

तकनीकी शिक्षा संचालनालय, मध्यप्रदेश
सतपुड़ा भवन, भोपाल-462004

स्थापना
प्रिन्सिपल
प्राचार्य
23/9/13

क्रमांक/3/स्था/एफ/2013/1404
प्रति,

/भोपाल दिनांक 22/9/2013

प्राचार्य,
समस्त स्वशासी इंजीनियरिंग महाविद्यालय,
समस्त शासकीय/स्वशासी पोलिटेकनिक महाविद्यालय,
समस्त शासकीय/स्वशासी महिला पोलिटेकनिक महाविद्यालय,
मध्यप्रदेश।

236
18/2/14

विषय :- मध्यप्रदेश दैनिक वेतन भोगी कर्मचारी (सेवा की शर्त) नियम 2013 के संबंध में।

संदर्भ :- मध्यप्रदेश शासन तकनीकी शिक्षा एवं कौशल विकास विभाग का पत्र क्रमांक 1753/1645/42/2/13 दिनांक 26.07.2013

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मध्यप्रदेश राज्य में दैनिक वेतन भोगी कर्मचारियों के रूप में नियुक्त व्यक्तियों की सेवा शर्तें नियम 2013 में राजपत्र (असाधारण) दिनांक 30.05.2013 प्रकाशित हये हैं।

उक्त नियम की प्रति विभाग के पत्र क्रमांक/ 1753/1645/42/2/13 दिनांक 26.07.2013 के साथ प्राप्त हुई है। अतः शासन के पत्र की प्रति तथा राजपत्र दिनांक 30.05.2013 की प्रति आवश्यक कार्यवाही हेतु भेजी जाती है। उपरोक्त पत्र प्राप्ति की अभिस्वीकृति इस संचालनालय को भेजी जाये।

संलग्न:- उपरोक्तानुसार

संचालक, तकनीकी शिक्षा
मध्यप्रदेश

/भोपाल दिनांक

पृ.क्रमांक/3/स्था/एफ/2013/

प्रतिलिपि:- म.प्र. शासन तकनीकी शिक्षा एवं कौशल विकास विभाग मंत्रालय भोपाल को उनके पत्र क्रमांक 1753/1645/42/2/13 दिनांक 26.07.2013 के संदर्भ में सूचनार्थ अग्रेषित।

सहा
संचालक, तकनीकी शिक्षा
मध्यप्रदेश

मध्य प्रदेश शासन
तकनीकी शिक्षा एवं कौशल विकास विभाग
मंत्रालय, बल्लभ भवन, भोपाल-462004.

क्रमांक/1753/1645/42/2/13

भोपाल, दिनांक 26/7/13

प्रति,

1/- संवालक,

कौशल विकास संवालनालय,

म. प्र. जबलपुर ।

2/- संवालक,

तकनीकी शिक्षा संपालनालय,

म. प्र. भोपाल ।

विषय:- म. प्र. दैनिक बेतनमोगी कर्मचारी सेवा की शर्तों, नियम 2013 के संबंध में ।

विषयान्तर्गत सामान्य प्रशासन विभाग से प्राप्त पत्र दिनांक 09 जुलाई, 2013 की छायाप्रति संलग्न प्रेषित है ।

निर्देशानुसार निवेदन है कि पत्र में आवश्यक कार्यवाही करने का कष्ट करें । तथा की गई कार्यवाही से इत विभाग को भी अवगत कराने का कष्ट करें ।

आर. एम. नरवरिया

अवर सचिव

मध्य प्रदेश शासन

तकनीकी शिक्षा एवं कौशल विकास विभाग

29/7/13
30/7

30/7/13

11. अध्यक्ष, व्यावसायिक परीक्षा मण्डल, मध्यप्रदेश, भोपाल।
12. महाधिवक्ता/उप महाधिवक्ता, मध्यप्रदेश उच्च न्यायालय, खण्डपीठ, इन्दौर/ग्वालियर/जबलपुर।
13. महालेखाकार, मध्यप्रदेश ग्वालियर/भोपाल।
14. प्रमुख सचिव/सचिव/उप सचिव/सामान्य प्रशासन विभाग, मंत्रालय, भोपाल।
15. सचिव(समन्वय), मुख्य सचिव कार्यालय, मंत्रालय, भोपाल।
16. उप सचिव/अवर सचिव, स्थापना/अधीक्षण/अभिलेख/मुख्य लेखाधिकारी, मध्यप्रदेश मंत्रालय, भोपाल।
17. आयुक्त, जनसंपर्क संचालनालय, मध्यप्रदेश, भोपाल।
18. सचिव, मध्यप्रदेश राज्य सूचना आयोग निर्वाचन भवन, द्वितीय मंजिल, भोपाल।
19. अध्यक्ष, मध्यप्रदेश राज्य कर्मचारी कल्याण समिति, भोपाल।
20. अध्यक्ष, शासन के समस्त मान्यता प्राप्त कर्मचारी संघ, भोपाल।

