

The Punjab State Agricultural Marketing Board (Class IV) Service Rules, 1988

PUNJAB

India

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Rule

THE-PUNJAB-STATE-AGRICULTURAL-MARKETING-BOARD-CLASS-IV of 1988

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The Punjab State Agricultural Marketing Board (Class IV) Service Rules, 1988Published vide Punjab Government Gazette (Extraordinary), dated 12th September, 1988 vide Notification No. 11/7m-I-88/23126

1. Short title and application.

(1)These rules may be called the Punjab State Agricultural Marketing Board (Class IV) Service Rules, 1988.(2)They shall apply to all the posts specified in Appendix 'A'.

2. Definitions.

- In these rules unless the context otherwise requires, -(a)'Act' means the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act No. 23 of 1961);(b)'Appendix' means an Appendix to these rules;(c)'Chairman' means the Chairman of the Board;(d)'direct appointment' means an appointment made otherwise than by promotion or by transfer of a person already in the service of the Board or Government of India or of a State Government;(e)'Education Board' means the Punjab School Education Board established under the Punjab School Education Board Act, 1969;(f)'Form' means a Form appended to these rules;(g)'Government' means the Government of the State of Punjab in the Agriculture wing of the Department of Agriculture and Forests;(h)'recruiting authority' means a Committee to be constituted by the Board with the prior approval of the Government with [Secretary of the Board] [Substituted for the words 'chairman of the Board' vide Punjab Government Gazette (Extraordinary) Notification No. G.S.R.

1/P.A./23/61/S.43/Amd.(6)/2002 dated March 26, 2002 Page 75 (CHTR. 5, 1924 SAKA).] as Chairman and such other members as may be specified by it from time to time for the purposes of making direct appointment to the service; and (i) 'Service' means the Punjab State Agricultural Marketing Board (Class IV) Service.

3. Number and character of posts.

- The service shall comprise the posts specified in Appendix 'A' : Provided that nothing in these rules shall affect the inherent right of the Board to add to or reduce the number of such posts or to create new posts with different categories and designations and scales of pay either permanently or temporarily with the prior approval of the government.

4. Nationality, domicile and character of candidates appointed to service.

(1) No candidate shall be appointed to the service unless he is, - (a) a citizen of India; (b) a citizen of Nepal; or (c) a subject of Bhutan; or (d) a Tibetan refugee who came over to India before 1st January, 1962 with the intention of permanently settling in India; or (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, Kenya, Uganda and the East African Countries of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India : Provided that a candidate belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of Punjab in the Department of Home Affairs and Justice. (2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the recruiting authority on his furnishing proof that he has applied for the certificate but he shall not be appointed to the service unless a certificate of eligibility 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 - (i) a certificate of character from the Principal Academic Officer of the University, college, school or institute last attended, if any, and similar certificate 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 institute; (ii) an affidavit to the effect that he was never convicted for any criminal offence and that he was never dismissed or removed from service of any State Government, Government of India or any public sector undertaking; and unless - (iii) his character and antecedents are found to be satisfactory by the District Magistrate concerned.

5. Age and physical fitness.

(1) No person shall be recruited to the service by direct appointment if he is less than eighteen years of age or is more than thirty years of age on the first day of January of the year next preceding the last day of submission of applications fixed by the Board or within such minimum and maximum age limits as may be specified by the Government of Punjab from time to time : Provided that the appointing authority, may with the prior approval of the Government, for reasons to be recorded in writing, relax the upper age limit for a category or class of persons : Provided further that in the case of candidate belonging to the Scheduled Castes, Scheduled Tribes and other Backward Classes, the

upper age limit shall be such as may be fixed by the Government of Punjab from time to time. Note. - For age limit in case of recruitment of Ex-Servicemen the provisions of Rule 6 of the Punjab Recruitment of Ex-Servicemen Rules, 1982, shall apply. (2) No person recruited to the Service by direct appointment shall be allowed to join the service, unless he, within the period to be specified by the appointing authority has appeared for medical examination before the Civil Surgeon or Chief Medical Officer as the case may be and has been declared by the Civil Surgeon or Chief Medical Officer to be physically fit for duties which he will have to perform as a member of the Service. The report of the Civil Surgeon or Chief Medical Officer shall be final: Provided further that a person appointed on purely temporary basis for a period not exceeding three months shall not be required to produce a medical certificate before joining the service.

6. Appointing authority.

- The appointment to the Service shall be made by the [Secretary of the Board] [Substituted for the words 'chairman of the Board' vide Punjab Government Gazette (Extraordinary) Notification No. G.S.R. 11/P.A./23/61/S.43/Amd.(6)/2002 dated March 26, 2002 Page 75 (CHTR. 5, 1924 SAKA).].

