

## CHHATTISGARH SHASKIY SEWAK (ADHIVARSHIKI-AAYU) ADHINIYAM, 1967

2 Principal THE PRADESH SHASKVYA SEWAK ADHIVARSHIKI-XYL q I'. •fled.l rnc...t.\*\*, s An Act to provide for the age of Superannuation o! Governmelit and fr,r certain •tnts in the State of IVIadhya Pradesh miltt:rs connected lhere"itli. the o. . Act Rules. For cu •varv, E.igi:tectY Shaskjya : •.Eted 'av sector. of Sevanivrit'i Ka Vidhiman.va• Amendment of Fundamental Nivatv,. Sly, r C:uSS IV Gc".ernrae.-t Uf Fl.]iidamentul Rule 56 as Section 2 of the of the Nfadāya P.-ndes.h S haski\'' f At sub-rule shall, , •jsioas sub-rule on : Ile noon af the day o; Gc.ver.nr,."-.'. leacher whose date Df birth the f,rs: e . IC.T. se,rvice on the arterr,ccn aft he beer. 58 years vide M.P. Act Nn, of a -nrt,-d by Ac: No. 19S4, Published in P, Rajpatre. t Asadāaiä,r.) ] 2 --19S4 Page 3065. This amendment. Sha act fror.1 5th September ISIS Madhya Pradesh Services Manual Exaplaqation.—For the purpose of this "Teacher" means a Government servant by whatever designatir,n called, engaged in teaching in an educational institution including technical or medical institutions, run by Governmentl

**3. Amendment of the Madhya Pradesh District and Session Judgee Death-Cum-Retirement Penett\_s) Rüh"::, 1964** —For su b-ruke (l) of ruie 2 Of the Madhya Pradesh Distiict and Sessions Judges (Death-Cum-Retirement Benefits) Rules, 1964 as substituted by 4 of the said Act, the following sub-rule shall be substituted, namelv (l) Subject to the provisions of sub\* ule ( I -A), the Ail India Services Death-cum-Retirement Benefits) Ru!es, 1958, as amended from time to time hereinafter referred to as the said Rules) shall apply mutatis mutandis to— (a) all permanent District and Sessions Judges drawn from amongst the omcers of the Judicial Service of the former State of Madhya Pradesh in the same manner as they have hitherto applied to them with effect from the 29th October, 1951 by virtue OF rule 7 (2) of the Madhya Pradesh Judicial Services Classification, Recruitment and Conditions of Services) Rules, 1955; (b) all permanent, District and Sessions Judges in the State who are drawn from amongst the officers of the Judicial Services of the former States of Madhya Bharat, Vindhya Pradesh and Bhopal, with effect from the 1st April, 1958 subject to the exercise of option as provided in rule 3 ; (c) all other permanent District and Sessions judges in the State not falling within clauses (a) and (b) above. (I-A). With regard to the age of compulsory retirement the permanent, District and Sessions judge shall be governed by the Madhya Pradesh (Anivarya Seva Nivritti-Ayu) Niyam, 1967 as specified in the Schedule to the Madhya Pradesh Shaskiya Sewak Adhivarshiki-Ayu) Adhiniyam. 1967 and the provisions of Fundamental Rule 56, as substituted by section 2 of the said Act

**4. Amendments when to come into force.**—Amendynertls made by section 2 and 3 Shal] come into farce with effect from the k 5th December, 1967

**5. Repeal.**—The Madhya Pradesh Shaskiya Sevak 'Adhivarshiki-Ayu) Adhyadesh, 1967 (12 of 1967) is hereby repealed. 1 SCHEDULE [ See sections 2 and 3] Rules (l) These rules may be cal\*ed the Madhya Pradesh (Anivarya Seva Nivritti-Ayu) Niyam, 1967 They shall come into force with effect from the 15!h December, 1967. (2) 2. (k) The age of compulsory retirement of Government servants other than Class 1 V Government servants shall be 258 years. (2) The a2e of co•npulsory relirement of Class IV Government servants shall be 60 years. I. Published in M.P. Rajpatra (Asadharan) dated 12•k 967 Page 3144

**2. Substituted by M.P. Act No. 9 of 1976.** The M.P. (Anivarya Seva Nivritti-Ayu) Niyam, 1967 3. Those Government Servants who have already attained the age of 958 years on the date mentioned in sub-rule (2) of rule and are in service of the said date shall, as from the said date, be entitled to such leave as may be due (or a period not exceeding 120 days and shall stand retired on the date next following lhe date of completion of such leave : Provided that the duration of such leave sha\*1, in no case, extend beyond the date of attainment of the age of 58 years. COMMENTS Synopsis (3) Court's declaratory decree is not (l) Order of compulsory retirement monetary decree. on payment of three month's salary. not bad. (4) Raising age of Superannuation. (2) Correction of entry about age. (5) Compulsory retirement. (L) Order of compulsory retirement on payment of three month's salary, •ot bad. —It is argued that there was a man who took his reversion with ill- grace, did not join on his substantive post for long seven years, went to the High Court four years after the passing of the said reversion order, deprived the State of his services in whatever capacity, and thereby exhibited lack of devo- tion to duty, used intemperate and offensive language towards the superior oficer for which he was charge-sheeted and actually removed from service

