 1998.(d)The date of superannuation of a person working in the Adhyapak Samvarg shall be 62 years.(e)The conditions for deputation of a person employed under these rules shall be as may be notified by the State Government in this behalf.(f)Dearness allowance and other allowance shall be payable to a person employed under these rules as the State Government notify time to time for Adhyapak Samvarg.(g)[The instruction issued by the State Government from time to time regarding recording of attendance in schools and dress code shall be binding for the person who is appointed or merged these rules. [Added by Notification dated 14.12.2017, published in M.P. Government Gazette dated 14.12.2017, Extraordinary, pages 1352 (2) to 1352(4).](h)The person who is appointed or merged under these rules shall perform the following duties as prescribed in section 24 of the Right of Children to free and compulsory Education Act, 2009 (No. 35 of 2009), namely:-(i)Maintain regularity and Punctuality in attending school;(ii)Conduct and complete the curriculum;(iii)Complete entire curriculum within specified time;(iv)asses the learning ability of each child and accordingly, supplement additional instructions, if any, as required;(v)hold regular meetings with parents and guardians and apprise them about the regularity in attendance, ability to learn, progress made in learning and any other relevant information about the child; and(vi)perform such other duties as may be prescribed.(i)The annual work performance appraisal of a person who is appointed or merged under this rules shall be as may be notified by the state Government in this behalf.]

9. Power of State Government to prescribe.

- The power to prescribe provided under these rules shall be exercised the State Government by issuing executive orders.

10. Interpretation.

- If any question arises as to the interpretation of these rules, the same shall be referred to the Government, whose decision thereon shall be final.

11. Repeal and Saving.

- Madhya Pradesh Panchayat Shiksha Karmi (Recruitment and Conditions of Service) Rules, 1997 is hereby repealed :Provided that orders made or any action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

I

[Rule 2 (b) and Rule 4]Classification and Pay Scale of Adhyapak Samvarg

S.No.	Classification of Adhyapak Samvarg	Pay Scales	Appointing Authority
(1)	(2)	(3)	(4)
1.	Varishth Adhyapak	5000-175-8500	Chief Executive Officer, Zila Panchayat
2.	Adhyapak	4000-125-6500	Chief Executive Officer, Zila Panchayat
3.	Sahayak Adhyapak	3000-100-5000	Chief Executive Officer, Janpad Panchayat

II

[Rule 2 (d)]Educational and Training Qualification for Adhyapak Samvarg

S. No.	Classification of Adhyapak Samvarg	Educational & Teaching Training Qualification	Remarks
(1)	(2)	(3)	(4)
1.	Varishth Adhyapak	Master's degree in II division in concerned subject orequivalent and B.Ed./B.Ed. special Education.	The minimum qualification for Varishth Adhyapak (Sanskrit) ofSanskrit School shall be Acharya degree in II division inSanskrit Literature/Grammar etc. from recognizedInstitution/University.
2.	Adhyapak	Bachelor's degree in second division in concerned subject orequivalent and B.Ed./B.Ed. (Special Education). B.T.C./D.Ed./D.S.E.	The minimum qualification for Adhyapak (Sanskrit) of SanskritSchool shall be Shastri degree in 11 division in SanskritLiterature/ Grammar etc. from recognized Institution/University.
3.	Sahayak Adhyapak	Higher Secondary Certificate Examination or equivalent. AndB.T.C./D.Ed./ D.S.E.	1. The minimum qualification for Sahayak Adhyapak (Sanskrit)of Sanskrit School shall be Utlar Madhyama in SanskritLiterature/Grammar etc. from recognized Institution/Board.2.The minimum

qualification for Sahayak Adhyapak (Music/Tablateacher) shall be certificate in Music from recognized Institution.3. The minimum qualification for Sahayak Adhyapak, (Physical Instructor) shall be certificate of Physical Education from any recognized Institution in addition to Higher Secondary Certificate Examination.

Note-1. The posts of Adhyapak Samvarg shall be filled up by merger of the Shiksha Karmis appointed under the Madhya Pradesh Panchayat Shiksha Karmi (Recruitment and Conditions of Service) Rules, 1997.

2. The Samvida Shala Shikshak appointed under the Madhya Pradesh Panchayat Samvida Shala Shikshak (Employment and Conditions of Contract) Rules, 2005 shall be appointed in the Adhyapak Samvarg after completing the three years Samvida period.

3. No direct recruitment shall be made in the Adhyapak Samvarg.

III

[See Rules 5 and 6] Details of the Posts of the Adhyapak Samvarg

S.No. Adhyapak Samvarg Percentage of post to be filled up by promotion

- | (1) | (2) | (3) |
|-----|-------------------|--------|
| 1. | Varishth Adhyapak | 50.00% |
| 2. | Adhyapak | 50.00% |

Note. - The posts mentioned in Sr. Nos. 1 and 2 shall not be filled up by direct recruitment. After the commencement of these rules, the total number of post available under the direct recruitment cadre shall be filled up by :- (1) The 50% post shall be recruited by direct recruitment of Samvida Shala Grade-1 and Grade-2. (2) Remaining 50% post shall be filled up by the promotion of Varishth Adhyapak and Adhyapak.

IV

[See Rules 2 (d) and 6] Promotion of Adhyapak Samvarg

S. No.	The Designation from which the promotion is to be made	The Designation on which the promotion is to be made	Qualification and experience for promotion	Members of the Departmental Promotion Committee
(1)	(2)	(3)	(4)	(5)
1.	Adhyapak			

	Varishth Adhyapak	[Master's degree in concerned subject or equivalent and Teaching Training Degree/Diploma and minimum seven years experience on the post held and found suitable as per norms and procedure specified by the State Government in this regard.] [Substituted by Notification dated 14.12.2017, published in M.P. Government Gazette dated 14.12.2017, Extraordinary, pages 1352 (2) to 1352(4).]	1. Chief Executive Officer, Zila Panchayat-Chairman 2. District Education Officer or Assistant Commissioner, Tribal/District Organizer, Tribal Welfare Department-Member 3. Principal HSS nominated by DEO /ACTWD- Member 4. One Officer from the Scheduled Caste or Scheduled Tribe-Member.
2	Sahayak Adhyapak	[Bachelor degree in concerned subject or equivalent and Teaching Training Degree/Diploma and minimum 7 years experience on the post held and found suitable as per norms and procedure specified by the State Government in this regard.] [Substituted by Notification dated 14.12.2017, published in M.P. Government Gazette dated 14.12.2017, Extraordinary, pages 1352 (2) to 1352(4).]	1. Chief Executive Officer, Zila Panchayat-Chairman 2. District Education Officer or Assistant Commissioner, Tribal/District Organizer, Tribal Welfare Department-Member 3. Principal HSS nominated by DEO /ACTWD- Member 4. One Officer from the Scheduled Caste or Scheduled Tribe-Member.

Note. - After merging the Shiksha Karmis in Adhyapak Samvarg, the Services rendered by them as Shiksha Karmi shall be calculated for purpose of Promotion/Kramonnati seniority only.

V

Details of number of Posts of the Adhyapak Samvarg

1. Number of Shiksha Karmi shall be merged on the relevant post of Adhyapak Samvarg such number of post deemed to be created in Adhyapak Samvarg.

2. Number of Samvida Shala Shikshak shall be appointed on the relevant post of Adhyapak Samvarg such number of post deemed to be created in Adhyapak Samvarg and same number of post shall be deemed to be abolished from Samvida Shala Shikshak Cadre.