

The M.P. Municipal Corporations (Appointment and Conditions of Service of Officers and Servants) Rules, 2000

MADHYA PRADESH

India

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Rule

THE-M-P-MUNICIPAL-CORPORATIONS-APPOINTMENT-AND-CONDITI of 2000

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The M.P. Municipal Corporations (Appointment and Conditions of Service of Officers and Servants) Rules, 2000 Published vide Notification No. F. 4-27-97-18-1, dated 9-2-2001, Madhya Pradesh Rajpatra (Asadharan). dated 9-2-2001 In exercise of the powers conferred by Section 433 read with sub-section (1) of Section 58 of the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956) the State Government hereby makes the following rules regulating the set up, strength, recruitment, appointment, scales of pay, allowances and other conditions of service of the officers and servants of the Municipal Corporations of Madhya Pradesh, namely :-

1. Short title and commencement.

(1) These Rules may be called the Madhya Pradesh Municipal Corporations (Appointment and Conditions of Service of Officers and Servants) Rules, 2000. (2) They shall come into force with effect from the date of their publication in the Madhya Pradesh Gazette.

2. Definitions.

- In these rules unless the context otherwise requires :-(a)"Act" means the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956);(b)"Appointing Authority" means the Mayor-in-Council or the Commissioner, as the case may be, specified by the State Government by an order under proviso (i) of sub-section (1) of Section 58 of the Act;(c)"Corporation" means any

Corporation constituted under the Act;(d)"Mayor-in-Council" means the Mayor-in-Council constituted under Section 87 of the Act and includes the Administrator of the City appointed by the State Government under sub-section (1) of Section 423 of the Act;(e)"Section" means section of the Madhya Pradesh Municipal Corporation Act, 1956;(f)Words and phrases used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. Scale of pay, classification etc.

- The posts included in the service shall be such as specified in Schedule I.(2)The classification of the posts included in the service, its number and the scales of pay attached thereto shall be determined by the appointing authority subject to the orders issued by the State Government from time to time :Provided that the assessment of the number of posts shall be made in consultation with the Municipal Corporation.

4. Methods of recruitment.

- [(1)] [Renumbered by Notification No. F-4-59-2003-XVIII-1, dated 30-9-2003.] The posts included in the service shall be filled by direct recruitment, promotion or deputation subject to the restrictions contained in columns 3, 4 and 5 of Schedule I :Provided that in special circumstances, on the proposal of the appointing authority, the State Government may, by order, amend the entries of Schedule I, in the case of any Corporation.(2)[Notwithstanding anything contained in these rules there shall be one post of Private Secretary to the Mayor in every Municipal Corporation on which the appointment shall be made by the Appointing Authority with the consent of the Mayor on contract or on deputation or by transfer, as may be deemed fit by the Mayor. In case of appointment on contract, the educational qualification of the Private Secretary to Mayor shall be equivalent to Company Secretary, Chartered Accountant or expert management. Other conditions of the contract shall be determined by the Corporation with prior sanction of the Government.] [Inserted by Notification No. F-4-59-2003-XVIII-1, dated 30-9-2003.]

5. Conditions of eligibility for direct recruitment.

- In order to be eligible for direct recruitment a candidate must satisfy the following conditions, namely :-(1)Age. - In case of direct recruitment, the minimum and maximum age limit of candidate and the relaxation of upper age limit shall be the same as fixed by the State Government for Government service.(2)Educational Qualifications. - The minimum educational qualifications required for direct recruitment shall be as specified in column (3) of Schedule II. Other qualifications shall be such as may be made applicable in the Government service by the State Government from time to time.(3)Reservation. -(a)There shall be reserved posts for the persons belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes at the stage of the direct recruitment in accordance with the provisions contained in the Madhya Pradesh Lok Seva (Anusuchit Jatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994 (No. 21 of 1994).(b)30% posts shall be reserved for woman candidates, in accordance with the provisions of the Madhya Pradesh Civil Services (Special Provision for Appointment of Women) Rules, 1997.(c)In filling the vacancies so reserved, candidates who are

members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes shall be considered for appointment in the order in which their names appear in the list referred to in Rule 12 irrespective of their relative rank with other candidates.(d)Candidates belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes declared by the Committee to be suitable for appointment to the service with due regard to the maintenance of efficiency of administration may be appointed to the vacancies reserved for the candidates of the Scheduled Castes, Scheduled Tribes and Other Backward Classes.(e)Posts shall be reserved for handicapped candidates as per direction of the General Administration Department.(f)In such cases, where experience of some period has been prescribed as an essential condition for the posts to be filled in by direct recruitment and it is found in the opinion of the Commissioner that there is a possibility, the candidates belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes, may not be available in sufficient number, the Commissioner or Competent Authority may relax the condition of experience to the candidates of Scheduled Castes, Scheduled Tribes and Other Backward Classes.