on that count. If the Government took all these factors into consideration in taking a decision as to whether it would be in public interest to retain him after the age of 55 years. could that decision be called malafide at all ? And after all, the petitioner was only promoted temporarily as Assistant Engineer. He had no vested right to continue the post and he was also not selected by Public Service Commission. The High Court Madhya Pradesh agreeing with the above argument of Government advocate held that the decision of the Government in compulsorily retiring the petitioner at the age of 55 years, could not be attack on the ground Of 'mala fide'. It was further argued by the petitioner that the order of retirement under the Rule could be effective only if the State Government simultaneously offered payment to him of his three month's salary. Unless the payment of an exact amount accompanied the service of notice, the order of compulsorily retirement would be bad. In the case of the State of Uttar Pradesh Vs. Dinanath Rai, decided on 11th October, 1968 : 1969 Service Law Reporter 647 (SC) the relevant portion of the Rule for interpretation reads thus : .. Provided that in the case of notice of the appointing authority the latter may substitute for the whole or part of this period of notice pay in lieu thereof provided further that it shall be open to the appointing authority to relieve a Government servant without any notice or accept notice for a short period, without requiring the Government servant to pay any penalty in lieu of notice." Their Lordships construed the rule differently and observed : Madhya Pradesh Services Manual 'The rule does not say that pay in cash or by cheque at the time the notice is issued. Knowing the way the Government function, it would be difficult to ascribe this intention to the rule making. There is doubt that the Governmenter: be entitled to the lieu of notice but [his would be in the ordinary course. In the case the language of the rule is akin to the language used in the Rule in Dinanath Rai's Case. 1969 L.R. 647 (SC) and would prefer to construe the rule as it was done in Dinanath's case. The intention is that payment to be made forthwith, simultaneously with the notice: now would the notice be effective only upon payment made. Payment could in the ordinary course. Even otherwise there was substantial compliance of the rule. The offer of Rs. 1770/- towards three month's salary, was made, presently, on the day notice of retirement was served or soon thereafter. The petition does not disclose the date of service of notice. The grievance of the petitioner is that the salary offered was calculated on the basis, as if the petitioner was stopped at the Efficiency Bar. According to him, the question of crossing the Competent authority had to consider the question prior to or on the date the petitioner became entitled to it and that date was 13.1969. If he was not considered on that date for any reason whatsoever, it would be presumed, he says, that the competent authority had no objection to his crossing the efficiency bar. The High Court held that the petitioner cannot claim the sanction to cross the Efficiency Bar simply because he had retired. The sanction could be given or withheld even after his retirement. If it was given, he could claim for it was withheld, he did not, lose anything, benefits even though retired. because he had already stopped at that stage. It was, therefore held that no punishment inflicted. U.K. Narayanan Vs. State of Madhya Pradesh and M.P.L.J. 404 : 1975 J.L.J. 760. 12) Construction of entry about age.- The facts of the case are that in the year 1957 when for the first time after the reorganisation of States, the petitioner was upon by the Settlement Officer to disclose his date of birth. The record in Service Book did not seem proper record as the date and the month of the petitioner's birth were not mentioned and the Service Book indicating EO show that the entry was verified with reference to any documentary evidence like the matriculation certificate or the Municipal Birth certificate. The petitioner produced the matriculation certificate and entered the date of birth as 8th April, 1915, not with an idea of creating that the entry was made of the insistence conflict, nor there is reason to believe of Shri R L. Gupta. presumably he made the entry having reason to believe : real intention in the mind that the same shall be acted upon. Whatever of the petitioner, any reason would accept the declaration and set on act on it. A duty was cast upon the petitioner to disclose his date of birth along with confirmatory evidence. He chose to produce the certificate. He was therefore debared from entering the date as shown therein without protest. from producing the certificate and asserting that the real date of birth was 13th Shukla Savana, 1974 equivalent to 20th August, 1917. He could have agitated the issue then and set the decision on the question of his date of birth. He has come to the High Court thirteen years after when the Government has chosen to act on his own admission, they gave him extension of service for a year and retired him with effect from 22nd April, 1971 The M.P. (Anivarya Seva Nivritti-Ayu) Niyam, 1967 was held that the petitioner was guilty of acquiescence. He accepted as 8th April, 1915. The case also attracts the doctrine of the date of birth estoppel by negligence. The petitioner allowed the two entries to continue

and thereby led the Government to choose the entry which *prona facie* appeared genuine and had the support of confirmatory evidence. The petitioner cannot now turn round and say that he has been prejudiced. He should have taken the steps to get one of the entries to him scored out. He then to continue and the Government could legitimately act on the entry which was supported by the petitioner's matriculation certificate. It was customary with the Government to rely on the matriculation certificate mostly, for purpose of date of birth. The petitioner's negligence lay in permitting the two entries to continue, and the latter entry in particular to be construed as his own admission in the matter of date of birth. Further it was held that the petitioner was guilty of suppression and mis-statement of facts inasmuch as he did not disclose initially that he had himself entered in Part VI of his Service Book the 8th April, 1915, to be his date of birth. He also did not speak about the declaration he had submitted in February, 1960. If he was forced to make the entry as he later contended, that would be a disputed question of facts on which the High Court would not go in evidence. In so far as the admission in the declaration of February, 1960 is concerned, there is no such plea of undue influence or coercion or misapprehension. *Prima facie*, however, the relevant documents were held to be voluntarily executed. *Afakra-dhpraj Singh Vs. State of Madhya Pradesh and another*. 1974 M.P.L.J. 31. (3) Court's declaratory decree is not monetary decree.—In Civil Appeal No. 670 of 1965, *M. Saxena Vs. State of M.P.*, decided on the 14th January, 1967, the Supreme Court held that retirement of a Government servant after he attains the age of 55 years, on three months' notice on the basis of the General Administration Department Memorandum No. 433-258-1 (iii) 763 dated the 28th February, 1963 is invalid in since the said memorandum was merely an executive order not a rule governing the conditions of service of Government servants. The decision affected a large number of retirements ordered on the basis of the aforesaid memorandum and involved considerable financial burden on the State Exchequer by way of payment of arrears. There were likely to be other complications regarding continuance in service etc. Therefore after the decision of that appeal the Governor had promulgated an Ordinance which was replaced on April 20, 1963 by the M.P. Shaskiya Sevak Anivarya Sevaniviriti ka Vidhimanyatakarana Vidyayak Takaram Vidyeyak Adhiniyam, 1967 (5 of 1967) validating the retirement of certain Government servants, including that of appellant, despite the judgment of Supreme Court. By virtue of this Act, the State is vested with a right not to pay (the dues of appellant from the date of his retirement (December 3, 1963) onwards. In effect this Act has made provisions of Compulsory Retirement Rules, 1965 applicable from March 1, 1963. The appellant again moved the High Court challenging the validity of the Act which was dismissed so an appeal was filed to the Supreme Court. It is argued on behalf of the appellant; (i) that a right of property being a judgment-debt, protected by Article 19 (1) (f) of the Constitution, had been by the Supreme Court's Decree dated 30th January, 1967 in favour of the appellant and against the State. Since the impugned Act in effect, seeks to expropriate the appellant of right without providing for any compensation it is ultra vires Article 31 (2) of the Constitution; *Madhya Pradesh Services Manual* (ii) That the impugned Act is ultra vires the Constitution inasmuch as it seeks to validate the retirement of the appellant and like him by changing the service conditions with retrospective effect. The legislature has overstepped the limits of legislative powers conferred on it by Article 309 of the Constitution. Reliance was placed on the decision of the State of West Bengal *Vs. Padanmbhacharya etc.* (1966) Supreme Court in the 494. (iii) that the impugned Act, encroaches upon judicial field inasmuch as it overrules and makes unenforceable the decision dated 30th January, 1967 in Supreme Court in Civil Appeal No 670 of 1963, and in so doing, it offends Articles 141, and 144 of the Constitution (iv) Even if the impugned Act is valid, clauses (b) and (c) of section 5 of the Act, on a proper construction, do not vacate the decree of the Supreme Court, requiring the respondent to the appellant to like pecuniary benefits resulting from the success of his earlier appeal (CAA. 670/65) in Supreme Court. Clause (b) of 5 merely bars the maintenance or continuation of any proceeding for any amount as payment, towards salary. The appellant is not seeking to maintain or continue any execution proceeding in Court, for the recovery of any amount towards salary, the decree being a declaratory one. None of these contentions were held to be tenable. On perusal of the Supreme Court decree referred to above would show that it is not a money decree, raising a judgment-debt. It is a declaratory decree declaring that the respondent's order dated September 1963, compulsorily retiring the appellant was invalid, and consequently the appellant would be deemed to have continued in service till he attained the age of 58 years. The further declaration that he will be entitled to such benefits as may accrue to him by virtue of the success of the writ petition was only incidental or ancillary to the main relief.

