

The Punjab Weights and Measures (Enforcement) Act, 1958

PUNJAB

India

The Punjab Weights and Measures (Enforcement) Act, 1958

Act 22 of 1958

- Published on 1 October 1958
- Commenced on 1 October 1958
- [This is the version of this document from 1 October 1958.]
- [Note: The original publication document is not available and this content could not be verified.]

The Punjab Weights and Measures (Enforcement) Act, 1958 Punjab Act No. 22 of 1958 Statement of Object and Reasons. - Government of India contemplate introducing the Metric System of Weights and Measures in the whole of the country with effect from the 1st October, 1958, in place of the existing foot-pound system of weights and measures. This Bill seeks to replace the Punjab Weights and Measures Act, 1941, in order to give effect to the metric system of weights and measures in the State. Statement of Objects and Reasons, published in the Punjab Gazette, Extraordinary, dated September 15, 1958/Bhadra 24, 1880. Received the assent of the Governor of Punjab on the 1st October, 1958, and was first published for general information in the Punjab Government Gazette (Extraordinary), dated the 1st October, 1958. An Act to provide for the enforcement of standard weights and measures and for matters connected therewith. Be it enacted by the Legislature of the State of Punjab in the Ninth year of the Republic of India as follows :-

Chapter I

Preliminary

1. Short title, extent and commencement.

(1) This Act may be called the Punjab Weights and Measures (Enforcement) Act, 1958. (2) It extends to the whole of the State of Punjab. (3) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint; and different dates may be appointed for different provisions of this Act or for different areas or for different classes of undertakings or for different classes of goods.

2. Definitions.

- In this Act, unless context otherwise requires, -(a)"commercial weight or measure" means a weight or measure purporting to be standard weight or measure used in any transaction for trade or commerce :(b)"Controller" means the Controller of Weights and Measures appointed under Section 15;(c)"Inspector" means an Inspector of Weights and Measures appointed under Section 15;(d)"measuring instrument" means any measuring instrument other than a weighing instrument and includes any instrument for measuring length, area, volume or capacity, distance, time;(e)"Mint" means the mint of the Central Government either in Bombay or in Calcutta;(f)"prescribed" means prescribed by rules made under this Act;(g)"standard weight or measure" means any unit of mass or measure referred to in sub-section (1) of Section 13 of the Standards of Weights and Measures Act, 1956 and includes any other weight or measure permitted to be used by the Central Government in pursuance of sub-section (1) of Section 14 of that Act;(h)"reference standards" means the sets of standard weights and measures supplied to the State Government by the Central Government in pursuance of sub-section (2) of Section 15 of the Standards of Weights and Measures Act, 1956;(i)"stamping" means marking in such manner as to be, so far as practicable, indelible, and includes casting, engraving, etching and branding;(j)"verification", with its grammatical variations used with reference to a weight or measure or weighing or measuring instrument, includes the process of comparing, checking or testing such weight or measure or weighing or measuring instrument and also includes re-verification;(k)"weighing instrument" means any instrument for weighing, and includes scales with the weights belonging thereto, scale-beams, balances, spring balances, steel yards and other weighing machines.

Chapter II

Standard Weights and Measures

3. Working standards.

(1)For the purpose of verifying the correctness of commercial weights and measures and weighing and measuring instruments used in transactions for trade or commerce, the State Government may cause to be prepared as many sets of authenticated standard weights and measures as it may deem necessary to be called the working standards, and special sets of working standards in relation to bullion and precious stones may also be prepared.(2)The working standards shall be made of such material and according to such designs and specifications and shall be prepared by such agency and shall be stamped and authenticated by such person or authority and in such manner as may be prescribed.(3)The working standards shall be kept at such places, in such custody and in such manner as may be prescribed.(4)A working standard shall be verified with the secondary standard and marked by such persons, at such places, at such intervals and in such manner as may be prescribed :Provided that a special working standard in relation to bullion and precious stones shall be verified with the reference standard.(5)A working standard which is not so verified and marked within the prescribed period shall not be deemed legal or be used for the purposes of this Act.(6)A

working standard which has become defective shall not be deemed legal or be used for the purposes of this Act, until it has been verified and marked in the prescribed manner.

4. Secondary Standards.

(1) For the purpose of verifying the correctness of the working standards, the State Government may cause to be prepared at the Mint as many sets of authenticated standard weights and measures as it may deem necessary to be called the secondary standards. (2) The secondary standards shall be made of such material and according to such design and specifications as may be prescribed and shall be stamped and authenticated by such person or authority as the Central Government may direct. (3) The secondary standards shall be kept at such places, in such custody and in such manner as may be prescribed. (4) A secondary standard shall be verified with the reference standard at least once in every period of five years and shall be marked with the date of verification in the prescribed manner by such person or authority as the State Government may direct. (5) A secondary standard which is not so verified and marked within the aforesaid period shall not be deemed legal and shall not be used for the purposes of this Act.

5. Reference Standards.

- The reference standards shall be kept at such places, in such custody and in such manner as the State Government may direct.