6. Disqualifications.

- There shall be following disqualifications for appointment :-(a)Any attempt on the part of a candidate to obtain support of his candidature by any means.(b)Dismissed from services of the State Government or any local body disqualifying from future appointment.(c)Convicted of an offence involving moral turpitude or convicted of an offence under the Prevention of Untouchability Act.

7. Decision about qualification or disqualification.

- The decision of the appointing authority about the qualification or disqualification of a candidate shall be final.

8. Procedure for direct recruitment.

(1)When a post meant for direct recruitment falls vacant and the appointing authority is of the opinion that the vacant post is to be filled in the interest of the Corporation, then the Commissioner shall intimate the local Employment Exchange the pay scale, qualifications, eligibility and other conditions prescribed for the post and call a list of eligible candidates. An advertisement in at least two local newspapers shall also be published inviting applications in the prescribed form within a prescribed time limit.(2)On receiving the applications the Commissioner shall scrutinise the applications and prepare a list of eligible candidates including the list of candidates received from the Employment Exchange.(3)The appointing authority shall decide whether the selection of candidates shall be made by competitive examination or by oral interview or by both.(4)The selection of candidates shall be made by the Committee as specified in Schedule IV.(5)The Selection Committee shall prepare a select list of candidates on the basis of the marks obtained in the competitive examination or oral interview or both, as the case may be, and such list shall contain twice the number of vacant posts. This select list shall be submitted to the appointing authority.(6)After approval of the select list by the appointing authority, it shall be published and such list shall be valid for a period of one year from the date of its publication for appointment in the Corporation.(7)The appointing authority shall appoint candidates in the order in which their names

appear in the select list.(8)The inclusion of a candidate's name in the list, confers no right to appointment unless the appointing authority is satisfied after such inquiry, as it may consider necessary, that the candidate is suitable in all respect for appointment to the service.

8A. [Preference in the appointment to the post of Sweeper. [Inserted by Notification No. F-4 132-2002-XVIII-1, dated 2-7-2003.]

- Any one member of the family of such sweeper who is retired after completion of superannuation age shall be appointed on the post of Sweeper on preference basis, if he is not otherwise disqualified for the appointment to the post of Sweeper, as per rules.]

9. Probation.

(1)Any person appointed by direct recruitment in any post shall be placed on probation for a period of two years.(2)The appointing authority may, for sufficient reasons, extend the period of probation by a total period not exceeding one year.(3)A probationer shall undergo such training and pass such departmental examinations during the period of his probation as may be determined by the State Government by a general or special order from time to time.(4)If at any time, during the period of probation or at the end of probation it is found that the probationer has not fully availed the opportunity afforded to him or has failed to gain the standard expected of him or has otherwise found unsuitable for the post held by him his services may be dismissed without holding any departmental enquiry.(5)A person who has been removed from service during the period of probation or at the end of probation shall not be entitled for any compensation from the Corporation or the State Government.

10. Promotion.

(1)Subject to the provisions of Rule 4, the Committee specified in Schedule IV shall select candidates for departmental promotion on the posts as shown in column (2) of Schedule III.(2)When a post to be filled by promotion falls vacant and in the opinion of the appointing authority the filling up the vacant post is necessary in the interest of the Corporation, then the Commissioner, shall prepare the seniority list of officers/employees shown in column (3) of Schedule III, their character rolls, the details of award/punishment given to such officers/employees and submit before the Committee specified in Schedule IV.(3)Subject to the provisions of sub-rule (4), the Committee shall consider the cases of all persons, who on the 1st January of that year has completed such number of years of service (whether officiating or substantive) as specified in column (4) of Schedule III on the posts specified in column (3) of Schedule III from which promotion is to be made and are within the zone of consideration in accordance with the provisions of sub-rule (4) :Provided that no junior person shall be given preference over his senior merely on the ground of having completed the prescribed number of years of service.(4)(a)The selection of candidates eligible for promotion shall be made on the basis of merit-cum-seniority in respect of class I officers and seniority subject to fitness in respect of class II, III and IV officers/employees.(b)The reservation for the posts of Scheduled Castes, Scheduled Tribes and Other Backward Classes and zone of consideration shall be in

accordance with the provisions of rules made or instructions issued in this behalf by the State Government from time to time for the Government Servants.(5)The Committee shall prepare a list of such persons who fulfil the conditions prescribed in sub-rule (3) and to whom the Committee considers to be suitable for promotion to the service. The list shall be sufficient to cover the anticipated vacancies on account of retirement and promotion during the course of one year from the date of preparation of select list.(6)The names of persons included in the list shall be arranged in order of seniority on the post as specified in column (3) of the Schedule III.(7)The Committee shall submit the select list to the appointing authority within one week from the date of meeting of the Committee.(8)Appointment by promotion shall be made by the appointing authority in the order in which the names appear in the select list :Provided that if the appointing authority is not agreed with any name in the list then such name may be removed from the list after giving sufficient and clear reasons in writing.

