

MADHYA PRADESH PANCHAYAT SERVICE (RECRUITMENT AND GENERAL CONDITIONS OF SERVICES) RULES, 1999

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696. Note.—In the footnotes appearing hereinafter, the amending notifications are referred to by serial nos. as given to them above. In exercise of the powers by the sub-section (2) of Section 70 of the Madhya Pradesh Panchayat Raj. Adhiniyam, 1993 (No. 1 of 1994), the State Government hereby makes the following rules, the same having been previously published by the sub-section (3) of the Section 95 of the said Act, namely:— 1. Short title and commencement.—These rules may be called the Madhya Pradesh Panchayat Service (Recruitment and General Conditions of Services) Rules, 1999

2. Application.—Unless otherwise provided in the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994) or any other rules made thereunder, these rules shall apply to the all posts in Zila Panchayat and Janpad Panchayat but shall not apply to the following categories, viz:— (a) Posts on a contingency paid establishment, or work-charged establishment, or daily wage establishment; (b) Posts to which appointments are made on part time basis; and (c) Posts to which appointments are made on contract basis

3. Definitions.—In these Rules, unless the context otherwise requires,— (a) 'Act' means the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994); (b) 'Appointing Authority' in respect of service, means the authority shown as appointing authority for the post concerned in the Schedule-V; (c) 'Other Backward Classes' means the Other Backward Classes of citizens as specified by the State Government vide Notification No. F. 8-5-mrv-4-84, dated 26th December. 1984 as amended from time to time; (d) 'Panchayat' means a Janpad Panchayat and a Zila Panchayat; (e) 'Panchayat service' means the service of Zila Panchayat or Janpad Panchayat, as the case may be, under sub-section (1) of Section 70 of the Act; (f) 'Prescribed Officer' means the officer notified by the State Government in accordance with the provisions of sub-section (1) of Section 70 read with clause (nd) of Section 2; (g) 'Schedule' means the schedule appended to these Rules; (h) 'Scheduled Castes' means any caste, race or tribe or part of or group within a caste, race or tribe specified as Scheduled Castes with respect to the State of Madhya Pradesh under Article 341 of the Constitution of India; (i) 'Scheduled Tribes' means any tribe, or tribal community or part of or group within a tribe or tribal community specified as Scheduled Tribes with respect to the State of Madhya Pradesh under Article 342 of the Constitution of India; (j) 'Section' means Section of the Act; (k) 'Selection Committee' means a

selection committee constituted for selection of persons for employment in the Panchayat Service; (l) 'Standing Committee' means the Committee constituted by the Panchayat under the provisions of Section 47 of the Act; (m) The words and expressions used in these rules but not defined therein shall have the same meaning respectively as assigned to them in the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994)

4. Constitution of service.—The service shall consist of the following persons, namely,— (1) Persons, who, at the commencement of these rules, are holding 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. Staffing Pattern in the Panchayat Service.—(1) The staffing pattern of Panchayat Service shall be such as may be determined by the State Government, by general or special order, from time to time: Provided that prescribed authority of being satisfied by the proposal of Panchayat may increase or reduce the number of posts included in the service, either on a permanent or temporary basis for the concerned Panchayat. (2) The prescribed authority may convert any temporary post which is continued for five years continuously into a permanent post

6. Classification, Scale of Pay etc.—The Classification of the service, the scale of pay attached thereto and the number of posts included in the service shall be in accordance with the provisions contained in Schedule 7. **Methods of recruitment.**—(1) Recruitment to the Panchayat Service or to a post or class of posts shall be made by the following methods:— (a) By direct recruitment, by written examination or interview or by both; (b) By promotion of a person employed in the Panchayat service; (c) By transfer on deputation of a person serving in connection with the affairs of any local authority or of the State Government; and (d) By transfer of persons who hold in a substantive capacity such posts in such services as may be specified in this behalf. (2) The number of persons recruited under clause (b) of sub-rule (1) shall not at any time exceed the percentage shown in Schedule-II of the number of duty posts as specified in Schedule-I. (PR)549 P&E, T. ... (RECRUIT. & GEN. CONDI. ...) RULES, 1999 (3) Subject to the provisions of these rules, the method or methods of recruitment to be adopted for the purpose of filling particular vacancy or vacancies in the service as may be required to be filed during any particular period of recruitment, and the number of persons to be recruited by each method, shall be determined on each occasion by the Appointing Authority in consultation with the General Administration Committee of the Panchayat. (4) Notwithstanding anything contained in sub-rule (1), if in the opinion of the appointing authority, the exigencies of service so require, the appointing authority may with the prior permission of the prescribed authority may adopt such other methods of recruitment other than those specified in the said sub-rule. **COMMENTARY Requirements for appointment by deputation.**—Treasury Officer holding a cadre post in the State Government send on deputation to Zila Panchayat without his consent. Action challenged. Held, State Government has a right to post such Treasury Officer to Zila Panchayat, but such a posting would amount to transfer on deputation to Panchayat as per Rules of 1999. Therefore the same can be done only by seeking his consent and following rules and procedure contemplated for posting of an employee on deputation. Order without consent unsustainable. P.K Jain u. State of M.P., ILR 2009 M.P. 1010

