

# **The Chhattisgarh Uchcha Shiksha (Samvida Sewa) Niyam, 2010**

CHHATTISGARH

India

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### **Rule**

### **THE-CHHATTISGARH-UCHCHA-SHIKSHA-SAMVIDA-SEWA-NIYAM-2010 of 2010**

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The Chhattisgarh Uchcha Shiksha (Samvida Sewa) Niyam, 2010 Published vide Notification No. 3083/F 1-49/2009/38-1, dated 15th June, 2010 Last Updated 14th October, 2019 Notification No. 3083/F 1-49/2009/38-1 dated the 15th June, 2010. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Chhattisgarh makes the following rules relating to the Contract Appointment in Chhattisgarh Higher Education Department (Gazetted) Service, namely : -

### **1. Short title, application and commencement.**

(1) These rules may be called the Chhattisgarh Uchcha Shiksha (Samvida Sewa) Niyam, 2010. (2) Without prejudice to the generality of the provisions contained elsewhere in any other rules, these rules shall apply to contract teachers, sports officers and librarians. (3) They shall come into force from the date of its publication in the Official Gazette.

### **2. Definitions.**

- In these rules, unless the context otherwise requires : - (a) "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) "Governor" means the Governor of Chhattisgarh ; (c) "Government" means the Government of Chhattisgarh; (d) "State" means the State of Chhattisgarh; (e) "Departmental Recruitment Rules" means the prevailing Recruitment Rules for concerning service or post; (f) "Commission" means Chhattisgarh Public Service Commission.

### 3. Posts for Contract Appointment.

- Subject to anything in Contract 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 mentioned therein :Provided that such posts cannot be declared as posts for contract appointment, which are to be filled by promotion.Provided further that in case of non-availability of Government servants for the posts to be filled up by promotion with minimum qualification or due to unavoidable reasons, filling of the posts are not possible, such posts may be filled by contract for a period till promotions are made.

### 4. Method of Appointment.

- (I) Declared posts of contract appointment may be filled by contract, for a period mentioned in the order, under rule 3.Contract appointment may be made by two ways.(a)Contract appointment by Direct Recruitment.(b)Contract appointment of retired persons 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.(III)(1) All appointment shall be made by appointing authority, as per merit, from the merit list prepared by the scrutiny committee constituted for this purpose.(2)The Committee shall prepare a merit list of teachers, sports officers and librarian based on the merit marks earned by the candidate.(3)For preparation of merit list, there shall be maximum 100 merit marks, the following criterion be adopted.

(a)	For Ph. D. and NET/SET	50 merit marks
(b)	For M. Phil and NET/SET	40 merit marks
(c)	For NET/SET	30 merit marks
(d)	For Ph. D.	20 merit marks
(e)	For M. Phil	10 merit marks

For marks obtained at Post Graduate level 50 merit marks

(For 55%-5 merit marks, and thereafter 1 merit mark shall be awarded for every percent mark obtained (between 56 to 100).(a)The Appointing Authority shall issue advertisement in newspapers for contract appointment and shall also make arrangements to display the same -(i)In the Public Notice Board of the Principal,(ii)In the Departmental Notice Board of the concerning subject,(iii)In the Notice Board of Local Bodies like Municipal Corporations/ Council etc.,(iv)In the Notice Board of other colleges of the District, while inviting applications.(b)Entries of all the application forms shall be made in a separate Register, it shall be incumbent upon the principal and the concerning

professor to put their signatures in the Register after the last entry and certify the number of forms received.

## **5. Age limit.**

(1) Age limit for contract appointment by direct recruitment shall be made the same as prescribed in Department Recruitment Rules for the same related posts or services, but orders, instructions issued relating to relaxation in age limit by the General Administration Department, from time to time, shall be applicable for contract appointment also. (2) Contract appointment of Retired persons shall be subject to the maximum age of 65 years.

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

(1) The Candidate must have obtained a post graduate degree in the relevant subject with at least 55% marks or an equivalent degree from an Indian University or a Foreign University. There shall be a relaxation of 5% marks for Scheduled Castes and Scheduled Tribes applicants. (2) Must have cleared the Eligibility Test (NET) conducted by U.G.C. or C.S.I.R. OR (SET) examination conducted by the State Government: Provided that the candidates having Ph.D. degree shall be exempted from clearing the above examination and they shall be eligible for teaching at under graduate and post graduate level: Provided further that the candidates having M. Phil degree shall be exempted from clearing the above examination and they shall be eligible for teaching at under graduate level only. Note. - (a) The above essential qualifications must have been acquired on or before the last date of submission of application Form. Educational Qualifications acquired after the submission of application form shall not be entertained and permission for making any correction in the application form shall be given, once it has been sent. (b) In case of non-availability of NET/SET/Ph.D./M. Phil candidates in Tribal Sub-project Areas, selection shall be made based on the merit list prepared on the basis of marks obtained at Post Graduate level.

