

The Punjab State Agricultural Marketing Board (Group-A) Service Rules, 1988

PUNJAB

India

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Rule

THE-PUNJAB-STATE-AGRICULTURAL-MARKETING-BOARD-GROUP-A of 1988

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1. Short title and application.

(1)These rules may be called the Punjab State Agricultural Marketing Board ([Group-A] [Substituted 'Class I' by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]) Service Rules, 1988.(2)They shall apply to 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)'Non-technical post' means a post which does not require any technical qualifications and has been shown as such in Appendix 'A'.(i)'recognised university or institute' means, -(i)any university or institute

incorporated by law in India;(ii)in the case of degrees, diplomas or certificates obtained as a result of examinations held before the 15th August, 1947, the Punjab, Sind or Dacca University; and(iii)any other university or institute which is recognised by the Government for the purposes of these rules;(j)'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. 8/P.A./23/61/S.43/Amd.(10)/2002 dated March 26, 2002 Page 69 (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;(k)'Service' means the Punjab State Agricultural Marketing Board (Class I) Service;(l)'technical post' means a post which requires technical qualifications and has been shown as such in Appendix 'A'.

3. Number and character of post.

- The service shall comprise the post 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 the 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 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 candidates 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 of 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 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 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 in the case of non-technical posts and thirty-three years of age in case of technical posts 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 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 candidates belonging to the Scheduled Castes, Scheduled Tribes and the 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 the case of recruitment of Ex-Servicemen, the provisions of rule 6 of the Punjab Recruitment of Ex-Servicemen Rules, 1982, shall apply. (2)(i) 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 medical board and has been declared by the said board to be physically fit for duties as per the standard of medical fitness prescribed for the members of the Punjab Civil Service (Executive Branch). (ii) The Medical Board referred to in clause (1) shall be constituted by the Director, Health Services Punjab and shall comprise not less than three duly qualified doctors who are in the service of Government of Punjab. (iii) The report of the medical board shall be final :Provided 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. 8/P.A./23/61/S.43/Amd.(10)/2002 dated March 26, 2002 Page 69 (CHTR. 5, 1924 SAKA).]. [Provided that appointment to the post of Chief Engineer and General Manager Marketing shall be made by the Government.] [Proviso substituted vide Punjab Notification dated 17.7.2001.]

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 other party to the marriage and that there are grounds for so doing; 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'. Provided that if no suitable person is available for appointment by

promotion to a post in the Service, such post shall be filled in by transfer or by taking a person on deputation, as the appointing authority may decide in this behalf.(2)No person shall be appointed to a post in the Service unless he possesses the qualifications and experience as specified against that post 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 following percentage of posts in the Service shall be reserved for each method of appointment indicated for categories mentioned thereunder, namely :-(a)By direct appointment : (i)for members of the Scheduled Castes 25 per cent(ii)for members of the Backward Classes 5 per cent(iii)for Ex-servicemen 15 per cent(b)By promotion : (i)for members of the Scheduled Castes 14 per cent(ii)for members of the Backward Classes : 2 per centProvided that percentage of reservation in the case of sportsmen, handicapped persons, freedom fighters or for any other category of persons shall be such percentage as may, from time to time, be specified by the Government of Punjab for the Service and posts 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 be allowed to count towards the period of the 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 or if he has failed to pass the prescribed departmental examination within a period not exceeding two years from the date of appointment, 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 from 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 or if he has failed to pass the prescribed departmental examination, it may 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.

10. Departmental Examination.

- Every member of the Service recruited by direct appointment shall pass such departmental examination in such papers comprising such syllabus and of such standard as may be specified by the Board from time to time.

11. Seniority of member 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 seniority based on the order of merit determined by the recruiting 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 within 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 rates 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 a 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.

12. Liability to serve.

- 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.

13. 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 Service Rules, as applicable to the employees of the Government of Punjab from time to time. (2) In respect of 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.

14. Pay of members of Service

- The members of 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.

15. Discipline, Penalties and Appeals.

- 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 Appeal) Rules, 1988.(2)The authority empowered to impose penalties as specified in Rule 5 of 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'.

