

(Published in the Punjab Government Gazette Legislative supplementary Ordinary, dated the 30th July, 1965)

Part III
IRRIGATION AND POWER DEPARTMENTS
NOTIFICATION

The 16th July, 1965.

No. GSR16/Const./Art.309/65- In exercise of the powers conferred by the provision to Article 309 of the Constitution of India, and all other powers enabling him in this behalf the governor of Punjab is pleased to make the following rules for regulating the recruitment and the conditions of services of persons appointed to the Punjab Works Department (Irrigation Branch), Superintendent (State Service, Class-II) namely:-

Part I - GENERAL

1. Short titled commencement and extent of application-(I) These rules may be called the Punjab Public Works Department Irrigation Branch Superintendents (State Service, Class II) Rules, 1965.
2. They shall come into force at once.
3. Definitions- In these rules, unless the context otherwise requires.
 - (a) "Chief Engineers" means a Chief Engineer of the Punjab Public Works Deptt., Irrigation Branch.
 - (b) "Commission" means the Punjab Public Service Commission.
 - (c) "Government" means the Punjab Government in the administrative Department.
 - (d) "Service" means the Punjab Public works Department (Irrigation Branch) Superintendent (State Service Class-II)

Part II- POSTS AND QUALIFICATIONS

3. Number of Posts- The service shall comprise the posts shown in Appendix to these rules:-

Provided that nothing in these rules shall affect the inherent right of Government to make additions to or reducing in the number of such posts either permanently or temporary.
4. Nationally domicile and character: (I) No person shall be appointed to the Service unless he is:-
 - a.) a citizen of India, or
 - b.) a subject to Sikkim ; or
 - c.) a subject of Nepal ; or
 - d.) a subject of Bhutan ; or
 - e.) a Tibetan refugee who come over to India before the 1st January, 1962 with the intention of permanently settling in India, or
 - f.) a person of India origin who has migrated from Pakistan with the intention of permanently settling in India.

Provided that a candidate belonging to categories (c) (e) and (f) shall a person in whose favour a certificate of eligibility has been given by the competent authority and if he belongs to category (f) the certificate of eligibility will be retained in service subject to his having acquired Indian citizenship.
- (2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or any other recruiting authority on his furnishing proof that he has applied for the certificate and he may also provisionally be appointed subject to the necessity being given to him by the competent authority.
- (3) No person shall be recruited to the Service by direct appointment unless produces a certificate or character from the Principal academic officer of the University, College, School or institution last attended, if any, and similar certificate from the 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 institutions.

PART III APPOINTMENT

- (5.)Appointing authority -All appointments to posts in the Service shall be made by the Chief Engineer.
- (6) Method of appointment (i) appointments to the service shall be made-
- (I) by promotion from amongst the Deputy Superintendent , in the office of Chief Engineer having an experience of working on that post for minimum period of one year with the approval of the Commission.
- (II) by transfer of an officer of equal rank already in the service of the State Government.
- (III) When any vacancy occurs or is about to occur in the Service, the appointing authority shall determine the manner in which such a vacancy shall be filled.
- 3.) Appointment to the Service shall be made strictly by selection on the basis of merit and no official shall have any claim to such appointment as or right .
- 7.) Disqualification:
- (i) No person, who has more than one wife living or who having a spouse living, marriage in any case in which such marriage is void by reason of its taking place during the life time of such spouse shall be eligible for appointment to the Service ; and
- (ii) No woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible.

Provided that the Government may, if satisfied that there are special grounds, for so ordering exempt any person from the operation of this rule.

8. Probation of members of Service (i) Persons appointed to the Service shall remain on probation for period of one year:-
Provide 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 working equivalent or higher rank, prior to appointment to the service may at the discretion of the appointing authority be allowed to count towards the period of probation; and
- c) any period of officiating appointment in the service shall be reckoned as a period spent on probation but no member 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.
- 2) If, in the opinion of the appointing authority the work or conduct of a person appointed to the service during the period probation is not satisfactory, it may, revert him to his former post, or 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 or conduct has, in its opinion has satisfactory.
- i)confirm such person from the date of his appointment, if appointed against a permanent vacancy.
- ii)confirm such person from the date of his appointment from which permanent vacancy occurs, if appointed against a temporary vacancy or;
- iii)declare that he has completed his probation satisfactorily, if there is no permanent vacancy; or
- b) If his work or conduct has not been,, in its opinion satisfactory.
- i) 'revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment permits; or
- ii) extend his period of probation and thereafter ,pass such orders as it could have passed on the expiry of the first period of probation; provided that the total period of probation including extension if any shall not exceed three years.