6. Standard weighing and measuring Instrument.

(1) For the purpose of verifying the correctness of commercial weights and measures and of weighing and measuring instruments used in transactions for trade or commerce, the State Government may cause to be prepared as many sets of weighing and measuring as it may deem necessary. (2) Such instruments shall be of such kind, kept in such number and shall be verified and stamped in such manner as may be prescribed. (3) Such instruments shall be kept at all places where reference, secondary or working standards are kept.

7. Prohibition of use of weights and measures other than standard weights and measures.

(1) Notwithstanding anything contained in any other law or any custom, usage or practice, no unit of mass or measure, other than the standard weights or measures shall be used in any transactions for trade or commerce or any dealing or contract or for any work to be done or goods to be sold or delivered in any area or class of goods or undertaking in respect of which this Act has come into force. (2) Any custom, usage, practice or method of whatever nature which permits in any trade a trader, seller or buyer to demand, receive or cause to be demanded or received any quantity of article in excess of, or less than, the quantity fixed by the weight or measure by which the contract or dealing in respect of the said article has been made, shall be void. (3) Any transaction, dealing or contract made or had after the expiry of three months from the commencement of this Act shall, in

so far as it contravenes the provisions of sub-section (1), be void.

8. Power to prescribe the use of weights only, or measures only, in certain cases.

(1)Notwithstanding anything contained in this Act, the State Government may, by notification in the Official Gazette, direct that in any specified trade or class of trades no transaction, dealing or contract shall be made or had except by weight only, or except by measure only.(2)A notification issued under this Section shall take effect in such area, with effect from such date and subject to such conditions, if any, as may be specified therein.

Chapter III

Verification and Stamping of Weights and Measures

9. Marking of denominations on commercial weights and measures.

- Every weight or measure manufactured for use as a commercial weight or measure shall bear the description of the weights or measure which it purports to be marked legibly on it in such manner as may be prescribed.

10. Prohibition of sell of unstamped commercial weights and measures.

- No commercial weight or measure or weighing or measuring instrument shall be sold or delivered unless it has been verified or re-verified in accordance with the rules made under this Act and stamped in the prescribed manner by an Inspector with a stamp of verification.

11. Prohibition of use of unstamped commercial weights or measures.

- No weight or measure or weighing or measuring instruments shall be used in any transactions in trade or commerce unless it has been verified or re-verified in accordance with the rules made under this Act and stamped in the prescribed manner by an Inspector with a stamp of verification.

12. Power of State Government to exempt.

- Where the size of a commercial weight or measure renders it impracticable to have any denomination marked on it under the provisions of Section 9 or to be stamped under the provisions of Section 10 or Section 11, the State Government may, by notification in the Official Gazette, exempt such weights or measures from being so stamped.

13. Prohibition of manufacture etc., of weights and measures without licence.

- No person shall, in course of trade, manufacture, repair or sell any commercial weight or measure or any weighing or measuring instrument, unless he has obtained in the prescribed manner a licence in this behalf from the State Government or any officer authorised by such Government.

14. Marking of weight or measure in sealed containers.

- No person shall sell, offer for sale, expose for sale, or have in his possession for sale, any article contained in a sealed package or container unless such package or container bears thereon, or on a label securely attached thereto, a description of the net weight or measure of the article contained therein :Provided that the provisions of this Section shall not apply to an article sold, offered for sale, exposed for sale or in possession for sale which is not ordinarily sold in transactions for trade or commerce by weight or measure.

15. Appointment of Controller, Assistant Controller and Inspectors.

(1)The State Government may appoint a Controller of Weights and Measures for the State and as many Assistant Controllers and Inspectors of Weights and Measures as may be necessary for exercising the powers and discharging the duties conferred or imposed on them by or under this Act.(2)The State Government may, by general or special order, define the local limits within which each Inspector shall exercise the powers and discharge the duties conferred or imposed on Inspectors by or under this Act.(3)Subject to the provisions of this Act, all Assistant Controllers of Weights and Measures and Inspectors shall perform their functions under the general superintendence and control of the Controller; and the Controller and the Assistant Controllers of Weights and Measures may, in addition to the powers and duties conferred or imposed on them by or under this Act, exercise any power or discharge any duty so conferred or imposed on Inspectors.

16. Verification and stamping by Inspectors.

(1)Every Inspector shall, for the purpose of verification of weights and measures and weighing and measuring instruments, attend at such place and time within his jurisdiction as may be appointed in this behalf by the Controller.(2)The Inspector shall verify every weight or measure or weighing or measuring instrument which is brought to him for the purpose of verification and if he finds such weight or measure or weighing or measuring instrument correct and in conformity with the Standards of Weights and Measures Act, 1956, and the rules made thereunder, he shall stamp the same with a stamp of verification in the prescribed manner.

