

PUNJAB GOVERNMENT

STAFF REGULATIONS



**The Punjab Backward Classes Land Development
and Finance Corporation**

S.C.O. 60-61, Sector 17-A, Chandigarh

STAFF REGULATIONS

THE PUNJAB BACKWARD CLASSES LAND DEVELOPMENT AND FINANCE CORPORATION, CHANDIGARH

In exercise of the powers conferred by section 34 of the Punjab Backward Classes Land Development and Finance Corporation Act, 1976 (Punjab Act No. 27 of 1976), and with the previous sanction of the State Government, the Board hereby makes the following Regulations, namely :-

CHAPTER I

PRELIMINARY

1. **Short Title.**- These Regulations may be called the Punjab Backward Classes Land Development and Finance Corporation (Staff) Regulations, 1979.

2. **Commencement.**- These Regulations shall come into force from the date on which they are approved by the Board of Directors.

3. **Applications.**-(1) These Regulations shall apply to :-

- (a) every whole-time officer or employee of the Corporation; and
- (b) every officer or employee employed temporarily and every advisor or agent or any other persons recruited on special contract, subject to the terms of such contract;

Provided that nothing in these Regulations shall apply to the Executive Director, unless the application to him of all or any of these Regulations has been approved by the State Government/Governor of Punjab.

(2) The Executive Director may, with the prior sanction of the Board of Directors, enter into a special contract with an officer or employee with terms and conditions, which may vary from the provisions of these Regulations.

4. **Definitions.**-In these Regulations, unless there is any thing repugnant in the subject or context:-

- (a) "The Board" means the Board of Directors of the Punjab Backward Classes Land Development and Finance Corporation;
- (b) "Corporation" means the Punjab Backward Classes and Land Development and Finance Corporation;
- (c) "Chairman" means the Chairman of the Board constituted under the Punjab Backward Classes Land Development and Finance Corporation Act, 1976;
- (cc) "Chairman" means the Vice Chairman of the Board constituted under the Punjab Backward Classes Land Development and Finance Corporation Act, 1976;
- (d) "The Executive Director". in relation to any powers exercisable by him includes any Director or officer who is authorised by the State Government/Governor of Punjab to exercise the powers and functions of the Executive Director during the temporary absence of the Executive Director;

- (e) "Assistant General Manager (Admn) in relation to any powers exercisable by him includes an officer authorized by the Executive Director to exercise to powers of the Assistant General Manager (Admn) during the temporary absence of the Asstt. General Manager (Admn).
- (f) "Direct Appointment" means an appointment made otherwise than by promotion or transfer of person already in the service of the Corporation or made by taking a person on deputation from the Government or any other Corporation.
- (g) "Duty" means the period of service including service as a probationer, period during which an employee is on joining time and period spent on casual leave duly authorized, which counts for pay, leave and other emoluments, but does not include any period of suspension or extraordinary leave without pay.
- (h) "Family" means an employee's spouse and children as well his or her parents, unmarried sister and his minor brothers, provided each one of them ordinarily residing with and wholly dependent upon him or her;
- (i) "The Government" means the Punjab Government in the Department of Welfare of Scheduled Castes and Backward Classes;
- (j) "Employee" means a person (Whether an officer or any other employee) employed on any post under the Corporation, but does not include, except for the purpose of disciplinary action, casual worker or a daily wage-earner;
- (k) "Permanent employee" means employee appointed on a permanent basis against a permanent post;
- (l) "Temporary employee" mean an employee appointed for a limited period for work which is essentially of temporary nature or appointed against a temporary post or vacancy for a specified or un-specified period;
- (m) "Probationer" means an employee provisionally employed to fill in a permanent vacancy on probation, for a period specified in Regulations (19).
- (n) "Average Pay" means the average monthly pay earned while on duty during the ten calendar months immediately proceeding the month in which the employee proceeds on leave, and in the case of an employee, who has not been on duty for more than year, the average monthly pay earned while on duty during the calendar months immediately proceeding the month in which he proceeds on leave;
- (o) "Pay" means the amount drawn monthly by an Officer or an employee as :-
 - (I) The pay which has been sanctioned for the post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre;

