

**Madhya Pradesh Shaskiya Sevak (Adhivarshiki-Ayu)
Sanshodhan Adhiniyam, 2011**

020 of 2011

[06 May 2011]

CONTENTS

1. Short Title
2. Amendment Of Fundamental Rule 56 As Substituted By Section 2 Of The Madhya Pradesh Act No. 29 Of 1967

**Madhya Pradesh Shaskiya Sevak (Adhivarshiki-Ayu)
Sanshodhan Adhiniyam, 2011**

020 of 2011

[06 May 2011]

An Act further to amend the Madhya Pradesh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967. Be it enacted by the Madhya Pradesh Legislature in the Sixty-second year of the Republic of India as follows :-

1. Short Title :-

This Act may be called the Madhya Pradesh Shaskiya Sevak (Adhivarshiki-Ayu) Sanshodhan Adhiniyam, 2011.

2. Amendment Of Fundamental Rule 56 As Substituted By Section 2 Of The Madhya Pradesh Act No. 29 Of 1967 :-

In Section 2 of the Madhya Pradesh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 (No. 29 of 1967), in rule 56 of the Fundamental Rules :-

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

"(1) Subject to the provisions of sub-rule (2), every Government Servant other than a Government Servant mentioned in sub-rules (1-a), (1-b), (1-c), (1-d), (1-e), (1-f), (1-g), (1-h), (1-i) and (1-j), shall retire from service on the afternoon of the last day of the

month in which he attains the age of sixty years:

Provided that a Government Servant other than a Government Servant mentioned in sub-rules (1-a), (1-b), (1-c), (1-d), (1-e), (1-f), (1-g), (1-h), (1-i) and (1-j), 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 years.";

(ii) for sub-rule (1-a), the following sub-rule shall be substituted, namely:-

"(1-A) Subject to the provisions of sub-rule (2), every Government Teacher other than a Government Teacher mentioned in sub-rules (1-g), (1-h) and (1-i), 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 a Government Teacher other than a Government Teacher mentioned in sub-rules (1-g), (1-h), and (1-i), 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 two years.

Explanation.-For the purpose of this sub-rule, "Government Teacher" means a Government Teacher, other than a Government Teacher mentioned in sub-rules (1-g), (1-h) and (1-i), by whatever designation called, appointed for the purpose 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 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 the concerned Government educational institution.";

(iii) sub-rule (1-c), shall be renumbered as clause (a) thereof and in clause (a) as so renumbered, for the figures "62" and the words "sixty two" wherever they occur, the words "sixty five" shall be substituted, and after clause (a) as so renumbered, the following new clause shall be inserted, 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 31st August, 2010.";

(iv) after sub-rule (1-d), the following sub-rules shall be inserted, namely:-

"(1-e) (a) Subject to the provisions of sub-rule (2), every Government nurse other than a Government nurse mentioned in sub-rule (1-j) 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 a Government nurse, other than a Government nurse mentioned in sub-rule (1-j), 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 clause a "Government nurse" means a Government Servant by whatever designation called, appointed to a post mentioned under Group C-Nursing Services in Schedule-I of the Madhya Pradesh Public Health and Family Welfare (Gazetted) Services Recruitment Rules, 2007 and under Schedule-I of the Madhya Pradesh Public Health and Family Welfare Department (Directorate of Health Services) Class-III Nursing Service Recruitment Rules, 1989, for the purpose of nursing in accordance with the recruitment rules applicable to such appointment, provided he holds a lien on a nursing post of an institution under the Public Health and Family Welfare Department.

(b) The provision of clause (a) shall be deemed to have come into force from 31st October, 2009.

(1-f) Subject to the provisions of sub-rule (2), every member of the Madhya Pradesh Medico Legal Institute (Gazetted) Service, other than a Senior Forensic Specialist (Non Medical) Junior Forensic Specialist (Non Medical) and Medical Officer (Non Medical), appointed to a medical post mentioned in the Schedule-I of the Madhya Pradesh Medico Legal Institute (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 sixty five years:

Provided that every member of Madhya Pradesh Medico Legal Institute (Gazetted) Service other than a Senior Forensic Specialist (Non Medical), Junior Forensic Specialist (Non Medical) and Medical Officer (Non Medical), appointed to a medical post mentioned in the Schedule-I of the Madhya Pradesh Medico Legal Institute (Gazetted) Service Recruitment Rules, 1987, 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, a member of the Madhya Pradesh Medico Legal Institute (Gazetted) Service means a Government Servant, by Whatever designation called, appointed to a medical post in accordance with the recruitment rules applicable to such appointment and shall also include a Medical Officer or Medico Legal Specialist who is appointed to an administrative post by promotion or otherwise, and who has been engaged in Medico

Legal Forensic work for not less than twenty years, provided he holds a lien on a post under the Madhya Pradesh Medico Legal Institute (Gazetted) Service.