17. Power to inspect etc.

(1)An Inspector may, within the area under his jurisdiction, inspect at all reasonable times, the weights, measures and weighing and measuring instruments which are used in transactions for trade or commerce or are in the possession of any person or are on any premises for such use and

may verify every such weight or measure or weighing or measuring instrument with a secondary or working standard or weighing or measuring instrument prescribed for the purpose.(2)For the purpose of verifying the correctness of any weight or measure or weighing and measuring instruments used in any transaction, an inspector may also verify the weight or measure of any article sold or delivered in the course of the transaction.(3)An Inspector may, at all reasonable times, require any trader or any employee or agent of a trader to produce before him for inspection all weights or measures or weighing or measuring instruments which are used by him or are in his possession or are kept on any premises used for trade and all documents and records relating thereto and such trader, employee or agent shall comply with such requirements.(4)An Inspector may seize and detain any weight or measure or weighing or measuring instrument regarding which an offence under this Act appears to have been committed or which appears to have been or which might be used in the commission of such an offence and may also seize and detain any articles sold or delivered or caused to be sold or delivered by means of such weight or measure or weighing or measuring instrument together with any documents or records relating thereto.(5)Where an Inspector has reasons to believe that a sealed package or container does not actually contain the net weight or measure of the article which it purports to contain, the Inspector may break open the sealed package or container and verify its contents; and if, on such verification, the net weight or measure of the article is found to be correct, the Inspector shall re-seal the package or container where it is possible so to do without injury to the contents thereof and attach a certificate thereto stating the correct weight or measure of the article, but if, on the other hand, the net weight or measure of article is found to be incorrect, the Inspector may seize and detain the package or container and the article contained therein.(6)For the purpose of such inspection, an Inspector may, at all reasonable times, enter into any place where weight, and measures or weighing or measuring instruments are used or kept for use in transactions for trade or commerce and inspect such weights and measures and weighing and measuring instruments.

18. Power of Inspector to adjust weights or measures.

- Where it appears to the State Government desirable that an Inspector should be allowed in any area to adjust the weights or measures or weighing or measuring instruments, it may, if it thinks fit, authorise such Inspector to adjust weights and measures or such instruments accordingly.

19. Manufacturers etc. to maintain records and documents.

(1)Every manufacturer, repairer or dealer in weights and measures or weighing or measuring instruments, and every person using them in transactions for trade or commerce shall maintain such records and accounts as may be prescribed and if required so to do by an Inspector, shall produce such records and accounts before him.(2)Notwithstanding anything contained in sub-section (1), if the State Government is of opinion that having regard to the nature of business carried on by any such manufacturer, repairer or dealer, it is necessary so to do, it may, by order, exempt such person or class of persons from the operation of that sub-section.

20. Appeals.

(1) Subject to the provisions of sub-section (2) an appeal shall lie -(a) from every decision of an Inspector under this Act, to the Controller; and (b) from every decision of the Controller under this Act, not being a decision made in appeal under clause (a), to the State Government or any officer specially authorised in this behalf by the State Government. (2) Every such appeal shall be preferred within sixty days from the date of the decision. (3) On receipt of any such appeal, the appellate authority shall, after giving the appellant a reasonable opportunity of being heard and after making such enquiry as it deems proper, decide the appeal and the decision of the appellate authority shall be final.

21. Levy of fees.

- The State Government may charge such fees :-(a) for the grant of licence under Section 13, for manufacture, repair or sale of commercial weights and measures and weighing and measuring instruments; and (b) for the verification, marking, stamping and adjustment of commercial weights and measures and weighing and measuring instruments; as may be prescribed.

22. Validity of weights and measures duly stamped.

- A weight or measure or weighing or measuring instrument, duly stamped by an Inspector under this Act, shall be a legal weight or measure or weighing or measuring instrument in all places in which this Act has come into force unless it is found to be false or defective and shall not be liable to be re-stamped by reason merely of the fact that it is used in any place other than that in which it was originally stamped.

Chapter IV

Penalties

23. Penalty for sale or delivery by weight or measure other than standards weight or measure.

- Whoever, after the expiry of three months from the commencement of this Section, sells or causes to be sold or delivers or causes to be delivered in the course of any transaction for trade or commerce any article by any denomination of weight or measure other than one of the standard weights or measures shall be punishable for a first offence, with fine which may extend to two thousand rupees, and for a second or subsequent offence, with imprisonment for a period which may be extended to three months, or with fine, or with both.

24. Penalty for sale of unstamped commercial weights and measures.

- Whoever sells or delivers any commercial weight or measure or any weighing or measuring instrument which has not been verified or re-verified or stamped in accordance with the provisions of this Act and the rules made thereunder shall be punishable with fine which may extend to two thousand rupees.

25. Penalty for use of unstamped commercial weights and measures.

- Whoever uses in any transaction for trade or commerce, or has in his possession for such use, any commercial weight or measure or any weighing or measuring instrument which has not been verified or re-verified or stamped in accordance with the provisions of this Act and the rules made thereunder shall be punishable for a first offence, with fine which may extend to two thousand rupees, and for a second or subsequent offence, with imprisonment for a period which may extend to three months, or with fine, or with both. Explanation 1. - When any such weight or measure or weighing or measuring instrument is found in the possession of any trader or any employee or agent of such trader, such trader, employee or agent shall be presumed, until the contrary is proved, to have had it in his possession for use in transactions for trade or commerce. Explanation 2. - Where any weight or measure or weighing or measuring instrument is used or possessed in contravention of this Section by any employee or agent of a trader on behalf of such a trader, such trader shall, unless he proves that the offence under this Section was committed by his employee or agent without his knowledge or consent, be also deemed to be guilty of the offence.