- (ii) Special pay and personal pay
- (iii) any other emoluments which may be specially classed as pay by Punjab Government from time to time;
- (p) "Personal Pay" means an additional pay granted to an officer or an employee:-
 - (i) to save him from a loss of his substantive pay in respect of a permanent post due to a revision of pay or to reduction of such substantive pay, otherwise than as a disciplinary measure; or
 - (ii) in exceptional circumstances on other personal considerations.
- (q) "Special Pay" means an addition in the nature of pay to the emoluments of a post or of an employee granted in consideration of:-
 - (i) the specially arduous nature of the duties;
 - (ii) a specific addition to the work or responsibility.
- (r) "Substantive Pay" means the pay to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre;
- (s) "Honorarium" means the recurring or non-recurring payment granted to any person from the funds of the Corporation;
- (t) "Appointing Authority" means the authority competent/authorized to make appointments.

5. Board's Power to change regulations. -The Board shall have power to make, from time to time, such additions, deletions, alterations, or amendments in those regulations, as it may deem fit and relax any of the provisions contained therein provided that any new regulation or alteration in an existing regulation shall be issued in the form of a circular for circulation among the staff: provided further that no new regulation or an alteration in an existing regulation shall operate to reduce the scale of pay of an employee on which he is entitled to draw pay in a substantive capacity on the day the new regulation or alteration comes into force.

Provided further that no addition, deletion, alteration or amendment in these Regulations shall be done without the prior approval of the Government.

6. Power to interpret and implement Regulations. -The power to interpret the Regulations vests in the Executive Director, who is also hereby empowered to issue such administrative instructions, as may be necessary to give effect to, and carry out the purposes of, the provisions of these, Regulations or generally to secure effective control of the staff by devising subsidiary rules, delegation of powers, procedure of form subject to revision by the Board at any time *suo motto* or on representation by any employee provided that is as a result of any decision the Executive Director as regards the construction of any Regulation or Regulations, an employee feels aggrieved, he shall have a right to appeal against such decision of the Executive Director to the Board, whose decision shall be final and binding on all concerned.

7. Power to create posts and declaration of temporary posts to permanent :-

The Board shall have power to declare a temporary post or create new posts with different designations and scales of pay whether on a permanent or temporary basis. The Board shall review, once in a year in the month of April to decide which of the posts could be declared permanent. However, the Executive Director is empowered to create posts on daily wages / contractual basis as fixed by the respective deputy commissioner of the State on year to year basis and fill up the same at his own level with the prior approval of the Finance Department. Thereafter ex post- facto approval of the Board of Directors may be obtained in its next meeting.*

8. **Nature of Posts.**-There shall be permanent as well as temporary posts under the corporation

CHAPTER II
APPOINTMENTS, PROBATION AND TERMINATION OF SERVICE

Appointments

9. **Classification of staff.**-(1) For the purpose of these Regulations, the posts under the Corporation shall be classified into the following two categories, namely :-

- (a) Officers; and
- (b) Other employees.

In addition, there will be further classification of the staff of the Corporation, as follows :-

- (i) Administrative Staff;
- (ii) Audit and Accounts Staff; and
- (iii) Technical Staff.

(2) The Board shall fix, from time to time, the number of posts in all categories of its employees and the pay scales to be attached to them. Normally, the pay scale of all categories of employees of the Corporation shall be similar to those, as are obtaining in the Government of Punjab for such categories of employees. The Board shall, however, have the power to prescribe different scales of pay in special circumstances

10. **Eligibility for Appointments.**-No person shall be appointed to any post under the corporation 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 the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi Zaire Ethiopia and Vietnam with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

* Amended vide supplementary resolution No. 110/7/I in BOD meeting held on 28/3/06

(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 the Board or other recruiting authority of the Government and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

11. Manner of Appointment.-Appointments to various posts shall be made by one or more of the following methods:-

- (i) by direct appointment; or
- (ii) by promotion of existing personnel or by transfer from one post to another
- (iii) by borrowing personnel from the State Government.

