

# **Punjab Urban Planning and Development Authority (Integration and Inter-se-seniority of Transferred Employees) Rule, 1995**

PUNJAB

India

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### **Rule**

### **PUNJAB-URBAN-PLANNING-AND-DEVELOPMENT-AUTHORITY-INTEG of 1995**

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Punjab Urban Planning and Development Authority (Integration and Inter-se-seniority of Transferred Employees) Rule, 1995Published vide Notification No. 1/3/95-5HGII/4919 dated 29th September, 1995In exercise of the powers conferred by section 154 read with clause (zzd) of sub-section (2) of section 180 of the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act No. 11 of 1995), the Governor of Punjab is pleased to make the following rules, namely:-

### **1. Short title, commencement and application.**

(1)These rules may be called the Punjab Urban Planning and Development Authority (Integration and Inter-se-seniority of Transferred Employees) Rule, 1995.(2)They shall be deemed to have come into force on the First day of July, 1995.(3)They shall apply to the employees transferred under sections 150 and 151 of the Act to serve under the Authority.

### **2. Definitions.**

- In these rules, unless the context otherwise requires -(a)"Act" means the Punjab Regional and Town Planning and Development Act, 1955 (Punjab Act No. 11 of 1995);(b)"Authority" means the Punjab Urban Planning and Development Authority;(c)"Board" means the Punjab Housing Development Board established under the Punjab Housing Development Board Act, 1972 (Punjab

Act No. 6 of 1973);(d)"Directorate" means the Directorate of Housing and Urban Development, Punjab;(e)"employee of the Board" means a whole-time employee of the Board;(f)"employee of the Directorate" means an employee of the Directorate, who was serving, immediately before the date of establishment of the Authority, in connection with the affairs of the State of Punjab in the Directorate;(g)"Integration Committee" means a Committee appointed as such under rule 3;(h)"parent office" in relation to an employee of the Directorate means the Directorate and in relation to an employee of the Board means the Board;(i)"transferred employee" means an employee of the directorate or an employee of the Board, as the case may be, who has been transferred under the Act to serve in connection with the affairs of the Authority.

### **3. Integration Committee.**

- [Sections 154 and 180(2)(zzd)]. - (1) There shall be an Integration Committee consisting of the Secretary to Government of Punjab, Department of Housing and Urban Development, who shall be its Chairman and two other members out of whom one shall be the Secretary to Government of Punjab, Department of Personnel and Administrative Reforms and the other shall be the Chief Administrator of the Authority. (2) The Integration Committee shall be competent to pass final orders in respect of matters specified in rules 4, 6, 7, 8, 9, 10 and 13 and such other matters, as may be specifically referred to it by the State Government. (3) The Integration Committee shall be assisted by the officers of the State Government and officials of the Authority in the performance of its functions under these rules.

### **4. Equation of Services and posts.**

- [Sections 154 and 180(2)(zzd)]. - (1) The pattern of Services and posts obtaining in the Directorate being taken as a norm, the Services and posts obtaining in the Board shall, having regard to all relevant considerations, be normally equated with them in the corresponding Services and posts in the Directorate. (2) The Services and posts which cannot be equated under (1) shall be treated as unequated: Provided that where application of the criteria specified in sub-rule (1), causes inequality or injustice in a particular case, then that case shall be dealt with and decided on adhoc basis: Provided further that any specialised isolated or unequated post, not covered under sub-rule (1), shall also be dealt with and decided on ad hoc basis.

### **5. Postings.**

- [Sections 154 and 180(2)(zzd) of the Act]. - Without prejudice to the orders passed by the competent authority after the 1st July, 1995 and pending finalisation of the joint seniority lists, the transferred employees shall, after 1st July, 1995, be posted to a Service or post equated to the Service or post in or on which they were employed immediately before that date in a substantive, temporary or officiating capacity, except the employees working against leave vacancies, who shall revert on return of the original incumbents from leave.