26. Penalty for manufacture of weights etc. without licence.

- If any person manufactures, repairs, or sells any commercial weight or measure or weighing or measuring instrument, without obtaining a licence as required by Section 13 shall be punishable with imprisonment for a period which may extend to three months, or with fine which may extend to two thousand rupees or with both.

27. Penalty for use of weight or measure in contravention of Section 8.

- Whoever contravenes any of the provisions of a notification issued under Section 8 shall be punishable with fine which may extend to two thousand rupees.

28. Penalty for failure to mark weight or measure on sealed containers.

- Whoever contravenes the provisions of Section 14 shall be punishable with fine which may extend to two thousand rupees.

29. Penalty for fraudulent use of weights, measures, etc.

- Whoever fraudulently uses any standard weight or measure or weighing or measuring instrument which he knows to be false shall be punishable with imprisonment for a period which may extend to one year, or with fine which may extend to two thousand rupees or with both.

30. Penalty for being in possession of false weight or measure etc.

- Whoever is in possession of any commercial weight or measure or weighing or measuring instrument which he knows to be false, intending that the same may be fraudulently used, shall be punishable with imprisonment for a period which may extend to one year, or with fine which may extend to two thousand rupees or with both.

31. Penalty for making or selling false weight or measure, etc.

- Whoever makes, sells or disposes of or causes to be made, sold or disposed of any standard weight or measure or weighing or measuring instrument which he knows to be false, in order that the same may be used as true, or knowing that the same is likely to be used as true, shall be punishable with imprisonment for a period which may extend to one year, or with fine which may extend to two thousand rupees or with both.

32. Penalty for giving short weight or measure.

- Whoever in selling any article by weight or measure, delivers or causes to be delivered to the purchaser less than what is purported to be sold shall, if the deficiency exceeds the prescribed limit of error, be punishable with fine which may extend to two thousand rupees.

33. Penalty for forging etc. of weights, measures etc.

(1)Whoever forges or counterfeits any stamp used under this Act for the stamping of any standard weight or measure or weighing or measuring instrument or possesses any such counterfeit stamp, or removes a stamp from any standard weight or measure or weighing or measuring instrument and inserts the same into another weight or measure or weighing or measuring instrument or wilfully increases or diminishes a weight or measure so stamped, shall be punishable with imprisonment for a period which may extend to one year, or with fine which may extend to two thousand rupees or with both.(2)Whoever knowingly uses, sells, disposes of or exposes for sale any weight or measure or weighing or measuring instrument with such forged or counterfeit stamp thereon, or a weight or a measure so increased or diminished shall be punishable with imprisonment for a period which may extend to six months or with fine which may extend to two thousand rupees or with both.

34. Penalty for neglect or refusal to produce weight or measure etc. for inspection.

- Whoever :-(a)refuses or neglects to produce for inspection under Section 17, any weight or measure or weighing or measuring instrument or any document or record relating thereto in his possession or on his premises; or(b)refuses to permit an Inspector to inspect and verify any such weight, measure, instrument, document on record; or(c)obstructs the entry of an Inspector under Section 17; or(d)otherwise obstructs or hinders an Inspector in the performance of his duties under this Act;shall be punishable with fine which may extend to two thousand rupees.

35. Penalty for breach of duty by Inspector.

- If an Inspector knowingly stamps a weight or measure or weighing or measuring instrument in contravention of the provisions of this Act or of the rules made thereunder, he shall be punishable with imprisonment for a period which may extend to one year, or with fine, or with both.

Chapter V

Miscellaneous

36. Protection of action taken in good faith.

- No suit, prosecution or other legal proceeding shall lie against the Controller, or any Assistant Controller of Weights and Measures or any Inspector or any other person appointed under this Act in respect of anything which is in good faith done or intended to be done in pursuance of this Act or rules made thereunder.

37. Controller etc., appointed under the Act to be public servants.

- The Controller, every Assistant Controller and Inspector appointed under this Act shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code.

38. Cognizance of offences etc.

(1)No Court shall take cognizance of an offence punishable under this Act except upon complaint in writing made by the Controller or any officer authorised in this behalf by the Controller by general or special order.(2)No Court inferior to that of a [Judicial Magistrate] [Substituted for the word 'Magistrate' by Punjab Act 25 of 1964.] of first class shall try any offence punishable under this Act.

39. Stamped weights etc. to be presumed to be correct.

- A weight or measure or weighing or measuring instrument duly stamped under the provisions of

this Act and the rules made thereunder shall be presumed to be correct until its inaccuracy is proved, if it is produced in any Court by any Inspector having charge thereof or by any person acting under the general or special authority of the Controller.

40. Offences by companies.

(1) If the person committing an offence under this Act is a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer, such director, manager, secretary or other officer, shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly. Explanation :- For the purposes of this Section :- (a) "Company" means any body corporate and includes a firm or other association of individuals; and (b) "director", in relation to a firm, means a partner in the firm.

41. Delegation of powers.

- The State Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act or rules made thereunder shall, in relation to such matters and subject to such conditions as may be specified in the directions, be exercisable also by such officer or authority subordinate to the State Government as may be specified in the notification.