## **7. Reservation.**

- Chhattisgarh Lok Sewa (Anusuchit Jatiyon, Anusuchit Janjatiyon Aur Anya Pichhade Vargon Ke Liye (Arakshan) Adhiniyam, 1994 (No. 21 of 1994) and rules/instructions issued here in shall apply to all posts of contract appointment by direct recruitment. Besides reservation rules/instructions in force for women and handicapped, etc. shall also be applicable.

## **8. Pay.**

(1) Monthly lump-sum pay shall only be payable in contract services. In addition to it no special pay, D.A., compensation allowances, H.R.A., etc., will be paid; persons appointed on contract shall not be eligible for annual increments. (2) 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 fixed by the general or specific orders issued from time to time by the Finance Department. But this shall not exceed the total or minimum basic pay and D.A. payable on 1st January of appointment of the

similar post.(b)Determination (fixation) of monthly lump-sum pay in case of contract appointment of retired person shall be Basic pay and dearness allowance at the time of retirement (Plus) House Rent Allowance applicable at the place of contract posting (If Government quarter is not occupied) (Plus) City Compensatory Allowance at the place of posting (Minus) Pension (Before Commutation) (Plus) Relief on Pension.

## **9. Tenure of Appointment.**

- The normal tenure for contract appointment shall be for merely a year. The Department may take decision to extend the period of appointment according to necessity and on assessing the suitability of the person appointed on contract. The contract shall stand automatically terminated on the expiry of the contract period.

## **10. Scrutiny Committee.**

- The Scrutiny Committee shall comprise of the following members : -

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|-------|---|------------|
| (i)   | Principal   | - Chairman |
| (ii)  | Head of the Department of the concerning subject                                      | - Member   |
| (iii) | Senior Professor/Assistant Professor of anysubject, to be nominated by the Principal. | - Member   |

(As far as possible, no member shall benominated in more than one Scrutiny Committee).

## **11. Eligibility for Leave.**

- Persons appointed on contract by direct recruitment shall be eligible for 18 days Casual Leave and 3 days of Optional Leave in each calendar year. In case of mid-year appointments, or on termination of service, eligibility for casual leave shall be calculated for full complete months on proportional basis.

## **12. Travelling Allowances.**

(1)Persons appointed on contract by direct recruitment, shall be eligible for T.A. equivalent to the Government Servant, he holds.(2)Retired persons, on contract appointment, shall be eligible for T.A. in the same way as he was availing immediately before his retirement.

## **13. Other Conditions.**

(a)Persons appointed on contract basis shall be governed by the Chhattisgarh Civil Service

(Conduct) Rules, 1965.(b)Appointment shall be made under these rules against vacant posts of existing cadre or higher cadre.(c)Appointment under these rules shall be governed by the prevailing reservation rules applicable for Scheduled Castes, Scheduled Tribes, Other Backward Classes and handicapped persons. The roster for their purpose shall be maintained at State level.(d)Reservation for women candidates shall be done in accordance with the provisions contained in the Chhattisgarh Civil Services (Special Provision for Appointment of Women) Rules, 1997.(e)Under these rules either of the parties may terminate the appointment by giving one month's notice in advance or paying one month's salary in advance.(f)Confidential Report of the person, appointed on contract basis shall be written so that his work may be assessed, if he is to be reappointed on contract, next year.(g)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 P.P.F. and he shall intimate this fact to the Appointing Authority about the scheme he has opted.(h)Retired persons, appointed on contract shall be eligible to retain government quarters and licence fee under Rule 45-A of Chhattisgarh Fundamental Rules shall be recovered from him. He shall be entitled to Medical Reimbursement Facility, like any other Government servant.(i)Other conditions of services may be, as specified in the appointment letter.

#### **14. Interpretations.**

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

#### **15. Repeal and Savings.**

- All rules and instructions corresponding to these rules which were in force immediately before the commencement of these rules are hereby repealed:Provided that any order made or action taken under these rules shall be deemed to e been made or taken under the corresponding provision of these rules.