

छत्तीसगढ़ भ्रम (राजपत्रित)

सेवा भर्ती नियम 2013

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- (f) "**Governor**" means the Governor of Chhattisgarh ;
- (g) "**Other Backward Classes**" means Other Backward Classes (Non-Creamy Layer) of citizens as specified vide Notification No. F8-5 / Twenty five / 4-84, Dated 26-12-1984, as amended from time to time;
- (h) "**Schedule**" means Schedule appended to this rule;
- (i) "**Scheduled Caste**" means scheduled caste as specified in relation to Chhattisgarh State under Article 341 of Constitution of India;
- (j) "**Scheduled Tribe**" means Scheduled Tribe as specified in relation to State of Chhattisgarh under Article 342 of Constitution of India;
- (k) "**Service**" means the Chhattisgarh Labour (Gazetted) Service;
- (l) "**State**" means the State of Chhattisgarh.

3. **Scope and application.**-Without prejudice to the generality of the provisions contained in the Chhattisgarh Civil Service (General Conditions of Service) Rules, 1961, these rules shall apply to each member of Chhattisgarh Labour (Gazetted) Services.

4. **Constitution of the service.**-The service shall consist of the following persons, namely:-

- (1) Persons, who at the commencement of these Rules are holding in officiating or substantively the posts specified in Schedule I;
- (2) Persons, recruited to the service before the commencement of these rules; and

(3) Persons, recruited to the service in accordance with the provisions of these rules.

5. Classification, pay-scale etc.-The classification of service, the pay-scale related to them and the number of posts included in the service shall be in accordance with the provisions contained in Schedule I:

Provided that, the Government may, from time to time, add to or reduce the number of posts and pay-scale included in the service either on a permanent or temporary basis.

6. Mode of recruitment. - (1) After the commencement of these rules, the recruitment to the service shall be made by the following methods, namely:-

(a) By direct recruitment through competitive examination / selection ;

(b) By promotion of member specified in column (2) of Schedule IV to post specified in column (4) of Schedule IV;

(c) By transfer of such persons who substantively hold posts in services as may be specified in this behalf.

(2) The number of persons recruited under clause (b) or clause (c) of sub-rule (1) shall not at any time exceed the percentage as shown in Schedule II of the number of duty posts as specified in Schedule I.

(3) Subject to the Provisions of these rules, any particular vacancy as may be required to be filled during any particular period of recruitment the method or methods of recruitment to be adopted

for the purpose of filling and the number of persons to be recruited by such methods, shall be determined on each occasion by the Government in consultation with the Commission.

(4) Notwithstanding anything contained in sub-rule (1), if in the opinion of Government exigencies of the service so requires, the Government may with the prior concurrence of General Administration Department adopt such methods for the recruitment to the service other than those specified in the said sub-rule, as it may, by order issued in this behalf, prescribe.

(5) At the time of recruitment to the service the Provisions of Chhattisgarh Lok Seva (Anusuchit Jatiyon, Anusuchit Janjatiyon Aur Anya Pichhade Vargon Keliye Arakshan) Adhiniyam, 1994 (No. 2 of 1994) and instructions (as amended) issued from time to time under the said Act by General Administration Department of the Government shall be applicable.

7. Appointment to service.-After the commencement of these rules, all the appointments in the service shall be made by Appointing Authority, and no such appointment shall be made except after selection by one of methods of the recruitment specified in rule 6.

8. Conditions of eligibility for direct recruitment.- In order to be eligible for selection, a candidate must satisfy the following conditions, namely:

A. Age:

(a) The Candidate must have attained the age as specified in column (3) of Schedule III and should not have attained the age as specified in column (4) of the said Schedule on the

1st January of the year in which the advertisement for the post is published;

- (b) The upper age limit shall be relaxable up to maximum of 5 years, if a candidate belongs to Scheduled Caste or Scheduled Tribes and Other Backward Classes (Non creamy-layer);
- (c) For women candidates the upper age limit shall be relaxable upto 10 years as per the provision of Chhattisgarh Civil Services (Special Provision for Appointment of Women) Rules, 1997;
- (d) The upper age limit shall also be relaxable in respect of candidates who are or who have been employees of Government of Chhattisgarh to the extent and subject to conditions specified below :-
 - (i) Age of the candidate, who is a permanent government servant, should not be more than 38 years and service period should not be more than 07 year in his cadre.
 - (ii) Age of the candidate, who is a temporary government servant, should not be more than 38 years. This relaxation shall also be applicable to the employees drawing salary from contingency fund, work charged working in Project Implementation Committees.
 - (iii) A candidate, who is retrenched government servant, shall be allowed to deduct, from his age, the period of entire temporary services previously rendered by him/her upto a maximum limit of 7 (Seven) years even if, it represents period of more than one services:

Provided that the resultant age should not exceed the upper age limit by more than 3 (three) years.