42. Limits of error to be tolerated in weights and measures.

- Subject to any rules that may be made under the Standards of Weights and Measures Act, 1956, in this behalf the State Government may prescribe the limits of error which may be tolerated -(a) in secondary standards referred to in Section 4; (b) in working standards referred to in Section 3; (c) in commercial weights and measures or in selling articles by weight or measure generally or as regards any trade or class of trades; and (d) weighing and measuring instruments.

43. Repeal.

- The Punjab Weights and Measures Act, 1941, is hereby repealed.

44. Power to make rules.

(1)The State Government may, by notification in the Official Gazette, make rules to carry out the purpose of this Act.(2)In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-(a)the material of which and the designs and specifications according to which working standards may be made, the agency by which such standards may be prepared, the person by whom or the authority by which and the manner in which such standards may be stamped and authenticated; the places at which and the custody and manner in which such standards may be kept;(b)the procedure for the verification or reverification and marking of working standards, the persons by whom, the places at which and the intervals at which they may be marked;(c)the material of which and the designs and specifications according to which secondary standards may be made, the places at which and the custody and manner in which such standards may be kept;(d)the procedure for the verification or reverification and marking of secondary standards and the manner in which they may be marked;(e)the number of weighing and measuring instruments to be kept, the manner in which they may be verified and stamped and necessary particulars regarding the same;(f)the manner in which commercial weights and measures may be marked by manufacturers;(g)the form and manner in which, and the conditions subject to which licences may be granted to persons for manufacture, repair or sale of commercial weights and measures and weighing and measuring instruments;(h)the qualifications, functions and duties generally of Inspectors under this Act;(i)verification and stamping of weights and measures and weighing and measuring instruments and the period within which they are to be re- verified;(j)Inspection of weights and measures and weighing and measuring instruments used in transactions for trade or commerce;(k)the seizure, detention and disposal of weights and measures which are not authorised by this Act;(l)the books, accounts and records relating to weights and measures and weighing and measuring instruments to be maintained and the manner in which they may be maintained or produced;(m)the limits of error which may be tolerated in secondary or working standards;(n)the limits of error which may be tolerated in weights and measures and weighing and measuring instruments used or intended to be used in transactions for trade or commerce;(o)the limits of error which may be tolerated in selling articles by weights and measures generally or as regards any trade or class of trades;(p)the form and manner in which appeals may be preferred against decisions of Inspectors and the procedure for hearing appeals;(q)the fees which may be charged for the grant of licences under Section 13 and for verification, re-verification, adjustment and stamping of weights and measures and weighing and measuring instruments and the collection and levy of the same;(r)any other matter which has to be or may be prescribed.(3)In making any rule under this Section the State Government may provide that a breach thereof shall be punishable with fine which may extend to five hundred rupees.(4)The power to make rules under this Section shall be subject to the condition of previous publication in the Official Gazette.(5)All rules made under this Section shall, as soon as may be after they are made, be laid before the State Legislature.Appendix II(See rule 34)

Percentage of
appointment
by

Qualification
and
Experience
for

| Sr. No. | Designation of Posts | Remarks | | | | |
|---------|----------------------|--------------------|-----------|--------------------|-----------|--|
| | | Direct recruitment | Promotion | Direct recruitment | Promotion | Deputation |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Registrar | .. | .. | .. | .. | Hundred per cent, The Punjab Council will select an officer of the rank of the Joint Director, Animal Husbandry, Punjab who - (i) possess the veterinary qualification in the Schedule to the Act; (ii) at least twenty years administrative experience; and (iii) be a registered practitioner in the Punjab State Veterinary Council. Hundred per cent, The Punjab Council shall select an officer on deputation in the Pay scale of rupees 3700/- or above from the Department of Animal Husbandry, Government of Punjab. |
| 2. | Deputy Registrar | .. | .. | .. | .. | Hundred per cent, The Punjab Council shall select an officer on deputation in the Pay scale of rupees 3700/- or above from the Department of Animal Husbandry, Government of Punjab. |

| | | | | |
|----|------------------------|------------------|--|--|
| | | | | India or Punjab Agricultural University or Public Sector undertaking - (i) Should possess any veterinary qualification specified in Schedules to Act; (ii) have least twenty years experience as veterinary practitioner which five years should be an administrative experience; and (iii) be a registered practitioner of Public Statutory Veterinary Council. |
| 3. | Superintendent Grade I | Hundred per cent | From amongst the Accountants who is senior-most | |
| 4. | Accountant | Hundred per cent | | From amongst Senior Assistants with five years experience |
| 5. | Senior Assistant | Hundred per cent | From amongst the Junior Assistants under the control of the Registrar who have worked as | |

such for a
minimum period
of five years

| | | | | |
|-----------|------------------------|---|--|--|
| 6. Clerks | Sixty seven percent | Thirty three percent | (1) Matric with first division. Candidate with B.Com. qualification will be preferred; | (1) From amongst the Peons Class IV employees who have put in at least fifteen years of service as such and are matriculates |
| | | (2) should have knowledge of Punjabi upto Matriculation standard | (2) He will have to clear the typing test in English and Punjabi both at a speed of thirty words per minute before he is considered for promotion | |
| | | (3) should have knowledge of type-writing with speed of thirty words per minutes both in English and Punjabi | | |