end wilt fall or stand with the same. This being indefeasible right D? property in the position Ibe decree did not create an favour of the appellant. The distinction between a 'legislative and a 'judiciāi act is well known, though in some specific instance the fine which separates one category from the other niay not he ca;ity discernible. Adjudication of the parties according to law cnaetcd by the legislature is a judicial function. In the performance of this function the court interprets and gives effect to the intent and mandate of the legislature as embodied in the statute. On the other hand, it is for the {egis}ature la.y down the law prescribing norms of conduct which will govern parties and transactions and to require and to give effect to that It was therefore, held that in enacting the impugned provisions, the leg-islature has not exceeded the }irqits of its legislative powers nor encroached on the judicial field. I. N. Saksena Vs. The Srafe of Madhva Pradesh. ! 976 U.J. (SC) 223. and others vs. The King Empero,• )944 F.C.R. 61 Governor General by Ordinance repealed the Special Criminal Courts Ordin- ance 1K of 1942. There was a provision in the It-pettling ordinance for con- firmation and continuance of sentences of Special courts and retrial of pending cases. The appcl!ant therein had been convicted and sentenced by Speciai Ctiminal! Court which was held have to jurisdiction to try the case by an order or a court Section 3 (I) OF the Special Criminn! Courts (Repeal) Or - The M,P. (Anivarya Seva Flivritti-AYLI) Niyam, 196/ dinance, 1943 conferred validity and Cull effectiveness on sentences passed by Special Criminal Courts by conferring jurisdiction on them with retrospective effect. The Federal Coun by pro:uulgatina and repealing Ordinance of 1943, the legislative authority had not auempted to do indirectly what it could not do directly or to exercise judicial power in the guise of legislation It was held that the Ordinanoe was not invalid on the grouūd that tbc authority had valida ted by respective legislation proceedings heid in courts which were void for want of jurisdiction as there was nothing in the Indian Constitution which precluded legislative Prom doing so. (4) Raising the age of superanaualion.—In the case of natahari Nena Vs. The Stat? of Orissa. A I.R. i 971 S.C. 1516, reEiance was placed on certaiu observations in the decision oi supreme Coart in Gurdcv Singh Sindhu vs. state of Pu,jab. (1964) SCR 587 A.I.R. 1964 S.C

**1585. There the Supreme Court strack down Article 9.1** of the Pepsu Service Regulations under which the Government sought to retain an absolute right to retire any Govern- ment se-(vant after he had compleed years qualifying service without giving In that case the petitioner who had been appointed as an Assis- any reason. tant Superintendent of Police in the erstwhile Patiala State on February 4, 1942 and confii•med in that rank on the regular vacancy after undergoing • •a I district craining courses, aud after promotion to [he rank of Superin- practiv tendent of Police in an officiating capacity jn February 19-50 in the said Stato of Pepsu, was asked to show cause by notice dated 25th March 1963 as to why he should not be compulsorily retired. The petitioner complained that lhe notic-• issued to him was invalid on the ground that the article cn which it was based was itself ultra vires and inoperative aud only question before tho Couri was whecher the impugned article was shown 'o be constitu- tionally invalid. Referring to Satish Chandra Anand Vs. The Union of India 1953 SCR 585 : A.I.R. 1953 se 250. certain dima oi the majoriw Judges in Moli Ram Deka Vs. Genera/ Manager, Norzh East Frontier Railwpa.l'- A. I.R. 1964 S.C. 600 : (1964) 5 SCR 683, the Supreme Court observed by way IliālJority judgment took the precaution of explanalion that of adding a note of caution that if a rule ot-compulsory retirement purported to give authority to lhe Government to tek ruinatc the sei vices of a permanent public servant at a very early stage of his career the question about the vali- dity or such a rule may have to be examined. That is how in accepting ithe view that a rule of compulsory retirement can be treated as valid and as constituting ar exc2ptiop, to the General rule that the termination of the ser= vices of a permanc\_ nnblic servant wolklei amount to his remo u•\_ (2), the Suprelile Court- added a r;clcr and made it perfectly clear that if the Ininimum period of sernce which was prescribed by the relevam rules upneld by the earlier decisions was 25 years, it could not be reasonably reduced in In other words, Lhe majority judgment indicates that what indi- that behalf. cates what influenced the decision was the fact Lhat a fairiy large number cf years had been pyescribed by the rule ot' compulsory retirement as coustituting the Ininitum period of service after wh;ch alone the said 'rule could be invoked. The Court further observed that that the safeguards which Article 3] I (2) affords to permanent public servan:s is no more than this that in case it is intended to dislhiss, remove OF reduce them in rank a reasonable opportunity should be given to them of showing against the action proposed to be taken in Kegard to Lhenl. A claiml för securily LO tenure does not nic•an security to tenure for dishe nest, corrupt, or inefficient public servants. The "Jaim merely insists [hat before they are renioved, tile perma nent public servants should be given an opportunity IO meet the char

le which they are sought to be YADved. Madhya Pwadesil Service Manuaü seelib unly exceptions caa bc I tea ted effect of the afforded hy servant is asked tetire on age nf superannuation whitell has been reasonably fixed. apppây. because such retirelneut is neiEher d;slnissal nor r of lthe P2bliz a perinancn! public setv:mt is co•npulsorily which the norrnal age of superannuation aoc! a Io oi qu•lited service arter which alone caa be thal again Olay net amount 3 1 k Inuit-ily' bec•-rusc• that ii the effect long under cisions of Supre,ne Cou{t- BLit where while reserving the power to thc to retire p:mnant public servant. a rule is Framed • and another is added to the State retire a nuble servant . cad or to his cannot, be treated our-ide Article 311 ternnnati13'i of a permanent pubhe n! under such though compulsof' retiretneac, KS. in substaucc reinoval under Article 31 1 T ht. above teGed on the counsel do help the show that a rule v.'hich permits a GQ\crnmciüi. in ask The before I would be hil by Av:icle 311. The y c Jnnot of qualifying err. Ice inenüuned in the rule apply nornutl age supernnuation fixed is not rea.slinabl•,• :ccounm BzfQ(e May 1963 Government in Government t•ab'y 13'. servant rait•e on cf v.'hcther he in Oriwu 1 30 qualifying s:rvice or not. The fact the age 01 resecved to itself a right f o from 55 ot 58 M'hile \ 10late iiLticlc ask any cmpi0)ec to at ihe ape of Joes rnoval Sl ate n rule Secondly die Governnr. •n•: reuire at lthe age 5.S assi2Tiinq 196! certaiil truidcli: the of Felu•uyrv. 'es B'ere indicate,i 10 •she ot Depactrnents ia cons\*'delittt: whether Gaz,' 'rnrr,Ä qervant shoal,} cqat,nue in service 1 he of years, of' lthe for considerat:oa being lack ot' inteetity. did not 'IEply lhat any officer \whose continuance in service was nol rack'.d in inlegriify. Bal'i!tare Jena The, A.[.R. S C 1516. kn. \_h'n that a law or r kik be so us confined to to it valid and power to the Government argued beforc the High Court nal\_nely that it to a Government secvattt to renv.kia in even beyond the age of 55 years for special reasons the rule will not bc rendered invalid and validity appellant . no; be put in jeopardy. SD construed it is apparent I hat the Rules berm-e 'ired compulsoy under lthe Saurashtra could not have hecn he had attained age of -55 years. By applyin•g Bonibay rake his candhions of service varied to his disadvantage because be could Eben cunpul- sorily retired :oon as he attained the age Qif 50 years. or A A.R '770 Rajn Deka Vs. (5) retirement. (5) S.C.R. L.C.R. ('83 Ald/iguon pendu. th, \_ wlucâ fo: perillitted y rt'iirclll The M.P. (Anivarya Seva Nivritfi-Ayu) iNiY(€m, Illinimum period of service after which the rule could be invoked. According to the observations of Venkataram Ayyar J. in Slate of Bombay Vs. Saubhag• 1958 S.C.R. : A.K.R. [957 L.c. 892, the application of chaad Nf. Joshi. such a rule would be tantamount iO dismissal under Article 31 (2) of the Constitution. T hek•e were certain other decisions oi the Supreme Court which relevant on this point viz. P. Bal,'ikmaiüth Vs. i:nion of hldia. 1958 S.C.R. 1052 : A I.R. 1958 S-C. 232 and Dali? Singh vs. State OfPunjab. 1961- 1 S.C.R. 88 : A.I.R. 1960 S.C