7. Disqualifications.

- 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 any person; shall be appointed to the service : Provided that if the Board is 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 grounds for so doing it may exempt any person from the operation of this rule.

8. Method of recruitment and qualifications.

(1) Subject to the provisions of sub-rule (4), appointments to the service shall be made in the manner specified in Appendix 'B'. (2) No person shall be appointed to a post in the Service unless he possesses the qualifications and experience as specified in Appendix 'B'. (3) All appointments by promotion to the service shall be made by selection on the basis of seniority-cum-merit and no person shall be entitled to claim promotion on the basis of seniority alone. (4) The percentage of reservation of posts in the service for the members of the scheduled casts and Backward classes and in the case of sportsmen, handicapped persons, freedom fighters or any other category of persons shall be such percentage as may, from time to time, be specified by the Government of Punjab for the corresponding posts in the Service under it.

9. Probation of persons appointed to service.

(1) Persons appointed to the Service shall remain on probation for a period of two years. 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 in equivalent or higher rank, prior to appointment to the Service may, in the

discretion of the appointing authority, may be 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, but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed unless he is appointed against a permanent vacancy; and(d)any period of leave not exceeding six months during or at the end 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 it may -(a)If such person is recruited by direct appointment, dispense with his services or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and(b)if such person is recruited otherwise :-(i)revert him, to his former post ; or(ii)deal with him in such other manner as the terms and conditions of his previous appointment permit.(3)On the completion of the period of probation of a person, the appointing authority may-(a)if his work and conduct has, in its opinion been satisfactory :-(i)confirm such person from the date of his appointment if appointed against a permanent vacancy ; or(ii)confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy ; or(iii)declare that he has completed his probation satisfactorily if there is no permanent vacancy ; or(b)if his work or conduct has not been in its opinion satisfactory :-(i)dispense with his services, 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 terms and conditions of his previous appointment may permit ; or(ii)extend his period of probation and thereafter pass such orders as it could have passed on the expiry of the period of probation specified in sub- rule (i) :Provided that the total period of probation, including extension if any, shall not exceed three years.

10. Seniority of members of Service.

- The seniority inter se of the members of the Service in each cadre shall be determined by the length of continuous service on a post in that cadre of the service :Provided that in the case of members appointed 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 recruitment authority, shall not be disturbed :Provided further that in case a candidate is permitted to join the service after the expiry of the said period of four months in consultation with the recruiting authority, his seniority shall be determined from the date he joins the service:Provided further that in case a candidate of the next selection has joined the service before the candidate referred to in the preceding proviso joins the candidate so referred shall be placed below all the candidates of the next selection who join within the time specified in the first proviso:Provided further that in the case of two members appointed on the same date their seniority shall be determined as follows :-(a)a member recruited by direct appointment shall be senior to a member recruited otherwise ;(b)a member appointed by promotion shall be senior to a member appointed by transfer;(c)in the case of members appointed by promotion or transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred ; and(d)in the case of members appointed by transfer from different cadres, their seniority shall be determined according to pay preference being given to a member who was drawing a higher rate of pay in his previous appointment, and if the rate of pay drawn are also

the same then by their length of service in those appointments and if the length of such service is also the same an older member shall be senior to younger member. Note :- Seniority of members of the service appointed on purely provisional basis or on daily wages shall be determined as and when they are regularly appointed keeping in view the date of such regular appointment.

11. Liability to Service.

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

12. Leave, pay and other matters etc.

(1) In respect of pay, leave and other matters not expressly provided for in these rules, the members of the service shall be governed by the Punjab Civil Services Rules, as applicable to the employees of the State of Punjab from time to time. (2) In respect of the provident fund and gratuity, the members of the service shall be governed by the Punjab State Agricultural Marketing Board and Market Committees Employees Provident Fund and Gratuity Rules, 1965 and the Punjab State Agricultural Marketing Board and Market Committees Employees Pension, Provident Fund and Gratuity Rules, 1987.

13. Pay of members of service.

- The members of the service shall be entitled to such scales of pay as may be authorised by the Board with the prior approval of the Government from time to time. The scales of pay at present in force in respect of the members of the service are given in Appendix 'A' to these rules.

14. Discipline, Penalties and Appeals.

(1) In the matters of discipline, punishment and appeals, the members of the service shall be governed by the provisions of the Punjab State Agricultural Marketing Service (Punishment and Appeals) Rules, 1988. (2) The authority empowered to impose penalties as specified in Rule 5 of the Punjab State Agricultural Marketing Service (Punishment and Appeal) Rules, 1988 and the appellate authority thereunder in respect of the members of the service shall be as specified in Appendix 'C'.