Seniority of members of service. The seniority in terms of members of the Service shall be determined by the length of their-continuous appointment in the Service.

Provided that in the case of two or more members appointed on the same date their seniority shall be determined as follows:-

- a) A member appointed by promotion shall be senior to a member appointed by transfer.
- b) In the case of member appointed by promotion or transfer seniority shall be determined according to the seniority of such member in the appointments from which they were promoted or transferred.
- c) In the case of members recruited by transfer from different cadre their seniority shall be determined according to pay, preference being given to members who was drawing a higher rate of pay in previous appointment and if the rates of pay drawn are also the same then by their length of service in those appointments, and if he length of service is also the same any older members shall be senior to a younger member.

Note I. This rule shall not apply to persons appointed on purely provisional basis.

Note II. In the case of member where period of probation is extended under Rule 1, the date of appointment or the purpose of this rule shall be deemed to have been defined to the extent the period of probation is extended.

10. Pay of member of service –members of the service shall be entitled to such scales of pay so may be authorized by Government from time to time. The scales of pay at present in force are given in Appendix-A to these rules.
11. Liability to transfers- Every members of the service shall be liable to transfer under the orders of :-
 - A. the Government to any other department or office of the Punjab Government ; and
 - B. the appointing authority within the state of Punjab of any other place in India where he may be required to proceed under the administrative control of the Punjab Government in the Service of which he is a member.
12. Leave, Pension and other matters- In respect of leave, pension and other matters not expressly provided or in these rules, the members of the service shall be governed by such rules and regulations as may have been or may hereafter be adopted or formed by the competent authority under Article 309 of the Constitution of India or any law or rules made thereunder.
13. Discipline, penalties and appeals (i) in matters of relating to discipline, punishment shall be governed by the Punjab Civil Service (Punishment and Appeal) Rules,1952, as amended from tome to time.

Provided that the nature of penalties which may be imposed the authorizing authorities competent to impose such penalties and the appellate authority shall be as specified in Appendix “B” to these rules.

(2) The authority competent to pass an order under clause (c) & (d) of sub rule(i) of rule 10 of the Punjab Civil Service (Punishment and Appeal Rules,1952, and the appellate authority shall be as specified in Appendix “C” to these rules.

14. Liability for vaccination and revaccination.

Every members of the Service shall go himself vaccinated or re-vaccinated when Government so directs by a special or general order

15. Oath of allegiance, Every members of the Service unless be has already done so, shall be required to take the oath of allegiance to in as by Law Established.

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

17. Repeal- The Punjab Public Works Department, Irrigation Branch. Secretariat Service Rules, 1943, published with Punjab Government Notification NO.12748/C/102/37 dated the 14th June,1943 in so far as they regulate recruitment and the candidates of senior of person appointed to the post of Superintendents are hereby repealed;

Provided that any action taken or any thing done under the rules hereby repealed shall be deemed to have been taken or done under these rules.

APPENDIX B.
(Referred to in Rule12(i))

Designation of the member Of the Service.	Nature of Penalty.	Punishing Authority	Appellate Authority
1.	2.	3.	4.
Superintendent	a) Censure b) With-holding of increments or promotion including stoppage at an efficiency bar, if any. c) Reduction to a lower post in a time scale or to a lower stage in a time scale d) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders e) Suspension. f) Removal from the Civil Service of the Government which does not disqualify from future employment. g) Dismissal from the Civil Service of the Government which ordinarily disqualifies from future employment.	Chief Engineer	Government

Appendix A.
(Referred to in Rules 5 and 9)

Sr.No.	Designation of Post	No. of posts			Scale of pay
		Permanent	Temporary	Total	
1.	2.	3.	4.	5.	6.
1.	Superintendent	12	10	22	Rs.352-25-500/30-650

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Appendix C.
(Referred to in Rule12(2).

Designation of The member of the service.	Nature of order	Authority competent to pass original orders.	Appellate Authority
1. Superintendent	(a) Reducing the maximum amount or ordinary pension or with-holding the whole or reducing the maximum amount of additional pension admissible under the rules governing pensions.	Chief Engineer	Government
	(b) Terminating the appointment of a member of the service otherwise when upon his reaching the age fixed for superannuation.		

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