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|------------|----|---|
| Group VI | .. | 1. Treasury Officer.
2. Assistant Treasury Officer. |
| Group VII | .. | 1. Punjab Forest Service Class I.
2. Punjab Forest Service Class II. |
| Group VIII | .. | 1. District Industries Officer.
2. Assistant Director of Industries.
3. Assistant Controller of Stores. |

2. The posts in each group have not been arranged in the order of their superiority and will be offered to the qualified candidates in the order of their positions in the merit list, keeping in view the preference given by them.

3. The Punjab Public Service Commission will, if considered necessary, make separate arrangements to hold examinations for recruitment to the posts which have been excluded from the new groups detailed in para 1 above but fall within their purview.

4. Government has further decided that the ministerial Government servants who are eligible for appearing in the P.C.S. (Executive Branch) Examination under Rule 10(3) of the P.C.S. (Executive Branch) Rules, 1930, up to the age of 35 years, will, in future, be allowed only three chances in addition to those which a Government servant may have availed of as a direct recruit within the normal age-limit. To avoid any hardship in marginal cases, it has been decided to allow one more chance during the next two years to those ministeria of Government Servants who have already availed of 3 chances.

5. The receipt of this letter may kindly be acknowledged.

Copy of Punjab Government Circular letter No. 18427-3GS-62/43145, dated 5th December, 1962, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject. — Inclusion of details of allowances attached to a post in the advertisements.

I am directed to say that in order that the candidates from the open market may know the total emoluments attached to a post, the Punjab Public Service Commission has desired that details of the dearness and other allowances attaching to a post

should be included in the advertisements issued by them. This will be possible if the rates of all the allowances admissible in each case are intimated to the Commission by the respective departments, along with the pay-scales against item 9 of the Requisition Form.

I am to request that the required information should, in future, be invariably furnished to the Commission, in the proper column of the Requisition form.

Copy of Punjab Government Circular letter No. 18854-3GS-62/44893, dated the 17th December, 1962, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.— Holding of combined examinations for Recruitment to similar posts/services.

In continuation of Punjab Government letter No. 17999-3GS-62/42246, dated the 24th November, 1962, on the subject noted above, I am directed to state that the instructions contained therein with particular reference to para 4 thereof, will come into force after the ensuing PCS (Executive Branch) examination to be held in or about the month of January, 1963.

New Delhi-11, the 16th June, 1962
26th Jyaishta, 1884.

RESOLUTION

The policy of the Government of India in respect of qualifications based on nationality and domicile for eligibility for appointment to Central Services and posts was laid down in this Ministry's Resolution No. 43/58/49-Ests., dated the 6th April, 1950, and was subsequently modified so far as citizens of Sikkim are concerned, by Resolution No. 43/29/51-Ests., dated the 11th April, 1951.

2. In view of the fact that the territories of Goa, Daman and Diu have become part of India and have been constituted as a Union Territory, the persons domiciled in those territories have become citizens of India. It has, therefore, been decided to dispense with the requirements of issue of certificate of eligibility in respect of the persons belonging to these territories for purposes of employment under the Government.

The question of making the Tibetans, who migrated to India, eligible for Central Services and posts, has also been under the consideration of the Government

of India for sometime past. It has now been decided that Tibetans who came over to India before the 1st January, 1962, with the intention of permanently settling in this country, may be considered for appointment to various services, posts under the Government of India, subject to the issue of certificate of eligibility in their favour and their otherwise being found suitable.

3. The Resolution of the Government of India in the Ministry of Home Affairs, No. 43/58/49-Ests., dated the 6th April, 1950 is, therefore, amended as follows:—

- (1) The sub-clauses (i) and (ii) under paragraph 3 of the said Resolution shall be substituted by the following :—
 - (i) Subjects of Nepal and the State of Pondicherry.
 - (ii) Persons who have migrated or may hereafter migrate from Pakistan with the intention of permanently settling down in India, and who have not become citizens of India under the Constitution.
 - (iii) Tibetans who migrated to India before the 1st January, 1962, with the intention of permanently settling in India.
- (2) The standard rule for recruitment contained in paragraph 5 of the said Resolution, as subsequently amended by Resolution Nos. 43/97/56-CS(C), dated the 12th April, 1957, and 11/24/60-Ests. (B), dated the 21st December, 1960, shall stand modified as follows :—