की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु अग्रेषित।

Prabha Agrawal

(प्रभा अग्रवाल)

अवर सचिव

मध्यप्रदेश शासन
सामान्य प्रशासन विभाग

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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 242]

भोपाल, गुरुवार, दिनांक 30 मई 2013—ज्येष्ठ 9, शक 1935

सामान्य प्रशासन विभाग

मंत्रालय, वल्लभ भवन, भोपाल

भोपाल, दिनांक 30 मई 2013

क्र. सी. 5-1-2013-3-एक.— भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों को प्रयोग में लाते हुए, मध्यप्रदेश के राज्यपाल, एतद् द्वारा मध्यप्रदेश राज्य में दैनिक वेतन भोगी कर्मचारियों के रूप में नियुक्त व्यक्तियों की सेवा की शर्तों का विनियमन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

- संक्षिप्त नाम, लागू होना तथा प्रारंभ :- (1) इन नियमों का संक्षिप्त नाम मध्यप्रदेश दैनिक वेतन भोगी कर्मचारी (सेवा की शर्त) नियम, 2013 है।
 - ये नियम ऐसे दैनिक वेतन भोगी कर्मचारियों पर लागू होंगे जो 31 दिसम्बर, 1988 के पूर्व से ही नियोजित हैं या मध्यप्रदेश शासन के सामान्य प्रशासन विभाग द्वारा दिनांक 21 जनवरी, 2004 को जारी आदेश द्वारा पुनः पदस्थ किए गए हैं।
 - ये नियम राजपत्र में इनके प्रकाशन की तारीख से प्रवृत्त होंगे।
- परिभाषाएं.— इन नियमों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—
 - “नियंत्रण कर्ता अधिकारी” से अभिप्रेत है ऐसा अधिकारी जिसे दैनिक वेतन भोगी कर्मचारी पर नियंत्रण का प्रशासनिक अधिकार हो ;
 - “कर्मचारी” से अभिप्रेत है शासन के विभिन्न विभागों में कार्य कर रहे दैनिक वेतन भोगी कर्मचारी ;

Bhopal, the 30th May 2013

No. G.S. 1-2013-3-0ne.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Madhya Pradesh, hereby, makes the following rules regulating the conditions of service of the persons appointed as daily wages employees in the State of Madhya Pradesh, namely:-

1. **Short title, application and commencement.**— (1) These rules may be called as Madhya Pradesh Daily Wages Employees (Conditions of Service) Rules, 2013.

(2) These rules shall be applicable on such daily wage employees who are already employed before 31st December, 1988 or reinstated by the order dated 21st January, 2004 issued by the Central Administration Department, Government of Madhya Pradesh.

(3) These rules shall come into force from the date of its publication in the official Gazette.

2. **Definitions.**— In these rules, unless the context otherwise requires,-

(a) "Controlling Officer" means an officer who has the administrative powers to control the daily wages employee;

(b) "employee" means the daily wages employee working in different departments of the Government;

(c) "Government" means the Government of Madhya Pradesh;

(d) "NPS" means the National Pension Scheme;

(e) "PFRDA" means the Pension Fund Regulatory Development Authority, constituted as Regulatory Authority in the Pension Sector, by the Government of India vide order dated 10th October, 2003.

3. **Classification of Service.-** The employees shall be classified in the following categories, namely:-

- (a) Skilled Daily Wage Employee;
- (b) Semi-skilled Daily Wage Employee;
- (c) Unskilled Daily Wage Employee.

4. **Official record of employees.-** The Controlling Officer shall maintain the records of the daily wage employees mentioning the complete details as shown in Schedule I.

5. **Wages.-** (1) The wages of the employees shall be as per the daily wages fixed and revised by the Competent Authority in this regard.

(2) In addition to the wages mentioned in sub-rule (1) above, employees working on daily wages shall be entitled to get special allowances, namely :-

| S. No. | Total period of service as a daily wage employee | Special Allowance (Per Month) |
|--------|--------------------------------------------------|----------------------------------|
| (1) | (2) | (3) |
| 1. | Ten to twenty years | Rs. 1,500/- |
| 2. | Above twenty years | Rs. 2,500/- |

6. **Age of superannuation.-** Such daily wage employees who are working against class III or equivalent posts shall superannuate on completion of sixty years of age and the employees against who are working against class IV or equivalent posts shall superannuate on completion of sixty two years of age.