(1-g) (a) Subject to the provisions of sub-rule (2), every Government Teacher other than a Teacher mentioned in sub-rules (1-a), (1-h) and (1-i), 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 every Government Teacher other than a Teacher mentioned in sub-rules (1-a), (1-h) and (1-i), 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 clause, a "Government Teacher" means a Government Teacher by whatever designation called, appointed to a post, other than to the post of a Librarian or a Sports Officer, mentioned under Schedule-I of the Madhya Pradesh Educational Service (Collegiate Branch) Recruitment Rules, 1990, for the purpose of teaching in a Government educational institution in accordance with the recruitment rules applicable to such appointment, who not only possesses all the qualifications prescribed by the University Grant Commission for the post he holds but is also involved in class room teaching and shall also include a 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 the concerned Government educational institution.

(b) The provision of clause (a) shall be deemed to have come into force from 16th April, 2010.

(1-h) (a) Subject to the provisions of sub-rule (2), every Government Teacher other than a Teacher mentioned in sub-rules (1-a), (1-g) and (1-i), 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 every Government Teacher other than a Teacher mentioned in sub-rules (1-a), (1-g) and (1-i), 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 clause, a "Government Teacher" means a Government Teacher by whatever designation called, appointed to a post, other than to the post of a Librarian or

a Physical Training Instructor or a Programmer, mentioned under Schedule-II of the Madhya Pradesh Technical Education Engineering College (Teaching Cadre) Service (Recruitment) Rules, 2004, for the purpose of teaching in a Government educational institution in accordance with the recruitment rules applicable to such appointment, who not only possesses all the qualifications prescribed by the All India Council for Technical Education for the post he holds but is also involved in class room teaching and shall also include a 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 the concerned Government educational institution.

(b) The provision of clause (a) shall be deemed to have come into force from 14th September, 2010.

(1-i) (a) Subject to the provisions of sub-rule (2), every Government Teacher other than a Teacher mentioned in sub-rules (1-a), (1-g) and (1-h), 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 every Government Teacher other than a Teacher mentioned in sub-rules (1-a-), (1-g) and (1-h), 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 clause, a "Government Teacher" means a Governement Teacher by whatever designation called, appointed to a post, other than to the post of Librarian or a Physical Training Instructor or a Programmer or an Assistant Workshop Superintendent or a Videographer or a System Analyst Grade-III or a Cameraman or an Artist or an Assistant Surgeon mentioned under Schedule-II of the Madhya Pradesh Technical Education Polytechnic College (Teaching Cadre) Service (Recruitment) Rules, 2004, for the purpose of teaching in a Government educational institution in accordance with the recruitment rules applicable to such appointment, who not only possesses all the qualifications prescribed by the All India Council for Technical Education for the post he holds but is also involved in class room teaching and shall also include a 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 the concerned Government educational institution.

(b) The provision of clause (a) shall be deemed to have come into force from 19th October, 2010.

(1-j) Subject to the provisions of sub-rule (2), every Government nurse other than a Government nurse mentioned in sub-rule (1-e), 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 a Government nurse other than a Government nurse mentioned in sub-rule (1-e) 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 clause, a "Government nurse" means a Government Servant by whatever designation called, appointed to a post mentioned under College of Nursing, Indore in Schedule-I of the Madhya Pradesh Medical Education (Gazetted) Services Recruitment Rules, 1987 and under Schedule-I of the Madhya Pradesh Public Health and Family Welfare Department (Directorate of Health Services) Class-III Nursing Services Recruitment Rules, 1989, for the purpose of nursing in accordance with the recruitment rules applicable to such appointment, provided he holds a lien on a nursing post of an institution under the Medical Education Department.".