

**THE PUNJAB CIVIL SERVICE (GENERAL AND COMMON
CONDITIONS OF SERVICES) RULES, 1994.**

**GOVERNMENT OF PUNJAB
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE
REFORMS
(PERSONNEL POLICIES-I BRANCH)
Notification**

The 4th May, 1994

No. G.S.R. 33/Const./Art. 309/94:- In exercise of the powers conferred by the proviso of article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to Class I, Class II and Class III service in connection with the affairs of the State of Punjab namely:-

1. Short title, commencement and application:-

- (1) These rules may be called the Punjab Civil Service (General and Common Conditions of Services) Rules, 1994.
- (2) They shall come into force at once.
- (3) They shall apply to all the posts in Class III services in connection with the affairs of the State of Punjab.

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

- (a) "Appointing Authority" means an appointing authority specified as such in the services Rules made under article 309 of the Constitution of India in respect of any service or position connection with the affairs of the State of Punjab.
- (c) "Board" means the Subordinate services Selection Board, or any other authority constituted to perform its functions;
- (d) "Commission" means the Punjab Public Service Commission.
- (e) "Direct Appointment" means an appointment made otherwise than by Promotion or by transfer of a person already in the service of Government of India or of a State Government.
- (f) "Government "means the Government of State of Punjab in the Department of Personnel and Administrative reform.
- (g) "Recognized University or institution" means:-
 - (iii) Any university or institution incorporated by law in any of the State of India; or
 - (iv) Any other university or institution which is declared by the Government to be Recognized University or institution for the purpose of these rules.
- (h) "Service" means any Class III service constituted in connection with the affairs of the State of Punjab;

- (i) "Service Rules" means the Service Rules made under article 309 of the Constitution of India regulating the recruitment and condition of service other than the general and common condition of service of persons appointed to any service or post in connection with the affairs of the State of Punjab.

3. Nationality, domicile and character of person appointed to the service:-

- (1) No person shall be appointed to the service unless he is :-
 - (a) a Citizen of India; or
 - (b) a Citizen of Nepal; or
 - (c) a Subject of Bhutan; or
 - (d) A Tibetan refugee who came over to India before the first day of January, 1962 with the intention of permanently settling in India ; or
 - (e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India;
Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favor a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice;
- (2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission of the Board, as the case may be, on his furnishing proof that he has applied for the certificate but he shall not be appointed for the service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.
- (3) No person shall be recruited to the service by Direct Appointment unless he produces:-
 - a. A certificate of Character from the Principal academic officer of the University, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and
 - b. An affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude that he was never dismissed or removed from service of any State Government or of Government of India or of any Public Sector Undertaking.

4. Disqualification:- No person

- a. Who has entered into or contracted a marriage with a person having a spouse living; or
- b. Who having a spouse living, has entered into or contracted a marriage with a person shall be eligible for appointment to the services;

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing; exempt any person from the operation of this rule.

5. Age:-

- (1) No person shall be recruited to the Service by direct appointment if he is less than eighteen years or is more than thirty five years of age in the case of technical/non-technical posts and the 1st day of January of the year immediately preceding the last date fixed for submission of applications by the Commission or the Board, as the case may be, or unless he is within such range of minimum and the maximum age limits as may be specifically fixed by the Government from time to time.

Provided that where different lower and upper age limits have been specifically prescribed for post in the service Rules, these limits shall be made applicable for the appointment to such posts;

Provided further that the upper age limit may be relaxed up to forty five years in the case of person already in the employment of the Punjab Government, other State Government or the Government of India.

Provided further that in the case of candidates belonging to Scheduled caste or other Backward Classes, the upper age limit shall be such as may be fixed by the Government from time to time.

- (2) In the case of Ex- Servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex- Servicemen Rules, 1982, as amended from time to time.
- (3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such may be specifically fixed by the Government from time to time.

6. Qualifications etc.:-

Subject to the provisions of these Rules the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a service and the Departmental examination, if any shall be such as may be specified in the Service Rules made for that Service.

7. Probation:-

- (1) A person appointed to any post in the service shall remain on probation for a period of two years, if recruited by direct appointment and one year, if appointed otherwise:

Provided that—

- (a) Any period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation;
- (b) In the case of appointment by transfer, any period of work on an equivalent or higher post prior to appointment to the service, may in the discretion of the appointing authority is allowed to count towards the period of probation;

- (c) Any period of officiating appointment to the service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.
- (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or if he has failed to pass the departmental examination, if any prescribed in Service Rules within a period not exceeding two and a half years from the date of appointment, it may-
- a. if such person is recruited by direct appointment dispense with his service, or revert him to a post on which he held lien prior to his appointment to the service by Direct appointment ; and
 - c. if such person is appointed otherwise:
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may –
- (a) if the work and conduct has in its opinion been satisfactory-
 - (i) confirm such person, from that date of his appointment or from the date he completes his period of probation satisfactorily if, he is not already confirmed ; or
 - (iii) declare that he has completed his probation satisfactorily if, he is already confirmed ; or
 - (b) if his work and conduct has not been in its opinion satisfactory, if he has failed to pass the Departmental examination, if any, specified in the service Rules-
 - (i) dispense with his service if appointed by direct appointment, or if appointed otherwise revert him to his former post, or deal with him in such other manner as the time and conditions of his previous appointment may permit ; or
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):
 Provided that the total period of probation including extension, if any, shall not exceed the years.