8. Reservation of posts in recruitment.—(1) A prescribed percentage of posts in Panchayat Service shall be reserved for Schedule Castes, Schedule Tribes and Other Backward Classes for appointment having regard to their population in a particular District. **Explanation.**—In Calculating the number of vacancies to be reserved for members of each category of the Scheduled Castes, Scheduled Tribes and Other Backward Classes. all vacancies on the date of commencement of these rules or arising subsequent to that date should be taken into account in accordance with the provisions of the Madhya Pradesh Lok-Sewa (Anusuchit Jatiyon Anusuchit Jan Jatiyon Aur Anya Pichhda Vargon Ke Liye Arakshan) Adhiniyam, 1994 (No. 21 of 1994). (2) There shall be reserved thirty per cent. of posts in the Panchayat Service in favour of women and the said reservation shall be horizontal and compartment-wise. **Explanation.**—For the purpose of sub-rule (2) and (3) 'horizontal and compartment-wise reservation' means reservation in each category namely Scheduled Castes, Scheduled Tribes, Other Backward Classes and unreserved. (3) Posts shall be reserved for candidates who are disabled persons or ex-servicemen or for such other classes as may be determined by the State Government from time to time. Said reservation shall be horizontal and compartment-wise. (4) When the post reserved for a particular class can not be filled by of that class, for want of suitable

candidates, the post shall be (PR)550 PAN. ... (RECRUIT. & GEN. CONDI. RULES, 1999 kept unfilled and carried forward till it is filled by member of that particular class for which it was kept reserved. (5) If sufficient number of candidates belonging to Scheduled Castes, Scheduled Tribes, and Other Backward Classes are not available for filling all the vacancies reserved for them, the remaining vacancies shall be readvertised exclusively for the candidates of that class or classes till all such vacancies are filled

9. Conditions of eligibility for direct recruitment.-In order to be eligible for selection, a candidate must satisfy the following conditions, (1) Age.-(a) He must have attained the age specified in column (3) of Schedule-III and not attained the age specified in column (4) of the said Schedule on the first day of January next following the date of commencement of the selection. (b) The upper age limit shall be relaxable up to a maximum of five years if a candidate belongs to Scheduled Castes, Scheduled Tribes, and Other Backward Classes. (c) The upper age limit shall be, be relaxable in respect of candidates, who are or have been employees of the Madhya Pradesh State Government to the extent and subject to the conditions specified below:— (ii) (iii) A candidate, who is a permanent Government servant should not be more than 38 years of age; A candidate, holding a post temporarily and applying for another post should not be more than 38 years of age. This concession shall also be admissible to the contingency paid employees, work charge employees and employees working in the project implementing committees; A candidate who is a retrenched Government servant shall be allowed to deduct from his age the period of all temporary service previously rendered by him up to a maximum limit of 7 years even if it represents more than one spell provided that the resultant age does not exceed the upper age limit by more than three years. Explanation.- The term "retrenched Government Servant" denotes a person who was in temporary Government service of this State 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 Panchayat service, (iv) A candidate who is an ex-serviceman, shall be allowed to deduct from his age, the period of all defence service previously rendered by him. Provided that the resultant age does not exceed the upper age limit by more than 3 years. Explanation. -The term 'ex-serviceman' denotes a person who belongs to any of the following categories and who has employed under the Government; of India for a continuous period of not less than six months and who was not, retrenched or declared surplus as a result of the recommendation of the economy unit or due to normal reduction in establishment not (PR)551 PAN. ... (RECRUIT. & GEN. CONDI ...) RULES, 1999 more than three years before the date of his registration at any employment exchange or application made otherwise for employment in Panchayat service:— (1) (2) (3) (4) (5) (6) (7) Ex-serviceman released under mustering out concessions; Ex-serviceman enrolled for the second time and discharged on; (a) Completion of short-term engagement; (b) Fulfilling the conditions of enrollment. Ex-personal of Madras Civil Units; Officers (Military and Civil) discharged on completion of their contract including short service, regular Commissioned Officers; Officers discharged after working for more than six months continuously against leave vacancies; Ex-serviceman discharged on the ground that they are unlikely to become efficient soldiers; Ex-serviceman who are medically boarded out on account of gun-shot wounds etc. (v) Persons recruited from 1-1-1963 onwards as whole time cadets instructors in the NCC shall on release from the NCC on the expiry of their initial/extended tenure be regarded as retrenched government employee for purpose of employment in civil post of the Panchayat service and may be allowed to deduct from their actual age the period of service rendered by them in the NCC, and if the resultant age does not exceed the prescribed upper age limit of a particular post by more than 3 years, they will be deemed to be satisfying the conditions for appointment to that post in respect of the maximum age provided they possess necessary certificate as per instructions contained in the State Government's General Administration Department Memo No. 1134-CR- 88-1 (iii) 66, dated 27-5-1966. (d) general upper age limit shall also be relaxable up to two years in respect of green card holder candidate under the family welfare programme. (e) The general upper age limit shall be relaxable upto five years in respect of awarded non Scheduled Caste partner of a couple under the inter-caste marriage incentive scheme of the Scheduled Castes Welfare Department. (f) The upper age limit shall be relaxable up to five years in respect of 'Vikram Award' holder candidates. (g) The upper age limit shall be relaxable up to a maximum of 38 years of age in respect of candidate who are employees of Madhya Pradesh State Undertakings/Corporations/Boards. (h) The upper age limit shall be relaxed in the case of voluntary Home Guards and non-commissioned officer of Home Guards for the period of service rendered to by them