“A candidate for appointment to any Central Service or post must be :—

 - (a) a citizen of India, or
 - (b) a subject of Sikkim, or
 - (c) a subject of the State of Pondicherry, or
 - (d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India:

Provided that, subject to the issue of a certificate of eligibility in his favour, a subject of Nepal, or a Tibetan who came over to India before the 1st January, 1962, with the intention of permanently settling in India may also be appointed to any Central Service or post, other than the Indian Foreign Service:

Provided further that a candidate belonging to category (c) or (d) above must be a person in whose favour a certificate of eligibility had been given by the Government of India, and if he belongs to category (d) the certificate of eligibility will be valid only for a period of one year from the date of the appointment beyond which he can be retained in service only if he has become a citizen of India.

A candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview conducted by the Union Public Service Commission or other recruiting authority and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government."

4. Resolution No. 11/2/62-Ests. (B), dated the 28th April, 1962, is hereby cancelled.

ORDER

Ordered that a copy of this Resolution be communicated to all State Governments, all Ministries of the Government of India, etc. and also that the Resolution be published in the Gazette of India.

L. M. NADKARNI,
Joint Secretary to the Government of India.

No. F. 11/2/62-Ests(B), New Delhi-11, the 16th June, 1962
26th Jyaishta, 1884.

All Ministries etc. of the Government of India.
All State Governments/Union Territories.
All Regular Sections of the Ministry of Home Affairs.

L. M. NADKARNI,
Joint Secretary to the Government of India.

PUNJAB GOVERNMENT

No. 18072-10GS-62/45092, dated Chandigarh, the 27th December, 1962.

A copy is forwarded to all Heads of Departments and Administrative Secretaries to Government, Punjab, for information.

2. The domicile rule in the various service rules will now be as per Annexure I.

(Sd.)....,

DEPUTY SECRETARY, GENERAL ADMINISTRATION,
for Chief Secretary to Government, Punjab.

ANNEXURE I

Nationality and Domicile. he is— (1) No person shall be appointed to the service, unless

- (i) a citizen of India, or
- (ii) a subject of Sikkim, or
- (iii) a subject of the State of Pondicherry, or
- (iv) a person of Indian origin, who has migrated from Pakistan with the intention of permanently settling in India :

Provided that, subject to the issue of a certificate of eligibility in his favour, a subject of Nepal or a Tibetan who came over to India before the 1st January, 1962, with the intention of permanently settling in India may also be appointed to any post in the service :

Provided further that a candidate belonging to category (iii) or (iv) above must be a person in whose favour a certificate of eligibility had been given by the competent authority, and if he belongs to category (iv) the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become a citizen of India.

(2) A candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview conducted by the Commission, Board 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 necessary certificate being given to him by the competent authority.

Copy of Circular letter No. 19982-3GS-62/45907, dated the 27th December, 1962, from the Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Relaxation of age-limit for entry into Government Service for the wives of serving military personnel.

I am directed to say that the Government has, in view of the national emergency requiring the presence of a large number of military personnel in operation areas, examined the policy of the maximum age limit of entry into Government service enunciated in Government instructions issued,—

vide letter No. 15003-G-55/75504, dated the 23rd November, 1955 with special reference to the case of wives of the serving military personnel. It is felt that the families of the military personnel may be experiencing monetary difficulties due to the setting up of two establishments. Government has, therefore, agreed to raise the maximum age for entry into Government service in the case of the wives of serving military personnel to 45 years provided they are otherwise eligible for the posts in question.

Copy of Punjab Government Circular letter No. 9505-ASII-62/46617, dated 11th January, 1963, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Instructions for the recognition by the Punjab Government of Associations of Employees other than the Associations of Industrial Employees.

I am directed to invite a reference to Punjab Government letter No. 8919-ASII-61/42074, dated the 30th November, 1961, on the subject noted above and to forward herewith a copy of the revised instructions for information and necessary action.

**INSTRUCTIONS FOR THE RECOGNITION BY THE
PUNJAB GOVERNMENT OF ASSOCIATIONS OF
EMPLOYEES OTHER THAN ASSOCIA-
TIONS OF INDUSTRIAL EMPLOYEES**

INSTRUCTIONS

Part (a) Associations of Government Employees serving in the Departments of the Punjab Government other than those in the Police and Prisons Departments.

1. Government is prepared to accord official recognition to associations of its employees which comply with the conditions set out below.