12. Power to appoint.-All appointments to Class II, III, IV posts having scales of pay equivalent to those as are in the Govt. Departments shall be made by the Executive Director and all appointments to Class I posts in the Corporation shall be made by the Board of Directors subject to the delegation of powers to the Chairman.*

13. Age.-No person shall be appointed to the service of the Corporation by direct appointment if he/she is less than 17 years old or is more than 27 years of age on the date of appointment or unless he/she is within such range of minimum and maximum age as may be specifically fixed by the Board:

Provided that the condition of upper age limit may be relaxed up to 45 years in the case of a person already in employment of the Punjab Government, Other State Government or the Government of India.

Provided further that appointing authority may for the reasons to be recorded in writing relax", the upper age limit for a category or class of persons.

Provided further that in the case of candidates belonging to Scheduled Castes, Backward Classes and Demobilized Armed Forces personnel the upper age limit shall be such as may be fixed by the State Government from time to time.

14. Qualifications.-The Board/Appointing Authority may prescribe for various posts the qualifications, whether academic, technical or otherwise, or tests or physical standards of any experience that it may consider necessary and expedient for confirmation, promotion or continuance in service.

15. Certificate of health and good character.-The direct appointment of every person to any post under the Corporation shall be subject to production, by such person, of a medical Certificate of fitness from a Civil Surgeon of the District concerned or a Registered Medical Practitioner of the Corporation when appointed and character and other antecedents being verified to be good by the District Magistrate of the District concerned.

16. Re-appointment in the Corporation's Service.-(i) No person who has been dismissed from any public or private employment, or has otherwise ceased to be in the service of the Corporation shall be re-employed except with the specific approval of the Board.

* Amended vide resolution No. 54 in BOD meeting held on 30/11/88

(ii) Except as otherwise provided by the Board at the time of his re-employment, these regulations shall apply to a person who is re-employed in the Corporation's service as if he had entered the service for the first time on the date of his re-employment.

17. Grant of initial increments on first appointment.- The Executive Director may for special reasons to be recorded in writing grant initial increments to an employee on his first appointment, provided that all cases in which the pay of an employee is fixed at a stage higher than the minimum of the scale on which the appointment is made shall be subsequently reported to the Board, provided further that where the appointment in question is to be made for officers, no initial increments shall be granted, except with the previous approval of the Board.

18. Commencement of service.-Except as otherwise provided by or under these regulations, "Service" of an employee shall be deemed to commence from the working day on which an employee reports for duty in an appointment convened by these Regulations at the place and time intimated to him by the Executive Director, provided that he reports before noon, otherwise his service shall commence from the next following working day.

Explanation.- "Service" includes the period during which an employee is on duty as well as on leave duly authorised by the Executive Director but does not include any period during which an employee is absent from duty without permission or overstays his leave, unless specially permitted by the Executive Director.

PROBATION

19. Probation of persons appointed to service-

(1) Persons appointed to any service shall remain on probation for a period of two years, if recruited by direct appointment and one year if recruited otherwise:

Provided that-

(a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation.

(b) in the case of an appointment by transfer, any period of work in equivalent or higher rank, prior to appointment to the service may, in the discretion of the appointing authority, be allowed to count towards the period of probation; and

(c) any period of officiating appointment to the Service shall be reckoned as period spent on probation, but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may

(a) if such person is recruited by direct appointment, dispense with his services, or revert him to post on which he held lien prior to his appointment to the service by direct appointment; and

- (b) if such person is recruited otherwise :-
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the 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 been satisfactory :-
 - (i) confirm such person from the date of his appointment if appointed against a permanent vacancy; or
 - (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or
 - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy; or
 - (b) If his work or conduct has not been, in its opinion, satisfactory:-
 - (i) dispense with his services, if appointed by direct appointment or if appointed otherwise, revert him to his former post, or deal with him in such other manner as the terms and conditions, of his previous appointment may permit; 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.