subject to the limit of 8 years, but in no case their age should exceed 38 years. (i) There shall be age relaxation of Ten years for women candidates in addition to the upper age limit prescribed in these rules. I I R. 10 (PR)552 PAN. ... (RECRUIT. & GEN. CONDI. RULES, 1999 Such candidates, who have completed 5 years continuous service as Panchayat Employee in any Gram Panchayat shall be given relaxation of 5 years in the upper age limit.) Note.-(a) Candidate who are found eligible for selection under the age concessions, mentioned in sub-clause (i) and (ii) of clause (c) above will not be eligible for appointment if after submitting the application they resign from service either before or after the selection. They will however continue to be eligible if they are retrenched from the service or post after submitting the applications. (b) In no other case will these age limits be relaxed. Departmental candidates must obtain previous permission of appointing authority to appear for the selection. (2) Educational qualifications.-The candidate must possess the educational qualifications prescribed for the service as shown in Schedule-II. (3) Desirable qualification and other conditions.-On recommendation of Appointing Authority, General Administration Committee may prescribe such desirable qualifications and other conditions as may be necessary to maintain the high quality and efficiency in the cadre. (4) • Fees.-Panchayat may impose such application fees as may be necessary to meet out expenses in this regard. Concessional rate of fee shall be applicable to candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes: Provided that candidates belonging to below poverty line family shall be exempted from paying such application fee. IO. Disqualifications for appointment to Panchayat Service.-No person shall be appointed by direct recruitment to any post.-(1) Unless he is a citizen of India or a subject of Nepal or Bhutan and permanent original resident of Madhya Pradesh; (2) If he has been dismissed for misconduct from service of Central Government, State Government, Zila or Janpad Panchayat or Gram Panchayat other local authority or a Co-operative Society or any Public Sector Undertaking under the control of Central Government or State Government. (3) If he has been convicted of an offence which involves moral turpitude;- (4) If he has been convicted of an offence against Women torture: Provided that where such case is in pending in a court against candidate, his case of appointment shall be kept pending till the final decision of the Criminal Case; (5) If he has more than one wife living, and in case of a female candidate, if she has married to a person having a wife living already; (6) If he has convicted of criminal offence punishable with simple or rigorous imprisonment exceeding six months shall be presumed to be unsuitable for employment: 1 Ins. by No. 1, dt. 4-1-2007, w.r.e.f. 1-4-2006. R. 13 (PR)553 PAN. ... (RECRUIT. & GEN. CONDI. ...) RULES, 1999 Provided that if a person has been so convicted but has been let off only, with a warning and has not been sentenced to undergo any punishment, such conviction shall not be taken into account; (7) If he does not possess minimum prescribed qualification for the post; or (8) If he is an employee of the General Government or of the State Government or of any local authority or of Central Government, or State Government undertaking or of any Government aided body, unless he obtains no objection certificate of his employer and submits it along with his application

11. Relaxation in qualification, experience etc.-When the prescribed authority, on the report of appointing authority is of opinion, that the sufficient numbers of candidates having requisite qualification, experience etc., are likely to be not available, he may allow the appointing authority to relax such qualification, experience etc., with such conditions as may be necessary to maintain the quality and efficiency of the cadre