16. Periodical medical-check up.

- (i) 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.(ii)Every member of the service shall be liable at any stage of his service when directed by the appointing authority to undergo medical examination to be conducted by the medical board constituted under sub-rule (2) of Rule 5 and his continuance in service shall be subject to the fitness certificate given by the medical board to the satisfaction of the appointing authority.(iii)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 benefits as are admissible to the employees of the Government of Punjab holding corresponding posts under the Punjab Civil Service Rules Volume II on being retired on account of invalidity.

17. Vaccination and Re-vaccination.

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

18. 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.

19. Power to relax.

- Where the appointing authority is of the opinion that it is necessary or expedient so to do, it may, be 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 the provisions relating to qualifications and experience shall not be relaxed.

20. Interpretation.

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

21. Saving Clause.

- Notwithstanding anything contained in these rules, appointments made to any post under the Board prior to the commencement 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), 2(h) and (1), 3 and 14]

Sr. No.	Designation of the post	Number of posts
1. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	General Manager(Finance and Accounts)	1
2. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	General Manager(Marketing/Enforcement/Project/Estate)	4
3.	Administrative Officer	1
4. [[Substituted by Notification No. G.S.R.21/P.A.23/1961/S.43/Amd.(14)/2015, dated 8.4.2015.]	Chief Engineer	2
5. [[Substituted by Notification No. G.S.R.21/P.A.23/1961/S.43/Amd.(14)/2015, dated 8.4.2015.]	Superintending Engineer	6
6. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	Deputy General Manager(Marketing/Enforcement/Estate)	6
	Architect	1

7. [[Substituted by Notification No. G.S.R.21/P.A.23/1961/S.43/Amd.(14)/2015, dated 8.4.2015.]				
8. [[Substituted by Notification No. G.S.R.21/P.A.23/1961/S.43/Amd.(14)/2015, dated 8.4.2015.]	Executive Engineer (Electrical)			2
9. [[Substituted by Notification No. G.S.R.21/P.A.23/1961/S.43/Amd.(14)/2015, dated 8.4.2015.]	Divisional Town Planner			1
10. [[Substituted by Notification No. G.S.R.21/P.A.23/1961/S.43/Amd.(14)/2015, dated 8.4.2015.]	Executive Engineer (Public Health)			2
11. [[Substituted by Notification No. G.S.R.21/P.A.23/1961/S.43/Amd.(14)/2015, dated 8.4.2015.]	Executive Engineer (Civil)			22
12.	Executive Engineer (Design)			1
13.	District Mandi Officer			[24] [Sub G.S.R.42/ dated 18.7.
14.	Principal, Training Institute			1
15.	Agricultural Marketing Development Officer			1
16.	Project Officer Mandi Development			1
17A. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	Deputy General Manager(Finance and Accounts)			1
17B. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	Joint Controller(Finance and Accounts)			1
17C. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	Deputy Controller(Finance and Accounts)			1
18.	Legal Advisor			1
{				
17. [[Omitted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	Senior Accounts Officer	3	Non Technical	Rs. 1,200-50-1,400/60-1,700/75-1,850]

Appendix 'B'[See Rule 8]

Qualifications for recruitment

Sr. No.	Designation of the post	Method of recruitment
1.	2.	3.
1. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	General Manager (Finance and Accounts)	By promotion
2.	[General Manager (Marketing/Enforcement/Project/Estate)] [Substituted 'Manager Marketing' by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	(i) By direct appointment; or(ii) By promotion;*[(ii) transfer on deputation]

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|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 3. | Administrative Officer | By transfer on deputation |
| 4. | Chief Engineer | (i) By promotion;
or(ii) By transfer on deputation; |
| 5. | Superintending Engineer | (i) By promotion;
or(ii) By transfer on deputation |
| 6. | [Deputy General Manager
(Marketing/Enforcement/Estate)]
[Substituted 'Enforcement Chief' by
Notification No.
G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, | By promotion |

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dated 18.7.2015.]

7.	Architect	By transfer on deputation
8.	Executive Engineer Electrical	#[i) By promotion ; or(By transfer or b taking aperson on deputation]
9.	Divisional Town Planner	By transfer on deputation
10.	Executive Engineer (Public Health)	(i) [By Promotion; and(ii) By transfer on

deputation]

11.