2. The association must ordinarily consist of a distinct class of Government employees.

3. Every Government employee of the same class must be eligible for membership of the associations.

4. Only those associations of Government servants shall be recognised by Government whose members or office holders are in the active service of Government.

5. Representations from such associations, whether made orally by deputation, or presented in writing may be received by Government officers notwithstanding anything contained in the rules relating to the submission of petitions and memorials by Government servants :

Provided that—

(a) no representations or deputation will be received except in connection with a matter which is, or raises questions which are, of common interest to the class represented by the associations, and

(2) nothing in these instructions affects the discretion of the Governor or the Head of a Department to receive or not to receive a deputation from an association.

6. Recognition is accorded solely for the purpose of enabling employees of Government to ventilate their needs to Government direct or to their respective "Heads of Departments". If, therefore, an association adopts other methods, e.g., by approaching members of the Central or Provincial Legislatures to agitate for an improvement in their conditions of service by putting questions and moving resolutions in the Legislatures or by other means, Government may forthwith withdraw its recognition of the association.

7. Government may require the regular submission, for its information, of copies of the rules of the association and the annual statement of its accounts and of list of its members.

8. Government may specify the channel through which representations from the association shall be submitted and the authority by whom deputations may be received.

9. The officer who is empowered to grant leave to a Government employee will so far as is possible, grant casual leave to an employee who is a representative of a recognised

association to attend duly constituted meetings of the association. The grant of such leave will be subject to the exigencies of the service, of which the officer in question shall be the sole judge.

10. The associations shall not be formed on the basis of a caste, tribe or religious denomination or of any group within or section of such caste, tribe or religious denomination.

11. (1) In these instructions, unless the context otherwise requires "Government" means the Punjab Government and includes the Head of a Department subordinate to the Punjab Government to whom powers have been delegated under clause (2) of this rule.

(2) Government may delegate any of its powers under instructions 1 to 9 to any authority subordinate to it.

(3) A Head of a Department may issue subsidiary instructions regarding the recognition of associations of classes of Government employees subordinate to him.

Part (b) Associations of Employees in the Police and Prisons Departments.

The instructions in Part (a) shall be applicable to associations of employees in the Police and Prison Departments with the addition of the following clauses to instructions 2 and 7 and the substitution of the following proviso for the provisions to instruction 5 and of the following instructions for instruction 4 :—

Instruction 2 ... The Association shall also consist of such distinct rank or ranks of employees as Government may prescribe provided that Government may accord recognition to particular associations of specified ranks of employees in the Police Department of which specified ranks of employees in the Excise Department are also members.

Instruction 4 ... No person who is not in the active service of Government shall be an office-holder of the association.

- Instruction 5 .. Proviso (a) representation or deputation will be received on questions of discipline or of promotion affecting individuals.
- Instruction 7 .. No rule of the association shall be valid until it has received the approval of Government and Government may from time to time require the modification of a rule or rule in a particular manner.

Copy of Circular letter No. 16670-7GS-62/3024, dated the 25th January, 1963 from Shri Saroop Krishen, I.C.S., Financial Commissioner Planning and Additional Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Use of the term “Government Servant”—Instructions regarding.

Sir,

I am directed to address you on the subject noted above and to say that the question regarding the desirability of the use of the term “Government Servant” in official correspondence has been considered by the Government and it has been decided that this term is not in consonance with a democratic social pattern and should, as far as practicable, be substituted by the term “Government employee” in all official correspondence.

2. It has also been decided to discourage the use of terms like “master” and “servant”, which should as far as possible be replaced by the terms “employer” and “employee” in official correspondence, reports, etc.

3. It is requested that the above instructions may be brought to the notice of all concerned for compliance.

4. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 1100-10GS-63/4707, dated 6th February, 1963, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Appointment of Tibetan Refugees to Central Services and Posts—Question of eligibility for employment.

In continuation of Punjab Government endorsement No. 18072-10GS-62/45092, dated the 27th December, 1962, with which a copy of Government of India, Resolution No. F.11/2/62-Ests-(B), dated the 16th June, 1962, and a copy of the latest phraseology of the domicile rule was forwarded to you for being adopted in various service rules, I am directed to say that pending adoption of the phraseology of the rule in the various service rules, Tibetans who arrived in India before the 1st January, 1962, with the intention of permanently settling in India may, subject to the issue of a certificate of eligibility in their favour by the competent authority, be considered for appointment to any post or service under the Punjab Government, provided they are otherwise suitable for appointment and possess the requisite qualifications prescribed for appointment to that post or service.