12. Selection Committee.-For direct recruitment to the Panchayat service, there shall be constituted a Selection Committee consisting of the following:— (1) (2) (3) (4) (5) (6) (7) (8) (9) President of the Panchayat or the Chairperson of Standing Committee nominated by General Administration Committee Any member of Panchayat who belongs to Scheduled Caste/ Schedule Tribe/ Other Backward Class, nominated by General Administration Committee An officer nominated by the Divisional Commissioner in case of Zila Panchayat OR Deputy Director, Panchayat and Social Welfare, in case of Janpad Panchayat Any officer not below the rank of Deputy Collector, nominated by Collector One expert nominated by the General Administration Committee District Head of the concerned Department if the recruitment is made for Non-Ministerial Executive Services Chairperson of the concerned subject committee, if the recruitment is made for other than the Non-Ministerial Executive Services Chief Executive Officer of the Panchayat, or an officer nominated by Chairman Member Member Member Member Member Member Member-Secretary 13. Direct Recruitment by written test or by

interview or by both.-(1) Direct recruitment shall be made by holding written test or by (PR)554 > PAN. ... (RECRUIT. & GEN. CONDI. RULES, 1999 R. 14 interview or by both at such intervals, as the appointing authority may from time to time determine in consultation with General Administration Committee. (2) After scrutiny of the applications received, a list of eligible candidates for each category shall be prepared in order of the marks obtained in the qualifying examination prescribed for the post. (3) The number of candidates allowed to appear in written test or called for interview, shall not exceed ten times of the vacancies in each category. The candidates shall be considered for written test or interview in the order in which their names appear in the list prepared in accordance with the provisions of above sub-rule (1). (4) If the Selection Committee decides to make recruitment through written examination and interview both the number of candidates allowed to appear in the test shall be the same as in sub-rule (2) but the selection committee shall interview such candidates, not exceeding three times of the number of vacancies in each category as may qualify in the written examination according to the standard laid down by the Selection Committee. (5) When direct recruitment is made, by holding written test alongwith interview, the marks allotted for interview shall not exceed fifteen per cent. of the maximum marks. (6) When direct recruitment is made by holding interview only, the marks allotted for oral test shall not exceed fifteen per cent of the maximum marks. The remaining marks shall be awarded on the basis of academic qualification, experience, participation in activities of NCC/NSS, Scouts Guides, participation in the games and extra curricular activities of not below the level of State, etc. The distribution of marks for such various activities and other norms shall be decided by Selection Committee. (7) In interview, the suitability of the candidate shall be assessed by oral test having regard to their personality, general proficiency, professional knowledge, communication skills in local dialect, knowledge of local environment, general knowledge, general aptitude etc. (8) The written test shall be held by the Chief Executive Officer or any other officer nominated by the Chief Executive Officer under the direction and supervision of the Selection Committee

14. Inviting Application for Direct Recruitment.-(1) Appointment by direct recruitment shall be made by inviting applications through advertisement in a daily news paper widely circulated in that area. The advertisement shall also specifying the name of the post, qualification required to be possessed by candidate, number of vacancies to be filled in, number of vacancies reserved for Scheduled Castes, Scheduled Tribes and Other Backward Classes and other categories and particulars including pay scales, criteria fixed for recruitment etc. (2) A copy of such advertisement shall be affixed on the notice board of the Panchayat office and District Collectorate. (3) Such vacancies shall also be intimated to the local Employment Exchange

15. Selection Committee Decision about the Eligibility of Candidate shall be final.-The decision of the Selection Committee as to the R. 17 PAN. ... (RECRUIT & GEN. CONDI. RULES, 1999 (PR)555 eligibility or otherwise of a candidate for admission to examination shall be final

16. Disqualification for appointment.-Any attempt on the part of a candidate or his relations or friends to enlist support by directly or indirectly for his appointment to any post in Panchayat service or for promotion to any higher post in such service, Shall disqualify him for appointment or promotion for such a period as may be decided by Selection Committee or Departmental Promotion Committee

17. Appointment to service.-All appointments to the service after the commencement of these rules, shall be made by the appointing authority as shown in Schedule-V and no such appointment shall be made except after selection by one of the methods of recruitment specified in Rule 7