**1305. All these decisions were considered in Motiran: Deka Vs.** General Manag N.E F. Railways, A.I.R. 1964 S.C. 600 and the true legal position was stated in the majority judgment at page 726 of : We think that it' any rule of S.C.R. and at page 617 of A.I.R. lhus permits the appropriate authority to retire compulsorily a civil servant without imposing a limitation in that behaif that such civil servant should have put in a minimum period of service, that rule would be invalid and the so-called retirement ordered under the said Ruic woukd arnounL to renoovat of the civil servat within the meaning of Article 311 (2)" Singh Sidhu vs. of Punjab, 1964 7 S.C.R. A.I.R. 1964 S.C. ] 585, it was pointed out that the only two exceptions to the protection afforded by Article 311 (2) (1) wherea petmanent public servaat was asked to retire on the ground that he had reached lbe age of superannuation which was reasonably fixed ; (2) that he was compulsorily retired under the rule which prescribed the normal age Of superannation provided a reasDna-biy long period of qualified service after which alone compulsoy retirement could be valid. The basis on which this view has procseded is ihat for efficient admiaistration it is necessary that public servants should enjoya sense of seeu., rity of tenure and that the termination of service of a public servant under a rule which does not lay down a reasonably long period of qualified service is in substance remova. under Article 311 (2), The priuiple is that the Tule relating to compulsory retirement of Government servant must not only o:ontain lthe outside limit Di superannuation but there inust also bc a provision for a reasonably long period of qualified service which must bc indicated with suffi- cient clarity. To give an example. if 55 years have been specified as the age of superannuation and if it is sought to retire [he servant even before that period it should be provided in lthe rule that he could be retired arter he has attained the age of 50 years or he has put in service for a period of 25 years Kt is well setied lhat a law or a statutory rule should be so interpreted as 10 make it valid not invalid. It this expression is confined to what was argued - before the 14igh Court, namely thaLit ves power to government to allow a servant to

remain in service beyond the age of 55 years For special reasons the rule wilt QOL be rendered invalid and its validity will not be put in jeopardy. So construed it is apparent thäC the appellant could not have been retired compulsorily under Saurashtra Rules be?orc he had attained the age ot' 55 years. By applying the Bombay rule his condition service were varied to his disadvantage because he could then be compuisori[y retired as soon as he attained lhe of 50 As the previous approval of the Central Gover- Illenl was not obtained in accordance with lhe proviso to Section 115 (7) of the States Re-organisation Act, 1956, the Bombay Rule could not be made applicable to the appe13ant. TakhctrarJ.' Shivduffary Mankad Vs. State of Gujarat A.i.R. 1970 S.C. 143 1969 Ser. 572 : (1970) S.C.A. 138 : 11 Guj, L.R. 325 • 0970) S.C.R. 244

#### **4. A GovernmenL servant may given tension of service beyond the age 5S years subject to his physical fitness and outstanding quality of-his work but not beyond the ace of 60 years.**

Madhya Ffudesh Services Nianual 14-A. Notwithstanding cont:iaed ia rule 4, Servant who had been a freed jm fig\uec may: on production or a the below and subject to his being fit Io b 2 continued in service. extension of service beyond the age o? years for such exceedilig n actual dctencii)il anclilor the period for which such government se•rvan!. imprisonment including the period uadergone as under iGal connection the freedom movement, subjecl to of (hree y,yars. Explanation.—For the pu •poses of ' 'a freedom {tizh[er" Government servant who •was detained and/or imprisoned of Lis freedom mcvekl,ent durint-r the period political activities in connection wilh from 1919 to \946,] 5. The Madhya Pradesh (Age of Compulsory Retiötrr.ent) Rules. i are hereby repealed OF CERTIFICATE CERTIFIED that Shri . .. was imprisoned and" or detai ned canneclion wiith the freedom movexnent at the pia.ce, far the perind and under f he provisions of the law mentioned bctnv.- Place Dated the Period Provisi011 of' under which Disfnit•i Afagisrafe. SCRI 114--009/2003 20-0b ri-z--\*-z ) -Q-q-rJI fa. 30-5-2001.' 26, 1929 tiv 16 2008 587ßt. 12/21-3\*A1.rø. 05-01-2008 20 (43) 20 (44) 1967 g fax--u•fira 56 2. 3RfÅfi-q-q 02 2008) ( ) ( ) 2007 ( ) 1967 ( 29 1967 ) gR1 2007 (2) zrg 1 2007 34Tq) 1967 29 1967 ) 56 ( VAS) ( ) Alf @ 1987 • 1987 "(I-IT) (2) 1988 1987 f\*-Tö 2008 1988 fiqq, 1987 (ærq-q&7) ( ((•rqqr7) 1987 fila-IT 3-ifiiq 3987 01 2007 20 (45) (46) 3. id0ä ( ET4frd) 3FqPX1 2007 S 2007 ) 16 2008 5871ST. 12/21 -wm.rg. 348 ( 3) 3\*t?) (ti?frpü) .37fUfi•ztq, 2007 (Äf± 02 2000 qrfi-Tä( CHHATTISGARH ACT (No. 02 of 2008) THE CHHATTISGARÜ SHASKIYA SEWAK (ADHIVARSHIK\AYU) (SANSODRAN) ACT. 2007 An Act Further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhihiyam, 1967 (No. 29 of 1967) . Be it enacted by (he Chhattisgarh Legislature in the Fify--Ei2hth year ol- the Republic of India, as follows : Short eiid CGnihieiiR--•ifiThL Aniendmefit Of iÖh• deinéötâi Rti'é Silbstitiite4:by tiOh 2 ihe No. tjO. (2) ri'hi.s Acl may be Called the Chhât\isgarh Shaskiya Sevak (Adhivarshiki-Ayu ) Adhiniyam, @hall be dtelnd to have Colne into iOtCc on the 1st day of April