8. Seniority:-

The seniority inter se of persons appointed to posts in each cadre of a service shall be determined by the length of continuous service on such posts in that cadre of the service;

Provided that in case of person recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment, the order

of merit determined by the commission or the Board, as the case may be, shall not be disturbed;

Provided further that in case a person is permitted to join the post after the expiry of said period of four months in consultation with the Commission or the Board, as the case may be, his Seniority shall be determined from the date of joins the post;

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned service before the persons referred to in the proceeding proviso joins, the person so referred shall be placed below all the persons of the next selection, who joins within the time specified in the first proviso;

Provided further that in the case of two or more persons appointed on same date, their seniority shall be determined as follows:-

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to person appointed by transfer;
- (c) In the case of persons appointed by promotion or transfer , the seniority shall be determined according to the seniority of such persons in appointments from which they were promoted or transferred; and
- (d) In the case of persons appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn as also the same, then by their length of service in these appointments and if the length of service also the same an older person shall be senior to be younger person.

Note:- Seniority of persons appointed as purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointments.

9. Liability of members of service to transfer:-

A member of a service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Service Rules, Volume I, Part I.

10. Liability to servo:-

A member of a service shall be liable to serve at any place, whether within or out of the State of Punjab on being ordered so to do by the appointing authority.

11. Leave, Pension and other matters:-

In respect of pay, leave, pension and all other matters how expressly provided for in these rules, a member of a service shall be governed by such rules and regulations and may have been or may hereafter be adopted or made by the competent authority.

12. Discipline penalties and appeals:-

(1) In the matter of discipline punishment and appeals a matter of service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules 1970 as amended from time.

(2) The authority empowered to impose penalties specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules 1970 and the appellate authority there under in respect of the Government employee shall be such as may be specified in the Service Rules.

13. Liability for vaccination and Re-vaccination:-

Every member of a service shall get himself vaccinated or re-vaccinated when Punjab Government so directs by a special or general order.

14. Oath of allegiance:-

Every member of a service unless has already done so shall be required to take Oath of allegiance to India and to the Constitution of India as by law established.

15. Minimum education and other Qualifications for appointment to the posts of clerk:-

No post shall be appointed by direct appointment to a post of clerk under the Punjab Government unless he-

(a) is Matriculate in Second Division or has passed senior secondary Part-II examination from a recognized university.

(b) Qualifies a test in Punjabi type-writing to be conducted by the Board or by the appointing authority at the speed of thirty words per minute.

16. Minimum education and other Qualifications for appointment to the posts of Steno- typist Grade –II or Junior Scale Stenographer Grade-II-

No. person shall be appointed by direct appointment to a post of a Steno Grade-II or Junior Scale Stenographer Grade-II under the Punjab Government unless-

(a) is Matriculate in Second Division or has passed senior secondary Part-II examination from a recognized university or institution and;

(b) Qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at a speed to be specified by the Government from time to time.

17. Knowledge of Punjabi Language:-

No person shall be appointed to any post in any Service by direct appointment unless he possesses knowledge of Punjabi Language of Matriculation standard or its equivalent.

Provided that where a person is appointed on compassionate grounds on priority basis under the instruction issued in this behalf by the Government, the person so appointed will have to acquire knowledge of Punjabi language of Matriculation standard or will have to qualify a test conducted by the Language Wing of the Department of Education of the Punjab Government within six months from the date of his appointment:

Provided future that where educational qualifications for a post in any service are lower than Matriculation, the knowledge of Punjabi language shall be lowered accordingly.

18. Debarring for consideration for promotion of Government employee who refuses to accept promotion:-

In the event of refusal to accept promotion by a member of a service he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chance which may occur in future within a period of two years from the date of such refusal to accept proposal;

Provided that in a case where the appointing authority is satisfied that a member of a service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefore in writing from the operation of this rule.

19. Power to relax:-

Where the Government is of the opinion that it is necessary of expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class of category of persons:

Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.

20. Over riding effect:-

The provision of these rules shall have effect notwithstanding anything to the contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to Public service and posts in connection with the affairs of the State.

21. Interpretation:-

If any question arises as to the interpretation of these rules, the Government shall decide the same.

**A.S. CHATHA
CHIEF SECRETARY TO GOVERNMENT
PUNJAB**