18. Physical fitness certificate and production of evidence as to good character.-(1) The character of a candidate or recruitment to the Panchayat service shall be such as to render him suitable in all respects for employment in Panchayat service. The character verification of the candidates shall be made through District Police. The candidate shall have to suggest the names of two persons (not in relation to him) who may have been known to him during the three years immediately preceding the date of application for such recruitment to act as reference. If it is brought to the notice of appointing authority about the character of the candidate is such as to render him unsuitable for appointment to Panchayat service, the appointing authority shall be competent to remove the name of such candidate from the select list. (2) Appointment to any post by direct recruitment shall be subject to the production of a medical certificate physical fitness in the prescribed



form issued by Civil Surgeon or District Medical Board duly constituted by the State Government, for this purpose

19. Appointment by promotion.-(1) There shall be constituted a committee consisting of the members mentioned in Schedule-IV for making a preliminary selection for promotion of eligible candidates: Provided that for the purpose of constitution of Committee under this - sub-rule, the-provisions-ofSection8 ofthe-Madhya Pradesh Lok- Sewa (Anusuchit Jatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhda Vargon Ke Liye Arakshan) Adhiniyam, 1994 (No. 21 of 1994) shall also be applicable. (2) The Committee shall meet at such intervals ordinarily not exceed- ing one year.

20. Eligibility for Promotion.-Subject to provisions of sub-rule (2), the Committee referred to in sub-rule (1) of rule 19, shall consider the cases of all persons who on the 1st day of January of that year had completed such number of years of service (whether officiating or substantive) in the post from which promotion is to be made. or on any other post or post declared equivalent thereto by the Government as specified in column (3) of the Schedule-IV and are within the zone of consideration in accordance with the provisions of rule 21: Provided that the service of the released officers of the emergency commission and short service commission after their appointments in the service shall be counted from the date from which they have been deemed to have been appointed in the service in accordance with General Administration Department's No. 2266/ 1967/1/3/67, dated 21st October, 1967 (PR)556 PAN ... (RECRUIT. & GEN. CONDI. RULES, 1999 1967: R. 21 -i) Provided further that no junior person shall be considered for selection for selection grade/promotion in preference to the persons senior to him, only on the basis of completing the prescribed period of service. COMMENTARY Requirements for Promotion.-While promoting an employee on the basis of seniority-cum-fitness, there is no requirement of assessment of comparative merit and an employee is to be promoted if he fulfills the minimum merit of satisfying a benchmark fixed by the DPC. Bharat Bhushan Sharma v. State of M.P., ILR 2009 M.P. 1204 (DB)

21. Reservation in promotion limits on extent of Zone of consideration.-(1) There shall be reservation and limits on the extent of zone of consideration, for the employees of Scheduled Castes and Scheduled Tribes in accordance with the provisions of the Madhya Pradesh Civil Service (Reservation in promotion and limits on the extent of zone of consideration) Rules, 1997 and as per orders issued by the General Administration Department, of Government of Madhya Pradesh from time to time shall mutatis- mutandis apply to the promotion in Panchayat Service. (2) If the number of eligible candidates of reserved categories found fit for promotion falls short of the number of vacancies reserved for them, the remaining such vacancies shall not be filled and be carry forward upto coming three years. After that the vacancies can be deserved with the permission with the permission of the Prescribed Authority

22. Preparation of the list of suitable persons.-(1) The Committee referred to in sub-rule (1) of Rule 19 shall prepare a list of such persons as satisfy the condition prescribed in Rule 14 and are held by the said Committee to be suitable for promotion to the Panchayat Service. This 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 25 per cent. of the number of persons included in the said list shall also be prepared to meet the unforeseen vacancies viewing during the course of the aforesaid period. (2) For preparing the select list of persons for promotion from the post of Class IV to Class III and from Class III to Class II the criterion shall be seniority subject to fitness. (3) The names of the employees included in the list shall be arranged in order to seniority in their service or post as specified in column (2) of Schedule-IV at the time of preparation of select list: Provided that any junior employee who in the opinion of the said Committee, if of exceptional merit and suitability may be assigned in the list higher place than of an official senior to him. Explanation.-A person whose name is included in a select list, but, who is not promoted during the validity of the list shall have no claim to seniority over those considered in a subsequent selection merely by the fact of his earlier selection. R. 24 (PR)557 PAN. ... (RECRUIT. & GEN. CONDI. ...) RULES, 1999 (4) The list so prepared shall be reviewed and revised at such intervals as may be necessary. (5) If in the process of selection, review or revision, it is proposed to supersede any member of the service, the said Committee shall record its reason for the proposed supersession