Executive Engineer (Civil)

‡[(i) By promotion;
and(ii) By transfer on deputation]

12.

Executive Engineer (Design)

(i) By promotion;
or(ii) By transfer on deputation

13.	District Mandi Officers	(i) By direct appointment seven posts; and(ii) By promotion seven posts
14.	Principal Training Institute	By promotion
15.	Agricultural Marketing Development Officer	As provided in Note 2 below
16.	Project Officer Mandi Development	As provided in Note 2 below
17A. [[Substituted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	Deputy General Manager (Finance and Accounts)	By Promotion

17B. [[Substituted by Notification No.

G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, Joint Controller (Finance and Accounts)
dated 18.7.2015.]

By Promotion

17C. [[Substituted by Notification No.

G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, Deputy Controller (Finance and Accounts)
dated 18.7.2015.]

By Promotion

18.

Legal Advisor

(i) By promotion
or(ii) By transfer
on deputation

* Inserted vide Notification No. G.S.R. 71/P.A. 23/61/S. 43/Amd. (1) 88, dated 13th July, 1988.**
Substituted for Five Years vide Legislative Supplement Part III dated 11th August, 1989, Page 87.‡
Vide Punjab Gazette (Extra) Legislative Supplement Part III, dated 27 July, 1990.† Substituted by
Punjab Gazette (Extra) Legislative Supplement Part III, dated 23.3.1990.± Inserted by Punjab
Gazette, Legislative Supplement, Part III, dated 30.8.1990.Note. 1. The term 'regular' used against
Serial Numbers 5, 7, 8, 10, 11 and 12 shall mean appointments made on regular basis which shall not
include appointments on ad-hoc basis or appointment made against leave vacancy.Note. 2.
Appointments to the posts of the Agricultural Marketing Development Officer and Project Officer
Mandi Development shall be made from amongst the District Mandi Officers.

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17. [[Omitted by Notification No. G.S.R.42/P.A.23/1961/S.43/Amd.(16)/2015, dated 18.7.2015.]	Senior Accounts Officer	(i) By promotion; or(ii) By transfer on deputation	From amongst the Accounts Officers working in the Board who have an experience of working as such for a minimum period of three years.	From amongst the Senior Accounts Officers in the Department of the Government of Punjab and in the Office of the Accountant General, Punjab, who have an experience of working as such for a minimum period of two years.]
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[Appendix 'C'[See Rule 15]

Sr. No.	Designation of the post	Nature of penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5
Minor Penalties				
1.	Manager Finance General	(i) Censure;	*[Secretary of the Board]	Government
2.	Manager Marketing	(ii) withholding of his promotions;	Government	Do
3.	Administrative Officer	(iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to Board by negligence or breach of orders;	*[Secretary of the Board]	Do
4.	Chief Engineer	Government	Do	
5.	Superintending Engineer	(iv) withholding of increments of pay;	*[Secretary of the Board]	Do
6.	Enforcement Chief		Ditto	Do

7.	Architect		Ditto	Do
Major Penalties				
8.	Executive Engineer (Electrical)	(v) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the Board employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;	Ditto	Do
9.	Divisional Town Planner		Ditto	Do
10.	Executive Engineer (Public Health)		Ditto	Do
11.	Executive Engineer (Civil)		Ditto	Do
12.	Executive Engineer (Design)		Ditto	Do
13.	District Mandi Officer	(vi) reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Board employee to the time scale of pay, grade, post or Service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or Service from which the Board employee was reduced and his seniority and pay on such restoration to that grade; post or Service; (vii) compulsory retirement; (viii) removal from service which shall not be a disqualification for future employment under the Board, Government, semi Government Departments; (ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Board, Government, semi Government Departments.	Ditto	Do
14.	Principal Training Institute		Ditto	Do

15.	Agricultural Marketing Development Officer	Ditto	Do
16.	Project Officer Mandi Development	Ditto	Do
17.	Senior Accounts Officer	Ditto	Do
18.	Legal Advisor	Ditto	Do

* Vide Punjab Legislative Supplement, Part III dated 12.6.96.