## **6. Preparation of lists of employees.**

- [Sections 154 and 180(2)(zzd)]. - For the purposes of fixing inter se seniority of the transferred employees under rule 7, the lists of the employees in respect of each service or post, shall be prepared separately in each case in order of seniority applicable in their respective parent office :Provided that the employees of the Directorate on deputation to the Board, shall be included in the list of the employees of the Directorate for the purposes of fixing inter se seniority.

## **7. Fixation of Inter se seniority.**

- [Sections 154 and 180(2)(zzd) of the Act]. - (1) As soon as, the seniority lists are prepared under rule 6, the inter-se-seniority of the transferred employees, shall be fixed by the Integration Committee keeping in view the length of continuous service in their respective Service or posts and joint seniority lists shall be prepared accordingly :Provided that the length of continuous service of a transferred employees to be counted, shall not exceed the length of continuous service of his otherwise senior transferred employee in the service of his parent office :Provided further that where two transferred employees join equated service or post on the same date, the employee older in age, shall be senior to the employee junior in age.(2)While fixing inter se seniority under sub-rule (1), length of continuous service shall be calculated as on 1st July, 1995.

## **8. Seniority in parent office not to be disturbed.**

- [Sections 154 and 180(2)(zzd)]. - While fixing seniority under rule 7, the inter se seniority of the transferred employees in their respective parent offices shall not be disturbed.

## **9. Total service to be counted.**

- [Sections 154 and 180(2)(zzd)]. - In fixing inter se seniority under rule 7, the total continuous service in the equated service or on the equated post in the Directorate or the Board, as the case may be, whether in substantive, temporary or officiating capacity, shall be taken in account and service on probation shall be counted, if the period of probation has been completed satisfactorily :Provided that service rendered on adhoc basis or purely on provisional basis shall not be taken into account in fixing Inter se seniority.

## **10. Ad hoc equation and placements in inter se seniority.**

- [Sections 154 and 180(2)(zzd)]. - The cases of equation of Service and post on ad hoc basis under rule 4 and the cases of ad hoc placement or transferred employee in the joint seniority lists prepared under rule 7 shall be decided by the Integration Committee keeping in view the following principles, namely:-(a)the employees belonging to a higher cadre, shall not be placed below the employees belonging to a lower cadre;(b)the employees, who were holding higher posts but reverted to lower posts subsequently, shall be given first priority for promotion after the 1st July, 1995; and(c)in the case of transferred employees, who were recruited to different grades, but were subsequently

unified, joint seniority list shall be drawn up in as many compartments, as there were grades by showing the transferred employees, who were recruited to the higher grade, above the employees, who were recruited to the lower grade.

## **11. Allocation of employees.**

- [Sections 254 and 180(2)(zzd)].- (1) The transferred employees as shows in a seniority list of a Service or a post prepared under rule 7, shall, with effect from 1st July, 1995, be allocated to the Service of the Authority, in the order of their respective seniority in the joint seniority list.(2)A transferred employee, who was debarred from promotion in his parent office on any ground, shall not entitled to claim a post higher that the one he was holding immediately before 1st July, 1995, merely by reason of his position in the joint seniority list prepared under rule 7.(3)Where any transferred employee was on probation immediately before 1st July, 1995, his claim for confirmation or satisfactory completion of the period of probation, shall not be adversely affected by reason of some other temporary employee being above him in the joint seniority list prepared under rule 7.

## **12. Appeal.**

- [Sections 154 and 180(2)(zzd)]. - A transferred employee aggrieved by an order of the Integration Committee made under these rule, may prefer an appeal to the State Government within a period of thirty days from the date such order is communicated to him.

## **13. Removal of inequalities.**

- [Sections 154 and 180(2)(zzd)]. - Subject to the provisions of rule 4 and rule 10, any case of glaring inequality or hardship, which may result from the integration of the transferred employees under these rules, may be dealt with and decided by the Integration Committee on an ad hoc basis.

## **14. Over-riding effect.**

- [Sections 154 and 180(2)(zzd)]. - For the purpose of determining inter se seniority of the employee concerned or his chance of promotion by seniority, the provisions of these rules shall have effect notwithstanding that any other rules applicable to such employees are in force.