

# **Punjab Nurses Registration Council (Employees Conditions of Service) (Regulations) 1997**

PUNJAB

India

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### **Rule**

### **PUNJAB-NURSES-REGISTRATION-COUNCIL-EMPLOYEES-CONDITIONS OF SERVICE (REGULATIONS) 1997**

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Punjab Nurses Registration Council (Employees Conditions of Service) (Regulations) 1997 Published vide Punjab Government Notification No. 15/4/89- 1HB5/22634, dated 19-8-1997.No. 15/4/89-1HB5/22634. - The Governor of Punjab is pleased to confirm the following, Punjab Nurses Registration Council (Employees Conditions of Services) Regulation, 1997 made by the Punjab Nurses Registration Council under section 12 of the Punjab Nurses Registration Act, 1932 to regulate the recruitment and general and common conditions of service of persons appointed as indicated at Appendix 'A'.

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

[Section 12(1)(i)]. - (1) These regulations may be called the Punjab Nurses Registration Council (Employees conditions of service) (Regulations).

### **2. Definitions.**

[Section 12(1)(i)]. - (1) In the Regulations, unless there is anything repugnant in the subject or context, -(a)'Act' means the Punjab Nurses Registration Act, 1932 (Punjab Act No. 1 of 1932.(b)'Appendix' means an appendix appended to these Regulations.(c)'Employee' means an employee of the Punjab Nurses Registration Council;(d)'Fixed Deposit' means deposit in an account in any branch of the State Bank of India, State Bank of Patiala or any other Bank in India functioning as subsidiary to the State Bank of India or functioning under the supervision or control of Reserve Bank of India.(e)'Government' means the Government of the State of Punjab in the

department of Medical Education and Research.(f)'Interest' means the interest accrued on the balance at the credit of subscription to provident fund calculated as if such balance were a deposit in the saving bank.(g)'Service' means service of the Council;(h)'Salary' means monthly salary and includes special pay, if any, but does not include travelling allowance, conveyance allowance or other such allowances;(i)'Saving Bank' means the Post Office Saving Bank or the Saving Bank of any branch of the State Bank of India or its subsidiary;(j)'Subscriber' means an employee who is a subscriber to the provident fund.(2)Words and expressions used in these Regulations but not defined shall have the meaning assigned to them in the Act or in the Punjab General Clauses Act, 1898.

### **3. Nationality, Domicile and Character of Persons appointed to the Service.**

(1)No candidate shall be appointed to the service unless he is :-(a)A citizen of India; or(b)A subject 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 and East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India :Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be persons in whose favour a certificate of eligibility has been given by the Government of India :Provided further that if a candidate belongs to category (e) and a certificate of eligibility has been to him as aforesaid he will be retained in service after one year subject to his having acquired Indian Citizenship.(2)A candidate in whose case a certificate of eligibility is necessary, may be admitted to an interview conducted by the Council and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.(3)No person shall be recruited to the service by direct appointment, unless he produces :-(a)a certificate of character from the principal academic officer of the University, College, School or Institution last attended if any, and similar certificate from two responsible persons not being his close relative, who are well acquainted with him in his private life and are unconnected with his University, College, School or Institution.

### **4. 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 eligible for appointment to the Service :Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing exempt any person from the operation of this regulation.

### **5. Age.**

- (i) 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- five years of age or is within such limits of age as may be specifically prescribed by Government from time to time in respect of its own employees :Provided

that upper age limit may be relaxed up to 45 years for Punjab Government employees, other State Governments or the Government of India :Provided further that in the case of candidate belonging to Scheduled Castes and other Backward Classes the upper age limit shall be such as may be fixed by the Government from time to time.(ii)In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982 as amended from time to time.

## **6. Educational Qualifications.**

- (i) No person shall be recruited to post in the Service by direct appointment unless he possess the qualifications mentioned in Appendix 'A' to these regulations for that post.(ii)No person shall be promoted to a post in the service unless he has an experience in the post from which he is to promoted minimum period as shown in Appendix 'A'.