**2. Section '0Tihi2Chtiätfi€Ääh ShäSkiYä Adhiniyam.**(No. 29 of 1967) (here-in-after referred to as the Principal Act), in Rule 56 of the Fbildamctitöl Rules,— til Sub-tUlé (I "for (He Words ' 'eve(y Goveimpent servant other than a (Govern- aCléSs IV•GovetiitWh1 Servant" i the words • •every ( iovern- a l?CäCher, a Class IV Government Cëey itie.i-nbéi• Of the Chhattisgarh Public Health and Family Well-arc 16 2008 (GazetlCd) Service aplioin!d to medi?ai post mentioned in Sghedule-t Chhaltisgarh public Health and Family Welfare Recruit- ment Rules, 1988, every member of the Chhattisgarh Public Hcallh (Endian Systems or Medicine and Homeopalhy) (Gazetted) Service appointed to a Medica! post maintained in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) Recruitment Rules, '1 987 and every member of the Chhattisgarh Medical Educa!ion (Gß7cftcd) Service . appointed to a medical teacher post mentioned to the ChhatLisgarh Medical Education (Gazetted) Service Recruitment Ruics, 1987" shali he Kuh- stituted. In cxplanation to sub-rules (I-a), the words "or medical" shall he ornilted. In explanation 10 sub-rules ( -a), for the words "Schooi/Cotlegiate1Technicalf Medical" the words ' 'School/CollegenechnicaF' shall be substituted. After% sub-rule (I-b), the following shall be inserted. namely ; Subject to the provisions of sub-rule (2), every member of the Chhattisgarh Public Health and FaHiyy Welfare (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health and Family Weifare (Gazetted) Service Recruitment Rules. 1988 and every menmber of the Chhattisgarh public Heallh (Indian Systems of Medicine aid Homeopathy) (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhqtisgarh Puhic Health (Indian Systems Qt' Medicine and Homeopathy) Recruitment Rules, 3987 shall retire from serv;cc on the dpy Qi !hemonth in which he attains the age of 62 years ; Provided that # member of the Public Health and Family Welfare (Gazetted) Service appointed to a medical post mentioned in Schedule-I 'Q Chhattisgarh Public

Health and Family Welfare (Gazetted) Service Recruitment Rules, 1987 whose date of birth is the first or a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty two years. Explanation For the purpose of this sub-rule "a member of the Chhattisgarh public Health & Family Welfare (Gazetted) Service" and "Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service" means Government servant by whatever designation called, appointed as Medical Officer or Specialist in accordance with the recruitment rules and shall also include such Medical Officer or Specialist who is appointed to an administrative post by promotion or otherwise and who has served as Medical Officer or Specialist for not less than five years prior to the date of appointment. "The Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987 shall retire from service on the afternoon of the last day of in which he attains the age sixty five years : Provided that. General Duty Medical Officer Assistant Superintendent of Teaching Hospital and Dental Surgeon the Chhattisgarh Medical Education (Gazetted) Service shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty two years and if their date of birth is the first or a month then they shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty five years : Provided further that a member of the Chhattisgarh Medical Education (Gazetted) Service (excluding General Duty Medical Officer Assistant Superintendent of Teaching Hospital and Dental Surgeon) appointed to a medical teacher post mentioned in Schedule-I to the Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987 whose date of birth is the first or a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age sixty five years. Provided further that the benefit of (his Act shall be available in case of death (Doctor or Medical Officer) occurring during the period in between 1st April and date of publication of this Act. Explanation For the purpose of this sub-rule "a member of the Chhattisgarh Medical Education (Gazetted) Service" means a Government servant by whatever designation called, appointed for the purpose of teaching in Government Medical College, in accordance with the recruitment rule applicable to such appointment and shall also include the medical teacher who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than five years provided he holds a lien on a post in concerned Medical Education Service." The Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhyadesh. (No. 5 2007) is hereby repealed. 114-009/2003/20-01-03. ft. Q. 30-5-2001." 29 9, 1930 29 2008 4409ra. 130/21-3-7,m./Ø. 23-04-2008 237 23B 29 1967 2. 29 2008 2008 ( 1967 29 1967 ) 2008 t. (2) 1 afi«, 2007 1967 29 1967) 56 :— R) 1987 amf\*7) a--Tä 1987 1987 ( 1 -q) fiæfi:ra Äli, 238 (1) ( gtq) 29 2008 1987 29 2008 4409/€1. 130/21-am.B. 7T./08.—VR7 348 (3) ( 65TH) 2008 07 2008) Rftrqr« CHHATTISGARH ACT (No. 7 of 2008) THE CHHATTISGARH SHASKIYA SEWAK (ADHIVARSHIKI-AYU) (SANSHODHAN) ACT, 2008 An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki Ayu) Adhiniyam, 1967 (No. 29 of 1967). Be it enacted by the Chhattisgarh Legislature in the Fifty-Ninth year of the Republic of India, as follows :- (2) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2008. It shall be deemed to have come into force on the 1st day of April, 2007

**2. In rule 56 of the Fundamental Rules applicable to the state of Chhattisgarh as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam 1967 (No.29 of 1967) here-in-after referred as the Principal Act, the following amendment shall be incorporated, namely : Short title and Coin. mendmenti Amendment Fundamental Rule 56 as substituted section 2 of the Chhattisgarh Act. ND. 25 of 1967. (1) in sub-rule (1), after the words "every member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to a Medical post: the words "or to an Ayurved Teacher Post" shall be inserted. 29 2008 In sub rule (1 -d) of the principal act, after the words & figure "Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules. 1987". the words a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to an Ayurved Teacher post. mentioned in Schedule-I to the Chhattisgarh**

Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" shall be inserted. In second proviso of sub-rule (1-d), after the words and figure "Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987". the words and figure "and a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service appointed to an Ayurved Teacher post mentioned in Schedule-I to the Chhattisgarh Public Health (Indian systems of medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" shall be inserted. In sub-rule (1-d) for the word "Explanation" the following shall be substituted, namely "Explanation-P" After the explanation of sub-rule (1-d), the following shall be added. Explanation-II "For the purpose of this sub-rule "a member Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" means a Government servant by whatever designation named, appointed for the purpose of teaching in Government Ayurved College, in accordance with the recruitment rule applicable to such appointment and shall also include the Ayurved Teacher who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than twenty years provided he holds a lien on a post in concerned Ayurved Education Service." qt. 2- ft. 30-5-2001." 25 2009—aa 4, 1931 3iR 2S 2009 2313Ct. 63/21 -eww.B. 16-03--20-9 e---vaqfr 9TH t, t. -g--å-q-d 181 182 56 2. (1) (2) ( qiq) 25 2009 3 q 2009) ( ) ( ) 2009 ( ) ( 29 1967 ) 37füfiu•q, 2009 t. 1 2008 1967 29 1967) (Gil 56 a, : 1987 ( ktqufrd) 1966 ( 1 ) "\*UTd ( 1987 ( qrs-qfrd) 1966 -ggf\*-q-q ( a-rqqfid) 1988 ( (Äfrl) q-frJfö 3. 2s 2009 ( 1-11) a•rqqfra) 1988 a•qfizm ( 1-71) ( 1966 ( 1-11) "NÆT"• ( 1 - q) frzn 1" a-rqqffi) t, fi, fifi (æi•öFf) 2008 4 2008) 25 2009 2313m 348 (3) 2009 3 2009) 2S 2009 CHHATTISGARH Acr (No. 3 of 2009) THE CHHATTISGARH SHASKIYA SEWAK (ADHIVARSHIKI-AYU) (SANSKODHAN) ACT, 2009 An Act further to amend the Chhattisgarh Shaskiya Sewak (Adhivarshiki-AYU) Adhiniyam, 1967 (No. 29 of 1967) . Be it enacted by the Chhattisgarh Legislature in the Sixtieth Year of the Republic of India, as follows : Short title and Commencement. Amendment Fundamental Rule 56 as substituted by section 2 of the Chhattisgarh Act NO. 29 of 1967. (1) (2) This Act may be called the Chhattisgarh Shaskiya Sewak (Adhivarshiki- Ayu) Sanshodhan Act, 2009. It shall be deemed to have come into force on the 1st day of September.

**2. In Rule 56 of the Fundamental Rules applicable to the State of:- Chhattisgarh substituted by Section 2 of the Chhattisgarh Shaskiya Sewak (Adhivarshiki-AYU) Adhiniyam, 1967 (No. 29 of 1967) here-in-after referred to as the Principal Act. the following amendment shall be incorporated, namely . (v) In sub-rule (1 after the words and figure "Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987". the words and every member of the Chhattisgarh Veterinary Service (Gazetted) appointed to a 'veterinary medical' post mentioned in schedule-I to the Chhattisgarh Veterinary Service (Gazetted) Recruitment Rules: 1966" shall be inserted. In sub-rule (i), the word "and" appearing after the words and figure "Chhattisgarh Public Health (Indian System Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" shall be omitted. In sub-rule (k), after the words and figure "Chhattisgarh Public Health (Indian System of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1987" the punctuation mark " (comma)" shall be inserted. In sub-rule (1-c), after the words and figure "Recruitment Rules, 1987" words and figure "and every member of the Chhattisgarh Veterinary Service (Gazetted) appointed to a 'veterinary medical' post mentioned in schedule-I to the Chhattisgarh Veterinary Service (gazetted) Recruitment Rules. 1966" shall be inserted. In sub-rule (1 the word "and" appearing after ' 'Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1987" shall be omitted. In sub-rule (1 after the words and figure "Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1987" the punctuation mark " (comma)" shall be inserted. In proviso of (1 -c), after the words and figure "Recruitment Rules, 1987", the words and figure "and every member of the Chhattisgarh Veterinary Service (Gazetted) appointed to a 'veterinary medical' post mentioned in schedule-I to the Chhattisgarh Veterinary Service (Gazetted) Recruitment Rules, 1966" shall be inserted. In proviso of sub-rule (1 -c), the word "and" appearing after "Chhattisgarh Public Health and Family Welfare (Gazetted) Service Recruitment Rules, 1987", shall be omitted. 3. 2S 2009 in proviso of sub-rule (1 after the words "Chhattisgarh Public-Health and Family Welfare (Gazetted) Service Recruitment Rules, 1987" the punctuation mark " (comma)" shall be inserted. In sub-rule (1 -c), for the word "Explanation" the following shall be substituted, namely - "Explanation-I" After the explanation of sub-rule (1 -c). the following shall be added : Explanation-II— "For the purpose of this sub-rule "a member of the Chhattisgarh Veterinary Service (Gazetted)" means a Government servant by whatever designation**

called. appointed as veterinary medical officer or specialist in accordance with the recruitment rule applicable to such appointment and shall also include such veterinary medical officer or specialist who is appointed to an administrative post by promotion or otherwise and who has served as veterinary medical officer or specialist for not less than Twenty years provided he holds a lien on a post in concerned Chhattisgarh Veterinary Service (Gazetted!" Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhyadesh, 2008 (No. 4 of 2008) is hereby repealed. v<sub>r</sub>q<sub>i</sub>, Repeal. ft. Q. 30-5-2001," 96 ] 18 2012—ãa 29 1934 18 2012 3265/4. 113/21 -awq.ß. 12-04-2012 191 192 7QT 29 1967 56 2. 18 2012 12 q 2012) 2012 ( ) 1967 ( 29 1967 Y fi\*fiaa 37fufizfiqua (1 ) ( (æi\*rtfi) 3RfÅfiqq, 2012 (2) 1 3\*«, 2012 (3fi-BTf#t-3ATg) 1967 29 1967) 2 56 ( 1 -qi) "3-q-fiqq (RI) 56 (I-q) "( 1 -v) a•q-fizrq (2) : ftqor' 1956 ( 1956 3) 1987 ( 1987 52), 3Rfufiqq, 1.948 (1948 16), 1947 (i947 48), ft;-ër fa-üTfiüi 18 2012 1? 2012 3265/-\*. 113/21-37AT./3. 348 (3) aitr<sub>r</sub>fi) 3fifiqq, 2612 12 CHHATTISGARH ACT (No. 12 of 2012) THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU) (SANSHODHAN) ADHINIYAM, 2012 An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967). Be it enacted by the Chhattisgarh Legislature in the Sixty-third year of the Re-public of India as follows : 1. 2. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Saoshodhan) Adhiniyam, 2012. (2) It shall be deemed to have come into force on the 1st day of April 2012. In Rule 56 of the Fundamental Rules applicable to the State of Chhattisgarh as substituted by Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967), the following amendment shall be incorporated, namely In sub-rule (I-a), after the words "every Government teacher" the words "other than those specified in sub-rule (1 -e)" shall be inserted. After sub-rule (I-d) of rule 56, the following sub-rule shall be inserted, namely : "(1 -e) Subject to the provisions of sub-rule (2), a member of the teaching cadre of a Government College under Higher Education department, Government Engineering College, Government Polytechnic Institute, Government Dental College and a member of nursing teaching faculty with M.Sc. in Nursing in the State Government nursing teaching institution, who is engaged only in class room teaching activities and not occupying non- teaching or administrative post, shall retire from service on the afternoon of the last day of the month on which he attains the age of sixty five years: Provided that such member of a teaching cadre who is holding a lien on a teaching post and occupying administrative post, shall have the option of seeking appointment to the teaching post in case he wishes to continue in service up to sixty five years: Provided further that such member of the teaching cadre who retires under this sub-rule, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty five years. Explanation.— For the purpose of this sub-rule 'class room teaching' shall mean teaching students in a class room in a course or programme of study in a subject or faculty leading to award of a degree or any other qualification as recognized under the University Grants Commission Act, 1956 (3 of 1956) or the All India Council for Technical Education Act, 1987 (52 of 1987), the Dentists Act, 1948 (16 of 1948), the Indian Nursing Council Act, 1947 (48 of 1947) or any other law for the time being: in force.' ÆTqu0r, Short and commencement. Amendment of Fundamental Rule 56 as substituted by section 2 of the Chhattisgarh Act No. 29 of 1967. 2-22-vëræmg TTGrz/38 a. 30-5-2001." 343 ] S 2013—ÄOT 14, 1935 ifiz-« S 2013 6757/\* . 240/21 30-07-2013 68S 686 YTtq.r. 56 2. 2013 25 q 2013) 2013 1967 29 q 1967 ) ( ) 3fifizm, 2013 ( afifizrq, 1967 29 1967 ) 2 ( IWi) (1-71), (I-q), (1-3) a-q-tq-q ( 1.) q, 1 -qi) (2) a-q-fi-qq ( 1 Æ) (1- -t ( IA) ( 1-3) t-äi Gi, :-ä-i-fi s 2013 ( 1-11) (RNAüd) 1966 -a-q-Ä 1 2008 ( I-q) 374fq:—, (I-EI) (2) Qf\*Ttr, fiq•q, 1987 ((Äüd) 1987 5 2013 æi-äftR ( MN-ft fr-q;i -Q 3P.4TtFT 2007 #qifn7 :— 3Tå«, 2012 1988 1987 1981 1987 5 2013 a. ai) 1 2013 5 2013 6757m. 240/21-WYF.Æ.q./13.—qra 348 (3) 2013 25 æft2013) 686 (3) 5 2013 CHHATHSGARH ACT (No. 25 of 2013) THE CHHATTISGARH SHASKIYA SEVAK (ADHIVARSHIKI-AYU) (SANSHODHAN) ADHINIYAM, 2013 An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967). Be it enacted by the Chhattisgarh Legislature in the Sixty-fourth Year of the Republic of India, as follows Short and commencement. 56 Fundamental Rules substituted by section 2 0' the Chhattisgarh Act No. 29 of 1967. (2) nis Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki- Ayu) (Sanshodhan) Adhiniyam, 2013. It shall come into force from the date of its publication in the Official Gazette