Explanation - The term "retrenched Government Servant" denotes a person who was in temporary Government Service of this State or of any of the constituent units for a continuous period of not less than six months and who was discharged because of reduction in establishment not more than three years prior to the date of his registration at the employment exchange or of application made otherwise for employment in Government Service.

- (e) A Candidate, who is an ex-serviceman shall be allowed to deduct from his age the period of all defense services previously rendered by him:

Provided that the resultant age does not exceed the upper age limit by more than 3 (three) years.

Explanation- The term "Ex-Serviceman" denotes a person who belongs to any of the following categories and who was employed under the Government of India for a continuous period of not less than six months and who was retrenched or declared surplus as a result of the recommendation of the Economy Unit or due to normal reduction in establishment not more than three years before the date of his registration at employment exchange or application made otherwise for employment in Government Service:-

- (i) Ex-Serviceman released under mustering out concessions;
 - (ii) Ex-Serviceman enrolled for the second time and discharged on -
 - (a) completion of short term engagement;
 - (b) fulfilling of the conditions of enrolment.
 - (iii) Officer (Military and Civil) discharged on completion of their contract (including short Service Regular Commissioned Officers);
 - (iv) Officer discharged after working for more than six months continuously against leave vacancies;
 - (v) Ex-Serviceman invalidated out of Service;
 - (vi) Ex-Serviceman discharged on the ground that they are unlikely to become efficient soldiers;
 - (vii) Ex-Serviceman who are medically boarded out on account of gun-shot, wounds etc.
- (f) The upper age limit shall be relaxable upto a maximum period of two years for those candidates who are Green Card Holders under family Planning/welfare Programme.
- (g) The general upper age limit shall be relaxed upto five years in respect of awarded superior caste partner of a couple under Inter-Caste Marriage Incentive Scheme as per Chhattisgarh Inter-Caste Marriage Promotion Scheme under Untouchability Eradication Rules, 1984.
- (h) The general upper age limit shall also be relaxable upto a maximum of 5 (five) years in respect of the Shaheed Raju Pandey Award, Gundadhoor Award and Mahatma Praveerchandra Bhanjdeo Award holder candidates and National Youth Award Holder Young Candidates.

- (i) The upper age limit shall be relaxed in the case of departmental candidates who should not exceed 38 years of age in respect of the candidates, who are employees of Chhattisgarh State Corporations / Boards.
- (j) The upper age limit shall be relaxed in the case of voluntary Home Guards and Non-Commissioned Officers of Home Guards for the period of Home Guard Service rendered so by them subject to the limit of 8 years but in no case their age should exceed 38 (thirty eight) years.

NOTE :

- (1) Candidates who are admitted to the examination/selection under the age concessions mentioned in sub-clause (i) and (ii) of clause (d) above shall not be eligible for appointment, if after submitting the application, they resign from service either before or after examination/selection. They will, however, continue to be eligible if they are retrenched from the service or post after submitting the applications.
- (2) In no other case these age limits be relaxed, the departmental candidates must obtain previous permission of the Appointing Authority to appear for the Examination/Selection.
- (k) After providing relaxation on the basis of any one or more of the above category for entering in Government service the maximum age limit must not exceed 45 years;
- (l) In any other case age limit shall not be relaxed;
- (m) Apart from above, in respect of age limit the directions issued by the General Administration Department, from time to time, shall also be applicable.

II Educational Qualifications.-(i) The candidate must possess such Educational Qualifications prescribed for the services in Schedule III.

- (a) In exceptional cases, the Commission on the recommendation of the Government may treat a candidate qualified, who though not possessing any of the qualifications prescribed in this clause, has passed examinations conducted by other institutions by a standard which in the opinion of the Commission justifies the admission/selection;
- (b) Candidates who are otherwise qualified but have taken degrees from Foreign Universities, being Universities not specifically recognized by government may also be considered for selection at the discretion of the Commission.

III Fees.- (A) The candidate must pay the fees as prescribed by the Commission.

(B) Medical fees- The candidate who has been required to appear before Medical Board must pay the fees as prescribed by the Government to the Chairman of the Medical Board before medical test.