11. Seniority.

- The seniority of an employee working in any post under the Corporation shall be determined with reference to the date of his continuous service on the post provided that if two or more employees have joined the post on the same date their inter-se-seniority shall be determined on the basis of rules made or instructions issued by the State Government in this behalf for Government servants. Such probationary employee, who has not been regularised after completion of the probationary period for any reason, shall be placed in the seniority list below those probationary employees who have been regularised earlier.

12. Superannuation age.

- The superannuation age of the employees of the Corporation is as under :-(a)The Superannuation age of Class IV employees shall be such as may be prescribed by the Corporation but in no case such age shall not be above the superannuation age prescribed for Class IV employees of the State Government.

(b) For Shiksha Karmis ... 62 years

(c) For other servants ... 60 years

13. Other conditions of service.

(1)The Corporation shall be competent to prescribe the method/procedure under which decision is to be taken in respect of medical treatment, General Provident Fund and Pension. The other conditions of service which have not been provided in these rules or any other rules made under the Act shall be deemed to be the same which are applicable to Government servants on the same post from time to time.(2)Notwithstanding anything contained in sub-rule (1), the following rules as amended from time to time applicable to the Government servants shall be applicable to the employees of the Corporation, namely :-(a)Madhya Pradesh Fundamental Rules Volume I and II.(b)Madhya Pradesh Travelling Allowance Rules.(c)Madhya Pradesh Civil Services (Leave) Rules, 1977.(d)Madhya Pradesh Civil Services (Conduct) Rules, 1965.(e)Madhya Pradesh Civil Services

14. Transfer.

- Subject to the provisions of Section 58 of the Act, the State Government may transfer any officer or employee of the Corporation from one Corporation to another provided that such officer or employee who is in any Corporation for more than 3 years shall necessarily be transferred by the State Government.

15. Interpretation.

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

16. Relaxation.

- Nothing in these rules shall be construed to limit or abridge the power of the appointing authority to deal with the case of any person to whom these rules apply in such manner as may appear to him to be just and equitable, provided that before such action is taken the previous sanction of the State Government is necessary.

17. Repeal and Savings.

- Subject to Rule 13, any rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed in respect of matters covered by these rules :Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

I

(See Rules 3 and 4)(Posts Sanctioned in the Service and Method of Recruitment)

S. No.	Name of the post	Method of Recruitment (in percentage)				Remarks
		By direct recruitment	By promotion	By deputation		
(1)	(2)	(3)	(4)	(5)	(6)	
1	Additional Commissioner	-	-	100.00%		
2	Chief Engineer	-	-	100.00%		
3	Superintending Engineer	-	50.00%	50.00%		
4			50.00%	50.00%		

	Deputy Commissioner (General Administration, Revenue, PropertyTax)			
5	Executive Engineer (Water Works, Engineering, Electricity)	-	100.00%	-
6	Town Planner	-	-	100.00%
7	Health Officer	100.00%	-	-
8	Fire Officer	100.00%	-	-
9	Accounts Officer	By promotion or by deputation		
10	Public Relations Officer	100.00%	-	-
11	Librarian 100%	100.00%	-	-
12	Workshop Superintendent	100.00%	-	-
13	Public Analyst	100.00%	-	-
14	Law Officer	100.00%	-	-
	Assistant Commissioner (General Administration, Revenue,Property Tax, Establishment, Stores, Encroachment, WardCommittee).			
15		25.00%	75.00%	-
16	Officer Superintendent	-	100.00%	-
17	Corporation Secretary	-	100.00%	-
18	Private Secretary	-	100.00%	-
19	Assistant Engineer	50.00%	50.00%	-
20	Asstt. Town Planner	50.00%	50.00%	or by deputation -
21	Garden Superintendent	100.00%	-	-
22	Doctor (Allopathy) Vaidya, Hakkim	100.00%	-	-
23	Personal Assistant	-	100.00%	-
24	Asstt. Health officer	50.00%	50.00%	-
25	Asstt. Revenue/Property Tax Officer	-	100.00%	-
26	Asstt. Accounts Officer	-	100.00%	-
27	Asstt. Fire Officer	-	100.00%	-
28	Sub-Engineer	75.00%	25.00%	-
29	Draftsman	75.00%	25.00%	-
30	Chief Health Inspector	-	100.00%	-
31	Health Inspector	75.00%	25.00%	-
32	Stenographer	100.00%	-	-
33	Revenue Inspector	25.00%	75.00%	-
34	Garden Inspector	100.00%	-	-