15. Periodical medical check up.

(a) every member of the service shall be liable to undergo periodical medical examination and preventive or curative treatment as he may be required to undergo. (b) Every member of the service shall be liable at any stage of his service when directed by the appointing authority to undergo medical examination by the Civil Surgeon or the Chief Medical Officer and his continuation in service shall be subject to the fitness certificate given by the Civil Surgeon or the Chief Medical Officer as the case may be, to the satisfaction of the appointing authority. (c) In case any member of

the Service is not found fit to perform his duties, he shall be liable to be retired from service and shall be entitled to the same benefit as are admissible to employees of the Government of Punjab holding corresponding posts under the Punjab Civil Services Rules, Volume II on being retired on account of invalidity.

16. Vaccination and re-vaccination.

- Every member of the Service shall get himself vaccinated or re-vaccinated when the Board so directs by a general or special order.

17. Oath of allegiance.

- Every member of the Service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

18. Power to relax.

- Where the appointing authority is of opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing and with the prior approval of the Government relax any of the provisions of these rules with respect to any class or category of persons :Provided that provisions relating to qualifications and experience shall not be relaxed.

19. Interpretation.

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

20. Saving clause.

- Notwithstanding anything contained in these rules, appointments made to any post under the Board, prior to the commencements of these rules, shall be deemed to have validly been made under these rules and shall not be questioned on any ground, whatsoever. Appendix 'A'[See rules 1(2), (3) and 13]

Sr. No.	Designation of the post	Number of posts	Scale of pay in rupees
1	2	3	4
1.	Daftri	3	300-5-325/5-350/10-430 Rs. 20/- Special Pay
2.	Jamadar	2	300-5-325/5-350/10-430
3.	Chowkidar Peon/Library Attendant	60	300-5-325/5-350/10-430
4.	Peon-cum Chowkidar	224	300-5-325/5-350/10-430

5.	Peon-cum Chowkidar	34	300-5-325/5-350/10-430
6.	Sweeper	62	300-5-325/5-350/10-430
7.	Head Mali	3	300-5-325/5-350/10-430
8.	Helper	8	300-5-325/5-350/10-430
9.	Belder	2	300-5-325/5-350/10-430
10.	Ferro Khalasi	9	300-5-325/5-350/10-430

Appendix 'B'[See rule 8]

Sr. No	Designat post
1	2
1.	Daftri
2.	jamadar
3.	Chowkidar
4.	Peon/Lib Attendan

5.

Peon-cum

6.

Sweeper

7.

Head Ma

8.

Helper

9.

Belder

10.

Ferro Kh

Appendix 'C'[See Rule 14]

Sr. No.	Designation of the post	Nature of Penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5
1.	Daftri	Minor Penalties(i)Censure(ii) Withholding of his promotions(iii) Recoveryfrom his pay of the whole part of any pecuniary loss caused byhim to the Board by negligence or breach of orders(iv)Withholding increments of pay	[Secretary of the Board] [Substituted for the words 'chairman of the Board' vide Punjab Government Gazette (Extraordinary) Notification No. 11/P.A./23/61/S.43/Amd.(6)/2002 dated March 26, 2002 Page 75 (CHTR. 5, 1924 SAKA).]	Government
2.	jamadar	[Secretary of the Board] [Substituted for the words 'chairman of the Board' vide Punjab Government Gazette (Extraordinary) Notification No. 11/P.A./23/61/S.43/Amd.(6)/2002 dated March 26, 2002 Page 75 (CHTR. 5, 1924 SAKA).]	Government	
3.	Chowkidar	[Secretary of the Board] [Substituted for the words 'chairman of the Board' vide Punjab Government Gazette (Extraordinary) Notification No. 11/P.A./23/61/S.43/Amd.(6)/2002 dated March 26, 2002 Page 75 (CHTR. 5, 1924 SAKA).]	Government	
4.	Peon/Library Attendant	[Secretary of the Board] [Substituted for the words 'chairman of the Board' vide Punjab Government Gazette (Extraordinary) Notification No.	Government	

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(CHTR. 5, 1924 SAKA).]
[Secretary of the Board]
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'chairman of the Board' vide Punjab
Government Gazette
(Extraordinary) Notification No. Government
G.S.R.
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(CHTR. 5, 1924 SAKA).]
(vii) Compulsory retirement(viii)
Removal from Servicewhich shall [Secretary of the Board]
not be disqualification for future [Substituted for the words
employment underthe Board, 'chairman of the Board' vide Punjab
Government, Semi-Government Government Gazette
Department(ix)Dismissal from (Extraordinary) Notification No. Govern
service which shall ordinarily be G.S.R.
adisqualification for future 11/P.A./23/61/S.43/Amd.(6)/2002
employment under the dated March 26, 2002 Page 75
Board,Government, (CHTR. 5, 1924 SAKA).]
Semi-Government departments
9. Beldar
10. Ferro Khalasi