9 Disqualifications.- (1) Any attempt on the part of a candidate to obtain support for his candidature by any means directly or indirectly may be held by the Commission to be disqualification from selection.

(2) Any male candidate who is having more than one living wife and any female candidate who has married a man, who is already having a living wife, shall not be eligible for appointment in any service or post:

Provided that if the Government is satisfied that there were specific reasons for doing so, then the

Government may give relaxation in the above rule to such candidates.

(3) Any candidate shall not be appointed to any service or post until he/ she is declared mentally or physically fit and free from any mental or physical defect which can hinder the fulfillment of duty of any service or post in such medical examination as may be prescribed:

Provided that in exceptional cases a candidate may be given temporary appointment on any service or post before his medical examination under a condition that, if he is found medically unfit, then his services may be terminated immediately.

(4) Any candidate shall not be eligible on such condition to any service or post, if the Appointing Authority satisfied that, after due enquiry, which is considered necessary, he/she is not fit for such service or post.

(5) Any candidate who is convicted for any offence against women shall not be eligible for any service or post:

Provided that if such matter is pending in a court against the candidate, then matter of his appointment shall be kept in abeyance till the criminal matter is finally determined by the court.

(6) Any candidate, who is married, before the minimum age fixed for marriage shall not be eligible for any service or post.

(7) No candidate shall be eligible for appointment to a service or post who has more than two living children one of whom is born on or after the 26th day of January, 2001 :

Provided that no candidate shall be ineligible for appointment to a service or post who has already one living children and next delivery is on 26th January, 2001 or thereafter, in which two or more children are born.

10 Commission decision about the eligibility of a candidate.-

(1) The decision of the Commission as to the eligibility or otherwise of a candidate for selection shall be final and no candidate, to whom a certificate of admission has not been issued by the Commission for examination/ interview, shall be allowed to be appear in the examination or interview.

(2) At any time of selection process or even after submission of selection list to the Government, if it comes to the notice of the Commission that a candidate has given wrong information or any misinformation is found in the documents submitted by him, then he will be disqualified and his selection/appointment shall be terminated by the Commission.

11 Direct Recruitment by Selection / Competitive Examination.-

(1) The competitive examination for recruitment to the service shall be held at such intervals as the Government may, in consultation with the Commission, from time to time, determine.

(2) Competitive examination shall be conducted by the Commission as per such syllabus for examination, plan, directions issued by the Appointing Authority in consultation with the Commission, from time to time.

(3) There shall be reserved posts for the candidates belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes, at the stage of direct recruitment, in accordance with the provision contained in the Chhattisgarh Lok Seva (Anusuchit Jatiyon, Anusuchit Janjatiyon Aur Anya Pichhade Vargon Keliye Arakshan)

Adhiniyam, 1994 (No. 21 of 1994) and orders issued by the State Government from time to time.

(4) At the stage of direct recruitment, 30 percent posts shall be reserved for women candidates in accordance with the provision of Chhattisgarh Civil Services (Special Provision for Appointment of Women) Rules, 1997.

(5) Candidates belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes selected by the Commission 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, as the case may be.

(6) In filling up the vacancies so reserved, the candidates who are members of the Scheduled Castes, Scheduled Tribes, Other Backward Classes, Woman, persons with disability and Ex-Soldier 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 as compared with other candidates.

12 List of Candidates recommended by Commission.- (1) The Commission shall prepare a list, arranged in the order of merit of the candidates, who have qualified by such standards and the list of the candidates belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes (Non-creamy-layer), who may not be qualified by that standard, but are declared to be suitable by the Commission for appointment to the service with due regard to the maintenance of efficiency in

administration and the list of candidates of each category, belonging to women, person with disabilities/ex-servicemen in the order of merit of the candidates, who have qualified by such standards due to reservation, whose validity for appointment shall be for a period of one year from the date of sending the list to the Government.

- (2) List so prepared under sub-rule (1) shall be notified on the Commission's website for information to the general public.
- (3) A select list for each category shall be prepared by the Commission for filling the vacant posts, for such categories a waiting list shall also be prepared in which minimum one name and maximum names upto 25% of the vacant posts shall be included. The validity of the list shall be one and half year from the date of issue of such select list.

Explanation- While calculating 25% vacant posts in each category, to make it an integer, point shall be extended to the next integral number.