35	Head Mechanic	-	100.00%	-
36	Head Cashier	-	100.00%	-
37	Leading Fireman	-	100.00%	-
38	Assistant Grade I	-	100.00%	-
39	Accountant	-	100.00%	-
40	Cashier	-	100.00%	-
41	Assistant Grade II	-	100.00%	-
42	Mechanic	-	100.00%	-
43	Deputy Revenue Inspector	-	100.00%	-
44	Lab Technician	-	100.00%	-
45	Carpenter	-	100.00%	-
46	Asstt. Draftsman	50.00%	50.00%	-
47	Meter Reader	-	100.00%	-
48	Tracer	-	100.00%	-
49	Mason	-	100.00%	-
50	Painter 100%	-	100.00%	-
51	Laboratory Assistant	-	100.00%	-
52	Filter Operator	-	100.00%	-
53	Pump Driver	-	100.00%	-
54	Electrician/Wireman	100.00%	-	-
55	Asstt. Revenue Inspector (Moharrir)	100.00%	-	-
56	Compounder	100.00%	-	-
57	Assistant Grade	100.00%	-	-
58	Vaccinator	100.00%	-	-
59	Driver	100.00%	-	-
60	Fireman	100.00%	-	-
61	Health Supervisor	-	100.00%	-
62	Plumber/Fitter	100.00%	-	-
63	Pump Attendant	100.00%	-	-
64	Filter Attendant	100.00%	-	-
65	Welder	100.00%	-	-
66	Assistant to Mechanic	100.00%	-	-
67	Head Chowkidar	-	100.00%	-
68	Head Mali	-	100.00%	-
69	Valveman	100.00%	-	-
70	Deputy Health Supervisor	-	100.00%	-
71	Peon	100.00%	-	-

72	Time Keeper	100.00%	-	-
73	Chowkidar	100.00%	-	-
74	Cleaner	100.00%	-	-
75	Sweeper	100.00%	-	-
76	Mali (a) Untrained (b) trained	100.00%	-	-
77	Labourer	100.00%	-	-

II

[See Rule 5 (2)]Qualifications For Direct Recruitment

S. No.	Name of post	Educational Qualifications
(1)	(2)	(3)
1	Health Officer	M.B.B.S. or equivalent degree from recognised University.
2.	Fire Officer	Degree in Fire Services.
3	Public Relations Officer	Degree from a recognised University and Degree or Diploma in Journalism. Preference will be given to persons having experience of working on the post of Public Relations Officer or equivalent post.
4	Librarian	Degree in Library Science from recognised University.
5	Workshop Superintendent	Degree in Mechanical Engineering from recognised University.
6	Public Analyst	Qualifications prescribed by the Government for this post.
7	Law Officer	Law Degree from recognised University. Preference will be given to those having post graduate degree in Law and experience of having worked on the post of Law Officer.
8	Assistant Commissioner (General Administration, Revenue, Property Tax, Establishment, Stores, Encroachment, Ward Committee)	Degree from recognised University.
9	Assistant Engineer	As prescribed for Government service (P.W.D.).
10	Garden Superintendent	Qualifications as prescribed for Government service.
11	Doctor/Vaidya, Hakim	Qualifications as prescribed for Government service.
12	Sub-Engineer	As prescribed for Government service (P.W.D.).

13	Draftsman	-do-
14	Health Inspector	Higher Secondary and Diploma in Sanitary Inspector from an Institution recognised by the Government
15	Stenographer	Qualifications as prescribed by the Government for this post.
16	Revenue Inspector	Degree from recognised University. Preference will be given to those persons who possess experience in L.S.G.D. and Revenue/Property Tax work.
17	Garden Inspector	As prescribed for Government Service.
18	Cashier	As prescribed for Govt, service.
19	Mechanic	Higher Secondary and ITI Certificate in concerned trade.
20	Lab. Technician	As prescribed for Government service.
21	Carpenter	-do-
22	Asstt. Draftsman	-do-
23	Meter Reader	-do-
24	Tracer	-do-
25	Mason	-do-
26	Painter	-do-
27	Laboratory Assistant	-do-
28	Filter Operator	-do-
29	Pump Driver	-do-
30	Electrician/Wireman	-do -
31	Asstt. Revenue Inspector (Moharrir)	Passed in Higher Secondary.
32	Compounder	As prescribed for Govt, service.
33	Assistant Grade III	- do -
34	Vaccinator	-do -
35	Driver	-do -
36	Fireman	Diploma in Fire Services.
37	Plumber/Fitter	As prescribed for Govt, service.
38	Pump Attendant	-do-
39	Filter Attendant	-do-
40	Welder	-do-
41	Assistant to Mechanic	As prescribed for Government Service.
42	Valveman	-do-
43	Peon	-do-
44	Time Keeper	-do-