| | | | | | |
|----|------------------------------|---------------------|--|--|--|
| | | | | (1) Matriculate with first division or Bachelor of Arts;(2) Should have at least two years of experience as Junior Scale Stenographer in the Punjab Council; and (3) should have speed of short hand of one hundred words per minute and typewriting forty words per minute both in Punjabi and English. | If not suitable persons is available for making appointments by promotion the appointments shall be made by taking a person on deputation from the State Government and Public Service Undertaking |
| 7. | Senior Scale Stenographer | Hundred percent | | | |
| 8. | Junior Scale Stenographer | Hundred per cent | | (1) Matriculate first division or Bachelor of Arts;(2) should have at least two years of experience as Steno-typist under Punjab State Govern ment; (3) should have speed of shorthand | If not person available for making appointments by direct recruitment the appointments shall be made taking a person deputation. |

| | | | |
|-----|------------------------|---------------------|---|
| | | | one hundred words per minute and type writing forty words per minutes both in English and Punjabi; (1) Driving Licence for driving Light vehicles. (2) should be able to do minor repairs of the vehicle himself, and (3) should be able to read and write Punjabi |
| 9. | Driver | Hundred per cent | |
| 10. | Peons | Hundred per cent | Matriculates |
| 11. | Chowkidar | Hundred per cent | Minimum Middle Pass |
| 12 | Sweeper (Part time) | | |
| 13 | Mati (Part-time) | | |

Appendix III (See Rule 40) Contributory Provident Fund Rules

1. (a) "Interest" means the interest accrued on the balance of a subscriber to the Contributory Provident Fund calculated as if such balance were a deposit in the Saving Bank;

(b) "Salary" means monthly salary and includes special pay, if any, but does not include travelling, conveyance or other such allowance; (c) "Servant" includes every servant of the Punjab Council who holds a substantive or temporary post under the said Council; (d) "Saving Bank" means the post office Saving Bank or the State Bank of India or a subsidiary of the State Bank of

India;(e)"Subscriber" means a servant who is required or permitted to subscribe to the Provident Fund by the Punjab Council; and(f)"Fixed Deposit Account" means a Fixed Deposit Account in any branch like of the State Bank of India, State Bank of Patiala or any other Bank in India, functioning as a subsidiary to the State Bank of India or functioning under the supervision or control of Reserve Bank of India.

2. Servant who shall contribute to the Provident Fund. - Every servant whose salary is not less than Rs. 750 per mensem, appointed to the service of the Council shall be required to subscribe to such Provident Fund at the rate of ten percent of the salary after completion of one year's service.

3. Recovery of subscription. - (1) Every subscription to a contributory Provident Fund shall recovered by means a deduction of the amount of such subscription from each salary bill of the subscriber :

Provided that in calculating the deduction to be made, fraction of a rupee shall be ignored.(2)Notwithstanding anything contained in these rules, no employee shall be permitted to subscribe to the Contributory Provident Fund while he is absent on earned leave except during the first 120 days of the leave.

4. Punjab Council contribution to the Contributory Provident Fund. - The Punjab Council shall contribute to the Contributory Provident Fund of each subscriber an amount of his subscription :

Provided that, -(a)If a subscriber who is required or permitted to subscribe to a Contributory Provident Fund for the first time or after the date on which the started subscribing towards the Contributory Provident Fund, resigns from the service of the Punjab Council except on account of illness or any other cause which the Punjab Council may consider to be sufficient, he shall -(i)be entitled to the full contribution made to his contributory provident fund by the Punjab Council and the interest accrued thereon, if he has completed five years service;(ii)not be entitled to get any contribution made to his Contributory Provident Fund by the Punjab Council or interest thereon, if he has not completed five years service.(b)if a subscriber is dismissed from service, the Punjab Council may withhold the whole or any part of the contribution made to the Contributory Provident Fund by the Punjab Council and the interest thereon after affording him an opportunity for showing cause against the proposed payment to be withheld.

5. Ledger Accounts Subscription. - (1) The Punjab Council shall maintain a Contributory Provident Fund Ledger in form P.F. I appended to these rules in which separate portion shall be assigned to each subscriber and the amount of such subscription, the amount of the State Council's contribution and the monthly balance on which interest is to be calculated shall be entered therein

each month.

(2)The amount of interest accrued on the balance of the credit of a subscriber shall be calculated at the end of each year or when the account is closed to the nearest paise on the lowest balance excluding the fraction of a rupee at the credit of the subscriber between the close of the fourth day and the last day of each month.(3)At the end of each year, the Punjab Council shall furnish each subscriber with a Statement in Form P.F.II appended to these rules, showing the balance at his credit at the beginning of the year, the amounts added thereto by way of subscriptions and contributions and the interest accrued during the year and the balance at the credit of his account at the end of the year.