## **7. Probation.**

(1)A person appointed to a post in the service shall remain on probation for a period of two years if recruited by direct appointment and one year if appointed otherwise :Provided that :-(a)any period, after such appointment spent on deputation on corresponding or a higher post shall count towards the period of probation;(b)any period of officiating appointment to a post in the Service shall be reckoned as period spent on probation for that post 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;(c)any period of officiating appointment to the service shall be reckoned as period spent on probation; and(d)any kind of leave not exceeding six months during or at the end of period of probation shall be counted towards the period of probation.(2)If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, or he had failed to pass the departmental examination, if any prescribed in the service rules within a period of not exceeding two and a half years from the date of appointment it may :-(a)If such person is recruited by direct appointment dispense with his service, or revert him to a post on which he held lien prior to his appointment to the service by direct recruitment; and(b)if such person is appointed otherwise -(i)revert him to his former post; or(ii)deal with him in such other manner as the terms and conditions of the previous appointment permit;(iii)on the completion of the period of probation of a person, the appointing authority may -(a)if his work or conduct has, in its opinion been satisfactory -(i)confirm such person from the date of his appointment or from the date he completes his period of probation satisfactorily if he is not already confirmed; or(ii)declare that he has completed his probation satisfactorily, if he is already confirmed; or(b)if his work or conduct has not been, in its opinion, satisfactory or if he has failed to pass the department examination, if any, specified in these rules.(i)dispense with his services, if appointed by direct recruitment 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 as specified in sub-rule (1) :Provided that the total period of the probation including extension if any, shall not exceed three years.

## **8. Seniority.**

- The seniority inter se of persons appointed to the post in each cadre of a service shall be determined by the length of continuous service on such post in that cadre of the Service; Provided that in the case of persons recruited by direct appointment who join within a 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 by the competent authority : Provided further that in case any person of the next selection has joined a post in the cadre of the concerned service before the persons referred to in the preceding proviso joins, the persons so referred shall be placed below all the persons of the next selection, who join within the time specified in the first proviso : Provided further that in the case of two or more persons appointed on the same date the seniority, shall be determined as follows :-(a) a person appointed by direct appointment shall be senior to a person appointed otherwise; (b) a person appointed by promotion shall be senior to a person appointed by transfer; (c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments from which they were promoted or transferred; and (d) in case of persons appointed by transfer from different cadres, their seniority shall be determined according to pay, preference, being given to a person who was drawing a higher rate of pay in his previous appointment and if the rates of pay drawn are also the same then by their length of service in these appointments and if the length of the service is also the same, and older person shall be senior to a younger person. Note. - Seniority of persons appointed on purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointments.

## **9. Liability to serve.**

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

## **10. Leave and other matters.**

- In respect of leave and all other matters not expressly provided for in these regulations, a member of a Service shall be governed by such rules and regulations as may have been or may thereafter be adopted or made by the competent authority.

## **11. Discipline, Penalty and Appeals.**

- The President shall be competent to take such disciplinary action as he may deem necessary including withholding increments, suspension, removal or dismissal against all members of offices establishment of the Council below the rank of Registrar. An appeal against such decision of the Council lies with the Government. (ii) The President shall report to the Council all matters for disciplinary action against the Registrar for their decision. Appeal shall lie with the Government against the decision of the Council.

## **12. Liability for vaccination and revaccination.**

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

## **13. Oath of allegiance.**

- Every member of a 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.

## **14. Provident Fund.**

- The employees shall be required to subscribe towards the provident fund in accordance with the contributory provident fund regulation of the council specified in Appendix 'B' to these regulations.

## **15. Benefit of Medical reimbursement.**

- The employees shall be entitled to such benefits of the medical reimbursement of all the medical expenses incurred by them on themselves or any other member of their family as may be admissible employees of the Punjab Government.