23. Select list.-(1) The appointing authority shall consider the list prepared by the said Committee, and unless it considers any change necessary, approved the list. (2) If the appointing authority considers it necessary to make any change in the list shall approve the list finally with such modifications, if any, narrating reasons thereof in writing. (3) The list as finally approved by the appointing authority shall form the select list for promotion of the members of service from the post mentioned in column (2) of Schedule-IV to the post mentioned in column (4) of the said Schedule. (4) The select list shall ordinarily be in force until it is reviewed or revised in accordance with sub-rule (4) of rule 22, but its validity shall not be extended beyond a total period of 18 months from the date of its preparation: Provided that in the event of a grave lapse in the conduct or performance of duty on the part of any persons included in the select list a special review of the select list may be made at the instance of appointing authority and the said committee may if it thinks fit, remove the names of such persons from the select list. COMMENTARY No requirement of assessment of comparative merit for promotion on the basis of seniority-cum-fitness.-It is clear that criteria for promotion is seniority-cum-fitness. The Apex Court in the case of Union of India v. Lt. General Ramesh Singh Kadian, (2006) 6 SCC 698, has considered the criteria of Seniority-Cum-Fitness and held that wherever fitness is stipulated as the basis of selection, it is regarded as a no-selection post to be filled on the basis of seniority subject to rejection of the unfit. Fitness means fitness postulates the requirement of certain minimum merit or satisfying a benchmark previously fixed. Subject to fulfilling this requirement the promotion is based on seniority. There is no requirement of assessment of comparative merit both in the case of seniority-cum-fitness and seniority-cum-merit, thus, while promoting an employee on the basis of seniority-cum-fitness, there is no requirement of assessment of comparative merit and an employee is to be promoted if he fulfils the minimum merit of satisfying a benchmark fixed by the DPC. Bharat Bhushan Sharma v. State of M.P., 2009(1) 121 JLR 445 [DB]

24. Appointment to the service from the select list.-(1) Appointment to the service from the select list to posts on the cadre of the service shall be made in accordance with the roster prescribed by the State Government under the Madhya Pradesh Lok Sewa (Anusuchit Jatiyon, Anusuchit Jan Jatiyon Aur Anya Pichhda Vargon Ke Liye Prakshan) Adhiniyam, 1994 (No. 21 of 1994) and maintained by the Panchayat irrespective of their relative rank as compared with other employee in the (PR)558 select list: PAN. ... (RECRUIT. & GEN. CONDI. ...) RULES, 1999 R. 25 Provided that where administrative exigencies so require, a person whose name is, not included in the select list may be appointed to the service if the appointing authority is satisfied that the vacancy is not likely to last for more than three months. (2) It shall not ordinarily be necessary to consult the said committee before appointment of a person whose name is included in the select list to the service unless during the period intervening between the inclusion of his name in the select list and the date of his proposed appointment, there occurs any deterioration in his work, which in the opinion of the appointing authority is such as to render him unsuitable for appointment to the Panchayat Service

25. Probation and confirmation.-(a) All appointments to the Panchayat service or post whether by direct recruitment or by promotion shall be made on probation. The period of Probation shall be of two years: Provided that the appointing authority may for sufficient reason to be recorded extend the period of probation for a period not exceeding one year. (b) During the period of probation of employees, a six monthly confidential report shall be written and it shall include comments on his work, efficiency and devotion to duty. (c) On the successful completion of probation, the probationer shall be confirmed in the service or post to which he has been appointed. (d) No person shall be confirmed in a post in the Panchayat Service unless he has completed the period of his probation satisfactorily and has passed the departmental examination if any, and has successfully undergone training, if any laid down by the State Government. or by the Panchayat for the holder of such post. Explanation.-Confirmation under this sub-rule may be made with effect from the date of continuous officiation of the person after completion of the period of probation if any in that post of the date from which the permanent post is substantively vacant, whichever is later. (e) If the probationer does not complete his probation satisfactorily, the direct recruitment candidate shall be discharged from the Panchayat Service without paying any compensation and the candidate appointed by promotion shall be reverted to the post substantial held by him before the promotion

26. Absorption of surplus employees.-(1) Notwithstanding anything contained in these rules, the State Government may direct that the members of the staff in any Government institution or local body or

Government undertaking, Corporation, Board or any agency controlled by the State Government shall be absorbed in suitable posts under the Zila Panchayat, subject to such terms and conditions as may be specified by the State Government in that behalf: Provided that such members shall possess the minimum educational qualifications prescribed for the post in which they are absorbed

27. Appointment of Panchayat employ to and his Panchayat.- Notwithstanding anything contained in these rules, the appointing authority on application made by any employee of Panchayat Service of other Panchayat, may appoint such employee to a same or equivalent post R. 32 (PR)559 PAN. ... (RECRUIT & GEN. CONDI. ...) RULES, 1999 in the Panchayat service on such terms and conditions as may be mutually agreed upon between the two Panchayats, and subject to the following conditions, namely:— (i) Such appointment shall not be made to post to be filled by promotion; (ii) The person so appointed shall received the junior most rank, for the purpose of seniority, in the cadre of the post to which he is appointed, as it stands on the date of such appointment