6. Payment of Subscription of Contribution to be made monthly to the Post Office Saving Bank, State Bank of India or State Bank of Patiala Saving Account. - (1) The Punjab Council shall open an account to be called the Council of Punjab Veterinary Council Employees Contributory Provident Fund Account with the Post Office or State Bank of India or the State Bank of Patiala or any of its subsidiary Banks. As soon as may be at the beginning of each month and if possible before the fourth day of each month, the amount of all subscription and contribution recoveries made under the provisions of these rules, shall be paid into such account.

(2)Before a cheque is drawn of subscription and contribution, a bill shall be prepared on the Punjab Council's voucher form and submitted with the relevant salary and establishment bill for signature to the authorised office of the Punjab Council. The Punjab Council shall make the payment of the subscription and contributions on a single bill by way of single cheque.(3)Fifty percent of the total Contributory Provident Fund amount of an employee shall be put into Fixed Deposit Account, if the employee so opts at any stage of service. The Punjab Council shall make guidelines for such a deposit and its withdrawals if at all required at any stage of time.

7. General Rules of withdrawal. - No sum shall be withdrawn from the Contributory Provident Fund Account except, -

(a)under the provisions of sub-rule (1) of rules 8 and 9 of the Contributory Provident Fund Rules for the purpose of making an advance to subscriber, or(b)under the provisions of rule 10 of the Contributory Provident Fund Rules when a subscriber's account is to be closed for payment to the subscriber or his heirs.

8. Advances. - (1) With the sanction of the Punjab Council, any subscriber, may upto the limit of the amount shown at the credit of his account in column 6 of the Contributory Provident Fund Ledger, be granted as advance from the Contributory Provident Fund of the amount not exceeding three

times the amount of his salary for either of the following purpose -

(a) to pay expenses incurred in connection with illness of the subscriber or member of his family; or Note :- "Family" for the purpose of this rule shall mean -(i) in case of male subscriber, his wife and children and the widow or widow's children of his deceased son, if any; (ii) in case of female subscriber, her husband and children and the widow or widows and children of her deceased son, if any; (b) to pay expenses in connection with marriages, funeral or other ceremonies which by the religion of the subscriber, it is incumbent upon him to perform and in connection with which it is obligatory that the expenditure shall be incurred : Provided that such advance shall be sanctioned unless circumstances of the subscriber are such that the indulgence is, in the opinion of the Punjab Council, absolutely necessary. (2) The amounts of advance shall be repayable in not more than twenty-four equal instalments as may be fixed by the Punjab Council when sanctioning the advance and such instalments shall be recovered in the manner provided in rule 3 of the Contributory Provident Fund Rules. (3) The amount of advance shall be recorded in column 5 of the Contributory Provident Fund Ledger and a note shall be made in column 8 of the Contributory Punjab Council Ledger as regards the number of instalments by which the advance is recoverable. Each month the amount of advance as recovered, shall be shown in red ink in column No. 2 of the Ledger and in column 7 shall be entered the amount of balance of the advance outstanding. The amount of interest last calculated on the monthly outstanding balance shall be recovered from the subscriber in the month following which the last instalment of the advance is recovered which shall be added to the interest calculated on the monthly balance shown in column 6 at the end of the year. (4) If under the provisions of clause (a) or clause (b) of the proviso to rule 4 of the Contributory Provident Fund Rules, the whole or any portion of the Punjab Council's contribution is to be withheld when a subscriber's account is closed and if such account is closed, any portion of an advance made to such subscriber is still outstanding the amount of the advance outstanding plus the amount of interest last calculated on monthly outstanding balance of the advance shall be added to the amount shown at the credit of the account in column 6 for the purpose of calculating the Punjab Council's share of the total credit of the amount.

9. Payment towards Insurance. - (1) The amount of subscriptions with interest thereon standing to the credit of subscriber in the fund may be withdrawn to meet payments towards a policy of life Insurance.

(2) The policy shall be :- (i) such as is legally assignable to the President of the Punjab Council; (ii) one effected by the subscriber himself on his own life. (3) The President of Punjab Council shall not make any payments on behalf of the subscriber to the Life Insurance Corporation nor shall he take steps to keep the policy alive. The President of the Punjab Council can demand and scrutinise at any time the premium receipts showing that such payments have actually been made to the insurance company. In the event of subscriber not furnishing the same, the President of the Punjab Council shall make the necessary deductions from the subscriber's pay for deposits in his fund. Note. - When a subscriber proposes to convert his policy into paid up value it is necessary to see that the paid up value of the policy is not less than the amount of premium diverted from the fund. If the paid up value is less than the total of sums withdrawn from the funds for premium payments, the subscriber