- (4) Commission shall forward the selection list prepared under sub-rule (1) to the Government for further action regarding appointment.
- (5) Subject to the provisions of this rule and of the Chhattisgarh Civil Service (General Conditions of Service) Rules, 1961, candidates shall be considered for appointment to the available vacancies in the order in which their names appear in the list.
- (6) The inclusion of a candidate's name in the list confers no right to appointment unless the Government is satisfied, after such enquiry, as may be considered necessary, that the candidate is suitable in all respects for appointment to the service.

- (7) Any candidate, whose name is included in the selection list, do not join the duty within the valid period, or resigns or for any reason he is found unfit or the selected candidate dies during the valid period, the name of candidate from the waiting list can be recommended by the Commission for appointment.
- (8) If a request is being received from the Government asking to send names of the candidates from waiting list, then the Commission, as per the above provisions, will recommend the names from the waiting list and send it to the Government.
- (9) Commission after receiving the proposal from the Government, can extend the validity period of selection list for a maximum period of 6 months by stating valid reason to the Government.
- (10) On extending the validity period of waiting list for 6 months, the validity period of waiting list will automatically deem to be extended for 6 months.
- (11) The validity of selection list, prepared under sub-rule (8) and (9), shall not be extended by the Commission unless the Government makes any recommendation stating valid reason for extension.
- 13. Probation.-** (1) Every person directly recruited to the service shall be appointed on probation for a period of two years.
- (2) If the work is found unsatisfactory, then the period of probation can be extended by the Appointing Authority for a period upto a maximum of 1 year.
- (3) During the period of probation or period extended or at the end of probation period, if the Appointing Authority is of the opinion that any particular candidate is not fit to be an officer, then the services of such probationer can be terminated.

14 Appointment by promotion.-(1) There shall be a constitution of a committee, consisting of the members mentioned in Schedule-IV, for making a preliminary selection for promotion of the eligible candidates.

Provided that under this sub-rule for the purpose of constitution of the Committee, the provision of Section 8 of Chhattisgarh Lok Seva (Anusuchit Jatiyon, Anusuchit Janjatiyon Aur Anya Pichhade Vargon Ke Liye Arakshan) Adhiniyam, 1994 (No.21 of 1994) shall also be adhered to

- (2) The committee shall meet at such intervals ordinarily not exceeding one year.
- (3) Every promotion shall be made in accordance with Chhattisgarh Public Service (Promotion) Rules, 2003.
- (4) The Procedure for making promotion in the vacancies shall be made in accordance with the instructions issued by the General Administration Department, Government of Chhattisgarh from time to time.
- (5) Certification by the Appointing Authority - Appointing Authority shall endorse on the promotion order to be issued by him a certificate to the effect that he had complied with the provisions of the Chhattisgarh Lok Seva (Anusuchit Jatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhede Vargon Ke Liye Arakshan) Adhiniyam, 1994 (No. 21 of 1994) and the Chhattisgarh Public Service (Promotion) Rules, 2003 and the instructions issued in the light of the provisions of the said Act and the rules by the State Government and that he has taken full cognizance of the provisions of sub-section (1) of Section 6 of the said Act.

(21)

15 Conditions for eligibility for promotion.- (1) Subject to the provisions of sub-rule 2, the committee shall consider the cases of all persons who on the 1st day of January of that year had completed such number of years of the service (Whether officiating or substantive) in the posts from which promotion is to be made or any other post or posts declared equivalent thereto by the Government, as specified in column (4) of Schedule IV and are within the zone of consideration in accordance with the provisions of sub-rule (2).

Explanation- Manner of computation for eligibility for promotion.-

The calculation of period of qualifying service on 1st January of the relevant year in which Departmental Promotion Committee/Screening Committee is convened shall be counted from the Calendar year in which the public servant has joined the feeder cadre/part of the service/pay scale of the post and not from the date of joining of the cadre/part of the service/pay scale of post.

(2) (i) In the case where eligibility for promotion is to be determined on the basis of seniority-cum-fitness, then there shall not be any other consideration area for all categories. Proposals of such number of public servants shall be considered, as per seniority, which are sufficient for filling the existing posts in each category and number of expected vacant post due to retirement/promotion during 1 year.

(ii) In such cases where promotion is to be made on merit cum seniority basis, the area for consideration shall be four more than two times of the total vacant posts. If the sufficient number of Scheduled Castes and Scheduled Tribes Government Servants are not available for promotion then the area of consideration may extend upto 7 times of the total vacant posts and filling up of reserved post may be made from the persons belonging to reserved category above mentioned area of consideration. Committee shall consider to fill the vacancies existing under each category in said area of consideration and the anticipated vacancies on account of retirement and promotion the course of 1 year.