**2. In Section 2 of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No.29 of 1967), in Rule 56 of Fundamental Rules, following amendment shall be incorporated, namely For sub-rule (I), the following shall be substituted, namely :— Subject to the provisions of sub-rule (2), every**

Government Servant other than a Government Servant mentioned sub-rules (I-a), (1- b), ( ] -c), Q -d), (1 -c) and (1 -f), shall retire service on the after- noon of the last day of the month in which he attains the age of sixty Provided that on attaining the age of sixty years above mention Government Servant, whose date of birth falls on first of a month shall retire from service on the afternoon of the last day of the preceding month." For sub-rule (I-a), the following shall be substituted, namely : -a) Subject to the provisions of sub-rule (2). every Government Teacher other (han a Governrnent Tencher rmentioned in sub-rules (1 -d) and ( ] -e), shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty two years : ProVided that on attaining the age of sixty two years above mention Government Teacher, whose date of birth is the first of a month retire from service on Lhe afternoon of Lhe last day of the preceding month. Explanation— For the purpose of this sub-rule, "Government Teacher" means a Government Teacher, other than a Government Teacher mentioned in sub-rules (1 -dj and (I- e), by whatever designation ca"ed, appointed for the pur- pose of teaching in a Government educational institution in accordance with the recruitment rules applicable to such appointment and shall also include a. teacher who is ap- •:pqinted, to an administrative post by promotion or other- wiSe and who has been engaged in Iteaching for not less than twenty years,- provided that he holds a lien on the post in the concerned Government educational institution". For sub-rule (1 following shall be substituted, namely Subject to the provisions of sub-rule (2), every member Of (a) the Chhattisgarh Veterinary (Gazetted) Service appointed to a 'veterinary medical' post mentioned in Schedule-I to -the Chtiãitigarh Veterinary Service (Gazetted) Recruitment no zi)lod sd S 2013 Rules, 1966 shall retire from service on the afternoon of the last day of the month in which he attains the age of 62 years : Provided that on attaining the age of sixty two years every above mentioned meinber of the above men- tioned Rules, whose date of birth is the first of a month shau retire from service on the afternoon of the last day of the preceding month On attaining the age of sixty two years. Explanation— For the purpose of this sub rule "a member Of the Chhattisgarh Veterinary Services (Gazetted)" means a Government servant, by whatever desig- nation called, appointed as a veterinary medical officer or specialist in accordance with the recruit- ment rules applicable to such appointment and shall also include such veterinary medical of- ficer or specialist who is appointed to an admin- istrative post by promotion or otherwise and who has served as veterinary medical officer or spe- cialist for not less than twenty years. provided he holds a lien on the post in concerned Chhattisgarh Veterinary Services (Gazetted). The increase of age of superannuation from sixty years to sixty two years in clause (a) shall be deemed to have come into force from 1st of September, 2008." For sub-rule (1 -d), the following shall be substituted, namely :— Subject to the provisions of sub-rule (2), a member of (a) Chhattisgarh Medical Education (Gazetted) Services (excluding General Duty Medical Officer, Assistant Super- imendent of Teaching Hospital and Dental Surgeon) ap- pointed to a medical teacher post mentioned in Schedule- I to the Chhattisgarh Medical Education (Gazetted) ser- vice Recruitmeni Rules, 1987 and a member of the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Services appointed to an Ayurvedic Teacher Post, mentioned in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) Service Recruitment Rules, 1 987 shall retire from service on the afternoon of the last day of month in which he attains the age of sixty five Provided that on attaining the age of sixty five years the aboveinentioned member of the said Rules, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month. Explanation-I For the purpose of this sub-rule "a member or the Chhattisgarh Medical Education (Gazet- led) Services" means a Government servant, by whatever designation calied, appointed for the purpose of teaching in Government Medical Col- lege, in accordance with the recruitment rules ap- plicable to such appointment and shall also in- Clude the medical téächer who is appointed to an administrative post by promotion or otherwise and who has been engaged in teaching for not less than twenty years, provided he holds a lien on the post iR concerned Medical Education Service. 686 (s) 686 (6) (b) 5 2013 Explanation-II- For the purpose of this sub-rule ' 'E, mem- ber of the Chhattisgarh Public Health (Indian Sys- tems of Medicine and Homeopathy) (Gazetted) Services Recruitment Rules, 1987" means a Government s rvant, by whatever designation called, appoimed for the pupose of teaching in Government Ayurved College, in accordance with the recruitment rules applicable to such, appoint- ment and shall also include the Ayurved teacher who is appointed to an administrative post by pro- motion or otherwise and who has been engaged in teaching for not less than twenty years, provided he holds a lien on the post in concerned Ayurved Education Service. The increase of age of