7. **Contribution of the Government towards retiral benefits.-**

(1) At the age of superannuation, the daily wage employee shall be entitled for the contribution. Employee shall be paid an amount not

exceeding Rs. 1,00,000/- (Rupees One Lakh) only as a contribution of the Government which shall be calculated on the basis of his wages of fifteen days :

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Provided that the amount of contribution of the Government shall not include the amount of special allowances as prescribed in sub-rule (2) of rule 5 :

Provided further that the employees who have been terminated under clause (b) of sub-rule (1) of rule 10 shall not be entitled for the amount of contribution of the Government.

(2) Deduction in the contribution of the Government shall be done on the basis of pro-rata for the misconducts specified in sub-rule (2) of rule 10.

(3) The calculation of contribution shall be done by the office of the Controlling Officer of the employee.

(4) Five years continuous service shall be essential for an employee to become eligible for the contribution of the Government :

Provided that in case of death and physical disability this condition shall not be applicable.

8. National Pension Scheme regulated by PFRDA.- (1) The NPS initiated by PFRDA has been applied in the State of Madhya Pradesh, with effect from 1st May, 2009 for the domiciles of Madhya Pradesh.

(2) The employee can opt to be a member under NPS and can avail the benefit of pension.

(3) In case of an option given by the employee under sub-rule (2) above, a contribution equivalent to ten percent shall be deducted from his wages and the Government shall also contribute the same sum of amount and shall deposit it in the permanent account of the employee and the

consolidated amount and permissible interest thereon shall be paid on his superannuation.

9. **Leave.-** (1) The employees shall be eligible for three national holidays that is 26th January, 15th August and 2nd October in a calendar year.

(2) Apart from the national holidays as specified in sub-rule (1) above, the employees shall be eligible for five festival holidays. The employee can choose such holidays from the list of Government/Optional/Local Holidays.

(3) Apart from the holidays mentioned in sub-rule (1) and (2) above, the employee shall be eligible for seven casual leaves in a calendar year. In normal case the employee shall not be eligible for more than two days of continuous casual leave.

(4) Women employees shall be eligible for maternity leave as per the policy of the Government.

(5) Apart from the holidays and leaves mentioned in sub-rule (1), (2), (3) and (4) above, the employee shall also be eligible for weekly holiday on Sundays. In the emergent situations, if the work has been taken on the weekly holiday, then the holiday in lieu thereof shall be permitted in the following week.

10. **Disciplinary action against the employee on misconducts.-**

(1) The following acts shall be treated as serious misconduct :-

- (a) conviction by the court of law in any case;
- (b) theft and misappropriation of any Government property;
- (c) taking bribe to carry out the Government work;
- (d) disobeying the orders of officers;
- (e) gambling on duty in the work place;

- (f) consumption of liquor on Government duty;
- (g) participation in strike;
- (h) to destroy the Government property;
- ~~(i) continuous absence for ten day without prior information;~~
- (j) provoking the other employee to partake in strike.

for any of the serious misconducts mentioned above, the employee shall be liable for punishment of termination from service.

(2) The following acts shall be categorized as minor misconducts:-

- (a) late arrival on duty;
- (b) absent from duty for less than ten days without information;

for any of the minor misconducts mentioned above, the employee shall be liable for the punishment of recovery from his wages or payment of wages shall not be made to him.

11. Termination. (1) The termination of the employee shall be made on the basis of the following grounds, namely :-

- (a) if there is no exigency of the work of the post on which the employee was working;
- (b) if the charges are proved as mentioned in sub-rule (1) of rule 10.

(2) The Controlling Officer shall pass a speaking, reasonable and crystal clear order, mentioning the reasons for such termination.

12. Interpretation. - If any question arises for the interpretation of these rules, the same shall be referred to the General Administration Department, Government of Madhya Pradesh, whose decision shall be final and binding.

SCHEDULE-I
(see rule 5)

| | | | |
|------|------------------------------------------------------------|----|--|
| (1) | Name of the Head of the Department of Office | : | |
| (2) | Name of the Controlling Office | : | |
| (3) | Name of the employee | : | |
| (4) | Father's/Husband's Name | : | |
| (5) | Date of Birth | : | |
| (6) | Current place of work | : | |
| (7) | Date of first appointment | : | |
| (8) | Nature of appointment as per the judgment of Supreme Court | : | |
| (9) | Category of employee, whether SC/ST/OBC | : | |
| (10) | Residential Address | :: | |
| (11) | Distinct Identification Mark | : | |
| (12) | Record of maternity leave for women employee | : | |

By order and in the name of the Governor of Madhya Pradesh,

R. K. GAJBHIYE, Dy. Secy.