## **16. Gratuity.**

- Every employee shall be entitled to gratuity as per Government instructions on the subject issued from time to time :Provided that if an employee who is a subscriber to the fund dies while in service his family shall be paid as gratuity such sum as shall when added to the amount of contribution made by the Council towards his provident fund and the interest thereon be equal to -(a)Two months emoluments of the employee, if his death occurs during the first year.(b)Six month's emoluments of the employee, if his death occurs after one year's service, but before the completion of five years service.(c)Twelve months emoluments of the employee if his death occurs after five years service.Note 1 : The term 'emolument' for the purpose of these regulations means emoluments as defined in rule 6.19(a) of C.S.R. Volume II.Note 2 : The term 'Family' for the regulations means -(a)in case of male employee, the wife and children of such employee and widow or widows and children of the deceased son of the employee.(b)in case of female employee the husband and the children of such employee.

## **17. Knowledge of Punjabi.**

- No person shall be appointed to any post in any service by direct appointment, unless he possesses knowledge of Punjabi language of Matriculation standard or its equivalent :Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government, the persons so appointed will have to acquire knowledge of Punjabi language of Matriculation standard or will have to qualify a test conducted by the Language

Wing of the Department of Education of the Punjab Government within six months from the date of appointment :Provided further that where educational qualification for a post in any service are lower than matriculation then knowledge of Punjabi language shall be lowered accordingly.

### **18. Debarring for consideration for promotion of an employee who refuses to accept promotion.**

- In the event of refusal of accept or in the event of refusal to accept a promotion by a member of the Service, he shall debarred by the appointing authority from consideration for promotion for all the consecutive chances may occur in future within a period of two years from the date of such refusal to accept such promotion provided in that case where the appointing authority is satisfied if member a service has refused to accept the promotion under the circumstances beyond his control it may exempt such a member for reasons to be recorded therefor in writing from the operation of this rule.

### **19. Compensatory allowance.**

- The Council shall pay compensatory allowance to its employees at the rates at which it is admissible to Punjab Government employees of the same status.

### **20. Other benefits.**

- The employees shall also be entitled to such other benefits as may be sanctioned by the Punjab Government to its employees from time to time in addition to the above.

### **21. Retirement age.**

- The members of the Service shall retire on reaching the age of fifty-eight years, provided that the Council shall be competent to retire any employee on attaining the age of fifty-five years by giving three months notice. Similarly an employee, on attaining the age of fifty-five years may seek retirement by giving three month's notice :Provided that the Council may retire an employee early if he is reported by the Civil Surgeon to be medically unfit :Provided further that an employee seek premature retirement in accordance with the policy of the Punjab Government framed for its employees from time to time.

### **22. Travelling allowance and daily allowance.**

- For journey undertaken by the employees in connection with the affairs of the Council within or outside the State of Punjab with the permission of the Registrar, as the case may be, the employees will be paid travelling allowance and daily allowance in accordance with such rules as may be applicable to Punjab Government employees of the same status.

### **23. Assignment of duties.**

- The duties of the staff shall be assigned by the Registrar.

### **24. Allotment of residential accommodation to the Staff.**

- The employees may be allowed by the Council such residential quarters as may be available according to their status on payment of such rents as are prescribed by the Government for its employees. In the alternative the employees will be paid house rent allowance at the rates admissible to the Government employees.

### **25. Proformance of journey by Registrar.**

- No journey within or outside the State of Punjab shall be undertaken by the Registrar without the previous approval of the President of the Council.

### **26. Power to relax.**

- Where Government is of the opinion that it is necessary or expedient so to do, it may, by order for reasons to be recorded in writing, relax any of the provision of these regulations with respect to any class or category of persons.

### **27. Interpretation.**

- If any question arises as to the interpretation of any of the provisions of these Regulations, it shall be referred to the Government for decision.-----