superannuation from sixty two years to sixty five years in clause (a) shall be deemed to have come into force from 1st April, 2007." (vi) Sub-rule (1 -e), the clause shall be renumbered as clause (a) and after clause (a) of sub-rule (1 -e) the following shall be added, namely : "(b) The increase of age of superannuation from sixty two years to sixty five years in clause (a) shall be deemed to have come into force from 1st April, 2012." After sub-rule (1 -e) the following shall be added, namely Subject to the provision of sub-rule (2), every member of (a) the Chhattisgarh Public Health and Family Welfare (Gazetted) Service appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health and Family (Gazetted) Services Recruitment Rules, 1988, every Member of the Chhattisgarh Public Health (Indian Systems of medicine and Homeopathy) (Gazetted) Services appointed to a medical post mentioned in Schedule-I to the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) Recruitment Rules, 1987, every member of the Chhattisgarh Employees State Insurance Services (Gazetted) appointed to medical post mentioned in Schedule-I to the Chhattisgarh Employees State Insurance Services (Gazetted) Recruitment Rules, 1981 and a member of the Chhattisgarh Medical Education (Gazetted) Services appointed to a General Duty Medical Officer, Assistant Superintendent of teaching Hospital or Dental Surgeon mentioned in Schedule I to the Chhattisgarh Medical Education (Gazetted) Service Recruitment Rules, 1987 shall retire from service on the afternoon of the last day of the month in which he attains the age of 65 years : Provided that on attaining the age of sixty five years, a member of the abovementioned Services in the above mentioned posts, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month. Explanation-I For the purpose of this sub-rule "a member of the Chhattisgarh Public Health & Family Welfare (Gazetted) Services", "A Member of Public-Health. (Indian Systems; Of Services" 5 2013 a member of the Chhattisgarh Employees State Insurance Services (Gazetted) and a member of the Chhattisgarh Medical Education (Gazetted) Services means a Government servant. by whatever designation called, appointed as Medical Officer or Specialist in accordance with the recruitment rules and shall also include such Medical officer or Specialist who is appointed to an administrative post by promotion or otherwise, provided he holds a lien on a Medical post in concerned the Chhattisgarh Public Health & Family Welfare (Gazetted) Services or the Chhattisgarh Public Health (Indian Systems of Medicine and Homeopathy) (Gazetted) service or Chhattisgarh Employees State Insurance Services (Gazetted) or Chhattisgarh Medical Education (Gazetted) Services. provision of clause (a) shall be deemed to have come into force from 1st April, 2013." 686 (7) equa. / 38 30-05-2001." 99 ] (ORTQRUT) 2014 1935 z: iÄTazr, 2014 1 34/21 au/ 14. — 22-02-2014\* uu: a Gz: n 197 grtä

**2. IRT Onw:** 2. 3, 2014 A) (m 19 ( ) ) 2014 196' '967) 2 20f3 2013) 2s 1014 ) 2014 2. CHHATTISGARH ACT 0b.4öf 2514) THE CHHATTISGARH SHASKIYA SEWAK (SANSHODKAN) ADHINIYAM 2014 An Act further to amend the Chhattisgarh Shaskiya Sevak Adhivaryam. 1961 (No. 29 of . Be it enacted by the Chhattisgarh Legislature in the Sixty-fifth Year of the Republic of India, as follows This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2014. It Shall come into force from the date Of its Publication in the Official Gazette, in Rule 56 of the Fundamental Rules as substituted by Section 2 Of the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (NO. 29 of 1967), following amendment Shall be incorporated, namely In sub-rule (1 ) , the words, figures, Parenthesis, hyphen and punctuations (1 -b) and ( 1-c) shall be omitted. In sub-rule (1), for the words, "Sixty" wherever it occurs, the "Sixty- two " shall be substituted. Sub-rule (1-a), (1-b) and (1-c) shall be omitted. The Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Ordinance, (No. 2 of 2013) is hereby, repealed. (1-a), word 2013 - 2014. tide coätoconeement. Amendment Rule Of Fundamental Rules substituted by Section 2 of the No. 29 of 1961. Repeal. / 38 ft. Q. 30-05-2001. 220 ] 44 8 18, 1937 8 2015 31911/€.(121 06-04-2015) 439 440 y: 29 ift 1967 Z qqT 56 1. 2. 2015 10æft2015) (€üqq) 2015 1967 29 1967) (1) 2015 1967 (Z 29q; t1967) 2 56 ü, (W) zq-Gqq (1) zq-äzrg (ZTEI&) fiqq, - zq-fizrq fizrr 1 8 2015 8 2015 121/21-31/YF./Ø.7T./15.—q1•« 348 (3) 08-04-2015 CHHATTISGARH ACT (No. 100f2015) THE CHHATTISGARH SHASKIYA SEWAK (ADHIVARSHIKI -AYU) (SANSHODHAN) ADHINIYAM, 2015 An Act further to amend the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967). Be it enacted by the Chhattisgarh Legislature in the Sixty-sixth Year of the Republic of India, as follows :- 2. (1) This Act may be called the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) (Sanshodhan) Adhiniyam, 2015. (2) It shall be deemed to have come into force from the 1st day of December, 2014. In Rule 56 of the Fundamental Rules as substituted by Section 2 of the

Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967), the following amendment shall be incorporated, namely :- ", shall be 440 (1) Short title and commencement. Amendment Of Rule 56 Of the Fundamental Rules as substituted by Section 2 of the Chhattisgarh Act No. 29 of 1967. (i) (i) (ii) In sub-rule (I), for the word "and", the punctuation comma substituted. In sub-rule (I), after the parenthesis, figure, hyphen and word "(1-0", the parenthesis, figure, hyphen and word "(I-g)" shall be inserted. After sub-rule (1-0, the following shall be added, namely Subject to the provision of sub-rule (2), every member of the Chhattisgarh Veterinary (Gazetted) Service appointed to the post of 'Veterinary Medical' as mentioned in Schedule-I to the Chhattisgarh Veterinary Service (Gazetted) Recruitment Rules, 1966, shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty five years : Provided that on attaining the age of sixty five years, a member of the abovementioned service on the abovementioned post, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month. Explanation - For the purpose of this sub-rule "a member of the Chhattisgarh Veterinary (Gazetted) Services" means a Government Servant, by whatever designation called, appointed as a Veterinary Medical Officer or Specialist in accordance with the recruitment rules as applicable to such appointment and shall also include such Veterinary Medical Officer or Specialist, who is appointed to an administrative post by promotion or otherwise and who has served as Veterinary Medical Officer or Specialist for not less than twenty years provided that he holds a lien on a post in the concerned Chhattisgarh Veterinary (Gazetted) Services. 440 (2) (b) The increase of age of superannuation from sixty two years to sixty five years in clause (a) shall be deemed to have come into force from 1st December, 2014." qwofi, - 2015.