shall forthwith be required to pay the difference into the fund. If, however, a subscriber propose to have a new policy in place of the paid up one, the new policy shall be assigned to the President of the Punjab Council.(i)When a subscriber proposes to surrender the policy he should pay the surrender value of the policy into his fund account and if the surrender value be less than the total of the sums diverted from the funds for premium payments, he should also pay the difference into the fund.(ii)If a policy assigned to the President of the Punjab Council, matures before the subscriber quits the service, the subscriber shall pay to the fund the whole or any amount withdrawn (with interest accrued thereon) from the fund for premium payments.(iii)The following procedure shall be observed with regard to assignment of Life Insurance Policies -(a)The assigned policy shall be diverted to the President of the Punjab Council within three months of withdrawal of any sum for the purpose of making premium payments and it shall be accompanied by a certificate from the subscriber to the effect that no prior assignment of the policy exists. The Chairman shall also satisfy independently of the fact by direct reference to the Insurance Company.(b)The notice of assignment of policy shall be given by the subscriber to the Insurance Company and acknowledgement of the notice of the Insurance Company shall be sent by the Subscriber to the President of the Punjab Council within three months of the date of assignment :Provided that the subscriber shall not be required to refund or deposit any amount or its portion he had contributed towards payment of premium to the Life Insurance Corporation from his own pocket in the Contributory Provident Fund.(c)The President of the Punjab Council may assign the policy to the subscriber for purpose mentioned in Note under clause (3) above subject to the conditions mentioned therein.(d)The assignment of a policy under this rule shall be endorsed on the policy and shall be in the following form :-I hereby assign upto the President of the Punjab Council, the policy of assurance as security for payment of all sums which under clause (1) of rule 9, I may hereafter become liable to pay to the Punjab Council's Contributory Provident Fund.

10. Withdrawals or closing of Account. - (1) When a subscriber dies, the amount shown to the credit of this account in column No. 6 of Contributory Provident Fund Account Ledger plus interest accrued to date shall be withdrawn from the Saving Bank and payment of such amount shall be made,

-

(a)if the deceased had during his life time made a valid declaration with regard to its payment :-(i)to his widow or widows, or husband as the case may be; and(ii)to his child or children if there be more than one in such proportions as the deceased may have declared it to be payable;(b)If the deceased had during his life made no valid declaration with regard to its payment, -(i)one moiety to the widow, or widows of the deceased in equal shares or the husband of the deceased as the case may be; and(ii)the other moiety to his child or children if there be more than one in equal shares; or(2)(i)to the widow or widows of the deceased in equal shares or to the husband as the case may be; if the deceased left no child; and(ii)to the child or children in equal shares if the deceased left no widow or husband as the case may be;(c)to his legal heirs in all other cases.Explanation. - For the purpose of sub-rule (1) subscriber's posthumous child shall be considered to be member of his family at the time of his death and if born alive shall be treated in the same way as a surviving child born before the subscriber's death.(2)Subject to the provisions of rule 7 when a subscriber ceases to

be servant of the Punjab Council, the amount shown in the credit of his account in column 6 of the Contributory Provident Fund Ledger plus interest accrued to date shall be withdrawn and paid to him :Provided that -(a)if he is transferred otherwise than temporarily to the service of another local body which maintains a Contributory Provident Fund or when having been transferred temporarily from the service of another local body he reverts to such service, the amount withdrawn shall be paid to such other local body; and(b)if he is transferred temporarily to the service of another local body the amount shown to the credit of his account in column 6 of the Contributory Provident Fund Ledger shall not be withdrawn but shall remain to the credit of his account.(3)Notwithstanding anything contained in sub-rule (1) or sub-rule (2) no amount shall be withdrawn for payment to a subscriber or his heirs under the provisions of sub-rules (1) and (2) unless such payment can be made immediately :Provided that if such payment cannot be made within one year, if the amount at the credit of the subscriber's Contributory Provident Fund Account is rupees ten, or less, or within three years, if such amount is more than ten rupees, the Punjab Council shall withdraw such amount and credit it to the current account of its own.(4)When an account is closed under the provisions of this rule a line shall be drawn in red ink across the page below that last entry in the Contributory Provident Fund Ledger Account and the number and date of voucher with which the amount at the credit of the account is deposited in the Saving Bank shall be recorded below the line.

11. Recovery of Arrears. - Notwithstanding anything contained in rule 10 of the Contributory Provident Fund Rules, if any sum is due from a subscriber to the Punjab Council at the time when the account is closed, the Punjab Council may deduct the amount of such sum before making the payment under rule 10.

Form P.F. I[See rule 5 of Contributory Provident Fund Rules in Appendix-III]Punjab CouncilNo. of Account_____ Name of Subscriber_____.

| Year | Subscription | Depositor's contribution | Total | Withdrawal | Monthly balance on which interest is to be calculated | Monthly balance of withdrawals of which interest is to be calculated | Remarks |
|-----------------|--------------|--------------------------|-------|------------|---|--|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Opening Balance | | | | | | | |
| April | | | | | | | |
| May | | | | | | | |
| June | | | | | | | |
| July | | | | | | | |
| August | | | | | | | |
| September | | | | | | | |

October

November

December

January

February

March

Form P.F. II[See rule 5(3) of Contributory of Provident Fund Rules in Appendix- III]Punjab Council
Subscriber's Annual Account

Contributory Provident Fund

Name of Subscriber

Balance at credit of Account on 31st March 19

Subscriptions and Contributions received during the year

Interest accrued

Amount of interest on balance of advance

Total

Amount of interest outstanding

Balance as it stood on 31st March, 19

Any representation with regard to the corrections of the account which subscriber may wish to make, should
within one month from the date noted below to the Registrar of the Punjab Council.

Date _____

Accountant