

# Chhattisgarh Regularisation of the Emergency Appointment Rules, 2005

CHHATTISGARH

India

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### Rule

### CHHATTISGARH-REGULARISATION-OF-THE-EMERGENCY-APPOINTMENT RULES of 2005

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Chhattisgarh Regularisation of the Emergency Appointment Rules, 2005Published vide Notification No. F 1-84/2004/38, dated 22.11.2005Last Updated 18th September, 2019Notification No. F 1-84/2004/38 dated 22nd November, 2005. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Chhattisgarh hereby makes the following rules relating to the regularisation of Emergency Appointments in the Higher Education Department, namely : -

### 1. Short title and commencement.

(1)These rules shall be called the Chhattisgarh Regularisation of the Emergency Appointment Rules, 2005.(2)These rules shall come into force with effect from the date of its publication in the official Gazette.

### 2. Overriding effect.

- These rules shall have effect notwithstanding anything to the contrary contained in any other rules or orders on the subject for the time being in force.

### 3. Definitions.

- In these rules unless the context otherwise requires : -(a)"Government" means State Government of Chhattisgarh.(b)"Emergency Appointment" means appointments made as per the provisions of

Rules 15 of Chhattisgarh Educational Services (Collegiate Branch) Recruitment Rules, 1990.(c)"Appointment authority" in relation to any post mentioned in the Schedule means, an authority competent to make appointment on such post.(d)"Schedule" means a Schedule appended to these rules.

#### **4. Scope and application.**

- These rules shall apply for regularisation of emergency appointments made to the posts after 1-1-1987 as mentioned in the Schedule. If any case comes to the knowledge of the department which has been left due to some reason or the other, such case shall be referred to the Screening Committee with prior approval of the State Government.

#### **5. Date of Regularisation.**

- Assistant Professors appointed on emergency basis shall be regularised from the date of order of regularisation.

#### **6. Eligibility for Regularisation.**

- Such Assistant Professors who have been appointed on Emergency basis and are still working as non selected Assistant Professor shall be eligible for regularisation. Such Assistant Professors of unreserved and reserved categories shall be regularised by relaxing the provisions of column 5 (upper age limit 30 years) of Third Schedule of Chhattisgarh Educational Services (Collegiate Branch) Recruitment Rules, 1990, provided they fulfil the necessary educational qualifications as stipulated in the recruitment rules.

#### **7. Constitution of Departmental Screening Committee.**

(1) Departmental Screening Committee shall consist of the following members : -

- |   |                    |
|---|--------------------|
| (a) Commissioner/Secretary, Department of Higher Education, Govt, of Chhattisgarh.            | - Chairman         |
| (b) Special Secretary/Joint Secretary, Department of Higher Education, Govt, of Chhattisgarh. | - Member           |
| (c) Deputy Secretary, Department of Higher Education, Govt, of Chhattisgarh.                  | - Member           |
| (d) A Principal, of Govt. P.G. College nominated by the Commissioner, Higher Education.       | - Member           |
| (e) Additional Director, Higher Education.  | - Member Secretary |

(2) The screening committee shall convene meetings to scrutinise the cases of regularisation of Emergency appointments.

## **8. Determination of suitability.**

(1)The screening committee shall determine the eligibility/suitability for regularisation after scrutinising the cases of the persons appointed on emergency basis to the post mentioned in the schedule in accordance with the provisions of these rules.(2)While scrutinising the cases for determining the general suitability/eligibility of the persons concerned their confidential reports shall also be taken into consideration.(3)The screening committee shall send the list of emergency appointed assistant professors found eligible for regularisation to the Government.

## **9. Appointment.**

- The appointment orders of Emergency Assistant Professors found suitable for regularisation by the Screening Committee shall be issued by the Government.

## **10. Seniority.**

(1)A person appointed under these rules shall be entitled to seniority only from the date of the order or regular appointment and the person regularised under these rules shall be placed below the persons appointed in accordance with the relevant recruitment rules prior to the appointment of such persons under these rules.(2)To determine the names of the persons in order of seniority in the selection list, separate orders shall be passed after consultation with the General Administration Department of Chhattisgarh.

## **11. Reservation.**

- The Provisions of Chhattisgarh Civil Services (Scheduled Castes/Tribes and Other Backward Classes Reservation) Act, 1994 and the directions or rules regarding reservation for the Scheduled Castes and Scheduled Tribes and Other Backward Classes shall be complied with while making regular appointment under these rules.

## **12. Probation.**

- In the light of the long continuous services of emergency appointed assistant professors and the annual increments having been granted by the Honourable Courts from time to time to them, their increments shall be continued but their services shall be on probation for two years from the date of order of regular appointment.

## **13. Pension.**

- Emergency appointed Assistant Professors after regularisation in Government Service as per finance department order No. 41/2000 under No. 980/C-761 /F R-4/2004, dated 27-10-2004 from 1-11-2004 the new contributory pension scheme shall be applicable.

## Schedule

[See Rule 4] Posts in which persons appointed on the basis of emergency/supernumerary can be regularised

Sr. No.	Name of the Department	Name of Post
(1)	(2)	(3)
1	Higher Education	1. Assistant Professor