TERMINATION OF SERVICE

20. Termination of Service by notice.-

- (1) An officer or an employee shall not leave or discontinue his service in the Corporation without first giving notice in writing of his intention to do so to the Executive Director. The period of notice required shall be :-
 - (a) three months in the case of confirmed employee; and
 - (b) one month in the case of temporary

Provided that in case of breach by an officer or an employee of the provision of this sub-Regulation he shall be liable to pay to the Corporation as compensation a sum equal to his pay for the period of notice required of him;

Provided further that the payment of such compensation may be waived by the Executive Director with the approval of the Board in special circumstances to be recorded in writing.

- (2) The Corporation may terminate at any time the service of any officer or employee after giving him :-
- (a) three months notice or pay in lieu thereof in the case of an officer; and
 - (b) one month's notice or pay in lieu thereof if he is an employee.

This power shall be exercised by the Executive Director subject, in the case of officers, to the prior approval of the Board.

- (3) Nothing in sub-regulation (2) shall affect the right of the Corporation-

- (a) to retire or dismiss an employee without notice or pay in lieu thereof in accordance with the provisions of Regulations and;
- (b) to terminate the service of an employee without notice or pay in lieu thereof on his being certified by the Civil Surgeon of the District concerned or Corporation's Medical Officer when appointed to be permanently incapacitated for further continuous service in the Corporation

Explanation I.-The expression 'month' used in this Regulation shall be reckoned according to the English calendar and shall commence from the day following that on which notice is given by the employee or the Corporation, as the case may be.

Explanation II.-A notice given by an employee under sub-regulation (1) shall be deemed to be proper only if he remains on duty during the period of the notice, and an employee shall not be entitled to set off any leave earned and not availed of by him against the period of such notice.

Explanation III.-If an employee to whom notice is given by the Corporation in pursuance of sub-regulation (2) of regulation 20 shall absent himself from duty without permission during the period of notice, he shall not be entitled to receive any pay or allowances during the period of absence and shall further be liable to such further penalties as the Executive Director may deem fit impose.

21. The service of an officer or other employee drawn on deputation from the Central Government State Government or Government Co-operative Institutions or any other Corporation shall be terminated by reverting him to his parent service by the Executive Director, subject, in case of an officer, to the prior approval of the Board.

22. Superannuation and Retirement:

- (1) An officer or an employee of the Corporation shall retire on attaining the age of 58 years, provided that the appointing authority may, in the interest of the Corporation, sanction from time to time, the extension of his employment for a period not exceeding one year at a time, but in case beyond the age of sixty.
- (2) The appointing authority, may at his discretion, retire an officer or an employee of the Corporation on completion of 20 years of service or 50 years of age.
- (3) (a) An officer or employee of the Corporation who has put in not less than 20 years qualifying service may by giving notice of three months in writing to the appointing authority or pay in

lieu thereof retire from service voluntarily. The initiative resting with the employee and the Corporation does not have the reciprocal right to retire to the employee on its own.

- (b) A notice of less than three months may also be accepted by the appointing authority in deserving cases.
- (c) A notice of voluntary retirement may be withdrawn subsequently only with the approval of the appointing authority provided the request for such withdrawal is made before the expiry of the notice.

Note:- In computing the notice period of three months referred to in Sub-Regulation 3(a), the date of service of notice and date of its expiry shall be excluded.

Explanation: Notwithstanding anything contained in this Regulation where an employee has ordinarily leave earned but not availed of as on the date of retirement as prescribed by this Regulation, he may be allowed leave salary for the period of leave not availed of by him in accordance with the Government Rules/ instructions issued from time to time.*

CHAPTER-III

RECORD OF SERVICE, SENIORITY AND PROMOTION

23. Record of Service.-The following record of service of every officer and other employees shall be maintained :-

- (i) Personal File;
- (ii) Service Book; and
- (iii) C.R. File.

Note.-Files at Nos. (i) and (ii) shall be maintained by the office and the file at No. (iii) in the personal custody of the Executive Director or an officer authorised by him.