28. Compassionate Appointment.-Notwithstanding anything contained in these rules the appointing authority may make appointment of persons eligible for employment on compassionate grounds as per provisions contained in special or general orders issued by the State Government from time to time

29. Departmental examination and training.-Candidates appointed or selected for appointment to post in Panchayat Service in accordance with the provisions of these rules shall be required to pass such departmental examination and/or tests as may be prescribed by State Government in that behalf. They shall also be required to undergo such pre-recruitment and/or post recruitment trainings as may be laid down by State Government or Panchayat from time to time

30. Gradation list.-A Gradation list shall be maintained for every category of Panchayat employees in which the names of employees shall be arranged in order of seniority in that category of service

31. Seniority.-(1) The Seniority of a directly recruited or promoted employee appointed on probation shall count during his probation from the date of his appointment to the post: Provided that if more than one person has been selected for appointment on probation at the same time, the seniority of the persons so selected shall be according to the order of merit in which their names are recommended for appointment or promotion by the selection committee or promotion committee, as the case may be. (2) The same order of inter-se-seniority shall be maintained confirmation after the normal period of probation. (3) The seniority of persons appointed by promotion shall be according to the order of merit in which their names are recommended by the promotion committee. **32. Increments.-**An increment shall ordinarily be sanctioned by the Chief Executive Officer or any other officer authorised by him unless it is withheld

33. Age of superannuation.-(1) The age of superannuation for Panchayat employees other than teaching staff and class IV employees, shall be 58 years. For teaching staff and class IV employees age of superannuation shall be 60 years. (PR)560 PAN. ... (RECRUIT. & GEN. CONDI. RULES, 1999 R. 37 In exceptional cases with the prior permission of prescribed authority, Panchayat may appoint any of its employees on the contract basis for a maximum period of two years: Provided that contractual appointment shall not be for more than one year at a time.) (3) Notwithstanding anything contained in these rules, a Panchayat employee, after completion of 20 years of service, with due permission of Panchayat, may seek voluntary retirement. (4) On attaining 55 years of age or after rendering 25 years of service by a Panchayat employee, the Panchayat in public interest, scrutiny of the service record of the employee, retire any Panchayat employee, at any time without assigning any reason of doing so. However in all such cases the Panchayat shall have to issue a prior notice of three months before retiring him or has to pay him an amount equal to three months salary at an earliest after his retirement

34. Control and Discipline.-All the Panchayat employees shall be under the administrative control of the Panchayat through its Chief Executive Officer

35. Relaxation.-Nothing in these rules shall be construed to limit or abridge the power of Panchayat 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 equitable: Provided that the case shall not be dealt with any manner less favourable to him than that provided in these rules

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4. Name of the Post (2) Peon Assistant. Grade-III Assistant Grade-II (Accounts trained) Investigator Period of Service and Other condition required for promotion (3) (See Rule 19) Name of the service or post on which promotion is to be made (4) Merit-cum Seniority/ Seniority cum-Merit (5) ZILA PANCHAYAT Part-A—Core Division (Existing Staff) Higher Secondary Certificate Examination Passed (in 10+2 Pattern) 5 years 5 years 10 years Assistant Grade-III Assistant ' Grade- IV Accountant-II Accountant Grade-I Assistant Statistical Officer Seniority cum-merit Seniority cum-merit -do- -do- Member of the Departmental Promotion Committee (6) 1. One of the chairperson nominated by General Administration Committee-Chairman 2. One member of Panchayat who belongs to SC/ST/OBC nominated by General Administration Committee-Member 3, Accounts Officer-Member 4. Dy. Director of Panchayat & Social Welfare-Member 5. Additional Chief Executive Officer- Member-Secretary. -do- -do- -do- ended by No. 3 [6-7-2007). 6. 7. 8. 9. 10. (2) Steno-Typist Assistant Grade-II/ Account- ant-II (Accounts untrained) Assistant Superintendent Office Superintendent/ Assistant Statistical Officer Accountant-I Assistant Account Officer or Accountant-I (3) 5 years (Should have passed Stenographer examination from recognised Board) 5 years 5 years 5 years 5 years 5 years 10 years (in those district where Assistant Accounts Officer's Post is not created). (4) Stenographer/ Personal Assistant Assistant Superintendent Office Superin- tendent Assistant Project Officer Assistant Ac- counts Officer Accounts Officer (5) -do- -do- -do- -do- -do- Seniority cum-merit (6) -do- 1. President of Zila Panchayat-Chairman 2. One member of Panchayat who belongs to SC/ST/OBC nominated by General Administration Committee-Member 3. An Officer not below the rank of Deputy Collector nominated by District Collector-Member 4. Dy. Director of Panchayat-Member 5. Chief Executive Officer of Panchayat- Member-Secretary. -do- -do- -do- -do- JANPAD PANCHAYAT Part-B—(Existing Staff) (1) 1. 2. 3. 4. (1) 1. (2) Peon Assistant Grade-III Assistant Grade-II Upper division Clerk-cum- Accountant (2) Messenger (3) Higher Secondary