45	Chowkidar	-do-
46	Cleaner	-do-
47	Sweeper	-do-
48	Mali (a) untrained (b) trained	-do-
49	Labourer	-do-

III

[See Rule 10 (1)]Eligibility for Promotion

S. No.	Name of the post to which promotion is to be made	Name of the post from which promotion is to be made	Minimum years service required on the post shown in column(3) for promotion to the post shown in column (2)
(1)	(2)	(3)	(4)
1	Superintending Engineer	Executive Engineer	5 years
2	Deputy Commissioner (General Administration, Revenue,Property Tax)	From the combined Gradation list of Corporation Secretary,Private Secretary, Assistant Commissioner	5years
3	Executive Engineer (Water Works, Engineering, Electricity.	Assistant Engineer	According to the criterion of Government (PWD)
4	Accounts Officer	Asstt. Accounts Officer	8 years
5	Asstt. Commissioner (General Administration, Revenue,Property Tax, Establishment, Stores, Encroachment, WardCommittee)	From the combined Gradation list of Office Superintendent, Asstt.Revenue/ Property Tax Officer.	8 years
6	Officer Superintendent	Assistant Grade I	8 years
7	Corporation Secretary	Personal Assistant	8 years
8	Private Secretary	Personal Assistant	8 years
9	Assistant Engineer	Sub- Engineer/Draftsman	According to the criterion of Government (P.W.D.)
10	Assistant Town Planner	-do-	-do-
11	Personal Assistant	Stenographer	8 years
12	Asstt. Health Officer	Chief Health Inspector	8 years
13	Asstt. Revenue/Property Tax Officer	Revenue/Property Tax Inspector	8 years
14	Asstt. Accounts Officer	Head Cashier	8 years
15	Asstt. Fire Officer	Leading Fireman	

			According to the criterion of the Directorate of Fire Services
16	Sub-Engineer	According to the criterion prescribed by Government (P.W.D.)	-
17	Draftsman	-do-	
18	Chief Health Inspector	Health Inspector	8 years
19	Health Inspector	Health Supervisor	8 years
20	Revenue Inspector	Deputy Revenue Inspector	8 years
21	Head Cashier	Cashier/ Accountant	8 years
22	Head Mechanic	Mechanic	8 years
			According to the criterion prescribed by the Directorate of Fire Services.
23	Leading Fireman	Fireman	
24	Assistant Grade I	Assistant Grade II	8 years
25	Accountant	Assistant Grade III who have passed Accounts Examination from recognised Institution.	8 years
26	Assistant Grade II	Assistant Grade III	8 years
27	Deputy Revenue Inspector	Asstt. Revenue Inspector	8 years
28	Asstt. Draftsman	According to the criterion fixed by the Government (P.W.D.)	8 years
29	Health Supervisor	Deputy Health Supervisor who have passed at least Higher Secondary Exam.	8 years
30	Head Mali/Head Chowkidar	Mali/Chowkidar/Peon	8 years
31	Deputy Health Supervisor	Sweeper who have passed at least 81 h standard Exam.	8 years

IV

[See Rules 8 (4) and 10 (1)] Committee for Direct Recruitment and Promotion (I) For posts under the jurisdiction of Mayor-in-Council :-

1	Commissioner	Chairman
2	Concerned Head of Department	Member
3	An Officer not below the rank of Deputy Director nominated by the Director, Urban Administration and Development	Member
4	An Officer nominated by the Commissioner	

Member
Secretary/Convener

(II) For posts under the jurisdiction of Commissioner :-

- | | | |
|---|---|-------------------------------|
| 1 | Additional Commissioner or Deputy Commissioner | Chairman |
| 2 | Head of the Department of the concerned department where the post is to be filled | Member |
| 3 | Any other Head of Department who is nominated by the Commissioner | Member |
| 4 | Any other nominated by the Commissioner. | Member
Secretary/Convener. |