SENIORITY

24. Seniority of Members of Service.- The inter-se-seniority of members of the Service shall remain by the length of continuous service on a post in the service:

Provided that where there are different cadres in a Service the seniority shall be determined separately for each cadre:

Provided further that in the case of members recruited by direct appointment, the order of merit determined by the Commission, the Board or other recruiting authority, as the case may be, shall not be disturbed infixing the seniority

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

- (a) a member recruited by direct appointment shall be senior to a member recruited otherwise;

* Amended vide resolution No. 102-3 in BOD meeting held on 28/8/2002

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

Note:- Seniority of members appointed on purely provisional basis, shall be determined as and when they are regularly appointed keeping in view the date of such regular appointment.

25. Promotions:- All the promotions to posts under the Corporation shall be made on the basis of seniority-cum-merit and no person shall have a right to be promoted to any post on the basis of seniority alone

26. Reversion :-(1) An employee transferred from one appointment to another or confirmed in a grade or appointment higher than his substantive grade or appointment, shall be liable to be reverted without notice at any time within one year of such transfer or confirmation.

(2) An employee who has been appointed to officiate in a higher grade or appointment, or whose confirmation in a higher grade or appointment is subject to his undergoing probation for any specified period or -otherwise, shall be liable to be reverted without notice at any time, when he is so officiating or undergoing probation.

CHAPTER IV CONDUCT, DISCIPLINE AND APPEALS

Conduct and Discipline

27. Scope of an employee's service :- Unless in any case it be otherwise distinctly provided, the whole-time officer of employee shall be at the disposal of the corporation, and he shall serve the Corporation in its business in such capacity and at such place as he may, from time to time, be directed. The working hours shall be fixed in such a manner as may be deemed fit by the Board of Directors in the public interest.

28. Liability to abide by the Regulations and Orders :- Every employee shall confirm to and abide by these Regulations and shall observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.

29. Obligation to maintain secrecy :- Every employee shall maintain the strictest secrecy regarding the Corporation's affairs and the affairs of its constituents and shall not divulge, directly or indirectly, any information of confidential nature either to a member of the public or of the Corporation's staff, unless

compelled to do so by judicial or other authority, or unless instructed to do so by a superior officer in the discharge of his duties.

30. Employees to promote the Corporation's interest :- Every employee shall serve the Corporation honestly and faithfully and shall use his utmost endeavours to promote the interests of the Corporation, and shall show courtesy and attention in all transactions and inter courses with the Officers of Government and the Corporation's constituents.

31. Prohibition against participation in politics and standing for elections :- No employee shall take an active part in politics or in any political demonstration, or stand for election as member for a Municipal Committee, District Board or any Legislative Body or indulge in such activities which may cause embarrassment to the Corporation.

32. Contribution to the press.- No employee may contribute to the Press without the prior sanction of the Executive Director, or without such sanction, make public or publish any document, paper, or information which may come into his possession in his official capacity. **33. Employees not to seek outside employments.-** An employee of the Corporation shall not, without the prior permission of the Executive Director :-

33. Employees not to seek outside employment :- An employee of the corporation shall not without prior permission of the Executive Director.

- (a) by himself or through any member of his family engage in any trade or business or adventure
- or
- (b) undertake accept solicit or seek any outside employment or office while on duty or on leave, whether stipendiary or honorary.

34. Part-time work for outside bodies.- No employee shall undertake part-time work for a private or public body or a private person, or accept fee therefore, without the sanction of the Executive Director who may grant sanction only in exceptional cases when he is satisfied that the work can be undertaken without detriment to his official duties and responsibilities. The Executive Director may, in cases in which he thinks fit to grant such sanction, stipulate that any fees received by the employees for undertaking the works shall be paid, in whole or in part, to the Corporation.

35. No employee of the Corporation shall enter into any partnership, accept any fees, endowment or commission whatsoever from any party other than the Corporation, except with the prior permission of the Appointing Authority.'

36. Protection to employees:- The Corporation shall, in respect of acts done in good faith and in the interest of the Corporation, extend protection to all employees of the Corporation in the Court of law or elsewhere.

37. Absence from station:- No employee of the Corporation shall absent himself from his station ever night without obtaining the previous sanction of the Executive Director.

38. Speculating in stocks, shares, etc:- An employee shall not speculate in stocks, shares, securities or commodities of any description.