Examination Passed (in 10+2 Pattern) 5 years 5 years 5 years (4) Assistant Grade-II Assistant Grade-II Upper Division Clerk-CUM-Accountant Assistant Accounts Officer ZILA PANCHAYAT Part-C— (New Recruitment) (3) Higher Secondary Certificate Examination Passed (in 10+2 Pattern) (4) Assistant Grade-III (5) Seniority cum-merit -do- -do- -do- (5) Seniority cum-merit (6) 1. President of Janpad Panchayat- Chairman 2. Chief Executive Officer- Member Secretary 3. Dy. Director, Panchayat -Member 4. An Officer not below the rank of Deputy Collector nominated by District Collector-Member 5. A member of Janpad Panchayat who belongs to SC/ST/OBC nominated by General Administration Committee- Member -do- -do- -do- (6) 1. One of the chairperson nominated by General Administration Committee-Chairman 2. One member of Panchayat who belongs to SC/ST/OBC nominated by General Administration Committee-Member (1) 2. 3. 4. 5. 6. (2) Office Assistant Grade-II Office Assistant Grade-II (Accounts trained) Aasu Mudrak Office Assistant Grade-II (Accounts Untrained) Assistant Office Manager Office Manager (3) 5 years 5 years 5 years (Should have passed Stenographer examination from recognised Board) 5 years 5 years 5 years (4) Assistant Grade-II Accounts Assistant Aagukar/ Personal Assistant Assistant Office Manager Office Manager Project Manager (5) Seniority cum-merit -do- -do- -do- Seniority cum-merit -do- (6) 3. Accounts Officer-Member 4. Dy. Director of Panchayat & Social Welfare-Member 5. Additional Chief Executive Officer- Member-Secretary. -do- -do- -do- 1. President of Zila Panchayat-Chairman 2. One member of Panchayat who belongs to SC/ST/OBC nominated by General Administration Committee-Member 3. An Officer not below the rank of Deputy Collector nominated by District Collector-Member 4. Dy. Director of Panchayat-Member 5. Chief Executive Officer of Panchayat-Member-Secretary. -do- -do- MPLW28—37 (1) 8. 9. (i) 1. 2. (2) Accounts assistant Assistant Finance and Accounts Manager or Finance Assistant Messenger Office Assistant Grade-III (3) 5 years 5 years 10 years (in those district where Assistant Finance and Accounts Manager Post is not created). (4) Assistant Finance and Accounts Manager Finance and Accounts Manager JANPAD PANCHAYAT Part-D—(New Recruitment) (9) Higher Secondary Examination Passed (in 10+2 Pattern) 5 years (4) Assistant Grade-III i; Office Assistant Grade-II (5) -do- -do- (5) Seniority cum-merit Seniority cum-merit (6) -do- -do- (6) 1. President of Janpad Panchayat- Chairman 2. Chief Executive Officer- Member Secretary 3. Dy. Director, Panchayat -Member 4. An Officer not below the rank of Deputy Collector nominated by District Collector-Member 5. A member of Janpad Panchayat who belongs to SC/ST/OBC nominated by General Administration Committee- Member -do- (1) 3. 4, S. No. (1) 1. 2. 4. (2) Office Assistant Grade-II Office Assistant Grade-II- cum-Accounts Assistant Name of panchayat (2) Zila Panchayat Janpad Panchayat Zila Panchayat Janpad (3) 5 years 5 years (4) Office Assistant Grade-II-cum-Accounts Assistant Assistant Finance & Accounts Manager SCHEDULE-V [See Rule 3(b) and 17] (5) -do- -do- (6) -do- -do- Appointing Authority (4) Name of Service and Post (3) All Class 111 and IV Post All Class 11 and Class I Posts All Class 11 Posts Chief Executive Officer with the prior approval of General Administration Committee of the Panchayat. —do— Chief Executive Officer with the prior approval of General Body of the Zila Panchayat. Chief Executive Officer with the prior approval of General Body of the Janpad Panchayat.