(3) The name of public servant in requisite number for each cadre shall be considered for the purpose of inclusion of his name

within 25 percent of number of public servant included in the selection list or to that of two public servant, whichever is more to fill the unexpected vacancies during above said duration apart from expected vacancies under sub-rule (2).

- (4) The reservation in promotion shall be made in accordance with the provisions of Chhattisgarh Public Service (Promotion) Rules, 2003.
- (5) The promotion shall be made as per the Reservation Roster prescribed by the Government.

16 Preparation of list of suitable candidates.-(1) The Departmental Promotion Committee shall prepare a list of such persons who satisfy the conditions prescribed in rule 14 and 15 above and as are held by the Committee 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 the Select list. A reserve list consisting of twenty five percent of the number of persons in the said list shall also be prepared to meet the unforeseen vacancies occurring during the course of the aforesaid period.

(2) The names of employees included in the list shall be arranged in order of seniority in the service or posts as specified in column (2) of Schedule IV at the time of preparation of select list as per Chhattisgarh Civil Services (General Conditions of Service) Rules, 1961.

(3) The list so prepared shall be reviewed and revised every year.

(39)

- (4) If in the process of selection, review or revision it is proposed to supersede any member of the service, as the case may be, then the committee shall record its reason for the proposed supersession.
- 17 **Consultation with commission.-** (1) List prepared in accordance with Rule 16 shall be forwarded to the Commission, along with following documents, namely:-
- a) The Records of all the persons included in the list;
 - b) record of all such persons mentioned in column (2) of Schedule-IV who are proposed for supersession as recommended in the list;
 - c) recorded reasons of the committee for the proposed supersession of any person of the service as mentioned in column (2) of Schedule-IV;
 - d) remarks of the Government on the recommendations of the committee.
- (2) If the Chairman of the Commission or any member who is nominated by the Chairman/Commission is present in the promotion committee and if all members of the committee including Chairman have signed on the proceeding of the meeting then the above action under sub-rule (1) is not required and it shall be deemed to be compliance of the requirement of the consultation with the Commission under sub-clause (b) of clause (3) of Article 320 of the Constitution and a separate consultation with the Commission shall not be necessary.
- 18 **Selection list.-**(1) Commission shall consider over the list along with the documents received from the Government, prepared by

the committee, if it feel that there is no need of making any changes then it shall approve the list.

(2) If the Commission considers it necessary to make any changes in the list received from the Government, then Commission shall inform the Government of the changes proposed and if the Government, express any opinion after considering it, alongwith such modification, if any, in its opinion that is just and proper, will approve the list finally, but once it is considered, the commission shall approve the list with necessary changes, if any which it thinks justified and reasonable.

(3) The select list finally approved by the Commission shall be approved select list for promotion of the members of Civil Services as mentioned in column (4) of Schedule-IV from the posts mentioned in column (2) of Schedule-IV.

(4) The select list shall ordinarily valid upto 31st December of the calendar year from the date of its preparation.

19 Appointment to the service from the selection list.-(1) Appointment of the persons included in the selection list to the posts borne on the cadre of the service, shall follow the order in which the names of such officers appear in the selection list.

(2) It shall not ordinarily be necessary to consult the selection committee before appointment of a person, whose name is included in the select list unless during the period intervening, between the inclusion of his name in the select list and the date of the proposed appointment, there occurs any deterioration in his work which, in the opinion of the Government is such as to render him unsuitable for appointment to the service.

20 Probation. Every person recruited by promotion to the service shall be appointed on probation for a period of two years.

(41)

- 21 Interpretation.-** If any question arises relating to the interpretation of these rules, it shall be referred to the Government, whose decision thereon shall be final.
- 22. Relaxation.-** Nothing in these Rules shall be construed to limit or abridge the powers of the Governor to deal with the case of any person to whom these rules apply in such manner, as may appear to it to be just and proper:
provided that the case shall not be dealt with in any manner less favourable to him than that provided in these rules.
- 23 Repeal and saving.-** (1) All rules corresponding to these rules and in force immediately before the Commencements of these rules are hereby repealed in respect of matters covered by these rules:
Provided that any order made or any action taken under the rules so repealed shall be deemed to have made or taken under the corresponding provisions of these rules.
(2) Nothing contained in these rules shall affect reservation, relaxation and other conditions required to be provided for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in accordance with the Instructions/order issued by the State Government from time to time in this regard.

By order and in the name of the Governor of Chhattisgarh,
G. R. MALVIYA, Deputy Secretary.