2. For Secretary to Government, Punjab, Labour and Employment Departments only

Necessary instructions may please be issued to the various Employment Exchanges to sponsor the cases of Tibetan Refugees, if they are otherwise suitable for employment to various posts/services under the Punjab Government.

3. The receipt of this communication may please be acknowledged.

Copy of Punjab Government Circular letter No. 648-6GS-63/3318, dated 14th February, 1963, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Reduction in the number of peons in Government Offices.

I am directed to address you on the subject noted above and to say that the question of reducing the number of peons has been considered by Government and an analysis of the time spent in the office by peons has shown that they remain idle for a considerable portion of the day and consequently a sizeable reduction in the number of peons is possible. The matter has also been carefully examined by a Committee under the Chairmanship of the Financial Commissioner, Development and the conclusion arrived at is that the number of peons in Government offices can and should be reduced. In this background, Government have on the recommendations of the

Committee decided to fix the following scales of peons for officers and offices in the State :—

I. Peons attached to Officers :—

- (a) All Heads of Departments should have only two peons each where at present two or more are attached.
- (b) All field or executive officers at the district level (e.g. Deputy Commissioner, Superintendent of Police and Executive Engineer) or above should have two peons each where two or more are attached at present.
- (c) The following officers should have two peons each—
 - (i) Financial Commissioners.
 - (ii) Chief Secretary.
 - (iii) Planning Commissioner.
 - (iv) Commissioner for Home Affairs.
 - (v) Commissioner, Hill Areas.
 - (vi) Education Commissioner.

Note.—This scale is considered necessary because of the nature of the work of these officers e.g. touring, judicial work, number of visitors, reception of V.I.Ps., urgent work and law and order problems.

- (d) All other Administrative Secretaries should have one peon each, except that the Finance Secretary should be allowed an additional peon for four months in the year when the budget work is at its height.
- (e) All other officers should have one peon each where one or more are already allowed.
- (f) Where peons are at present shared, they should continue to be so shared.

Note.—The term 'Peon' includes functionaries like 'Jama-dars,' 'Khalasis', orderlies and police orderlies. It should, however, be left to the department to decide as to whether they should provide orderlies, etc., or peons.

- (g) Where an Administrative Secretary or Head of Department or other officer has more than one department in his charge, he should not, on that account, be entitled to any additional peon. For example, the Commissioner for Home Affairs should have two peons in all and no additional peon should be given to him as Chief Electoral Officer.

II. Office Peons:—

- (a) The following scales are prescribed for the normal branches and staff in offices—
- (i) for the Secretariat and offices of Heads of Departments—One peon for 13 ministerial hands ;
 - (ii) for other offices—one peon for 15 ministerial hands.

All organisations should be given their allotment of peons on this basis and its distribution among branches left to the discretion of the Head of the organisation. Where the present sanctioned strength is less than what this norm would give, the status quo should continue.

- (b) Future increases should be allowed at the following scales :—
- (i) for the Secretariat and Heads of Departments—One peon for 15 ministerial hands ;
 - (ii) for other offices—One peon for 20 ministerial hands.

Note.—Regarding II(a) and (b) above, marginal adjustments will be necessary for very small units comprising fewer officials than the number provided in the norm and also to cover marginal cases of expansion in staff to an extent less than the norm.

- (c) Special units in a particular organisation such as the Issue or Despatch Section or the Circulating Branch, cannot be governed by any norm. Their strength should be fixed on an *ad hoc* basis in consultation with the Finance Department, from time to time.
- (d) Leave reserve should be increased to 10 per cent. This is necessary because more than the present sanctioned leave reserve strength is generally on leave and with the reduced number of peons, it will not be possible to give additional charge to any peon.

2. I am to request that the above scheme should be implemented immediately. A statement showing the net reduction in the number of peons and the savings per annum that would be effected as a result of this decision should be furnished to Government by the 1st of March, 1963.

3. The receipt of this letter may be acknowledged.

Copy of Circular letter No. 1946-8GS-63/6399, dated the 16th February, 1963 from Shri Saroop Krishen, I.C.S. Financial Commissioner Planning and Additional Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject.—Observance of punctuality in keeping appointments
Sir,

I am directed to say that it has been brought to the notice of the Government that some district officers particularly of the Revenue Irrigation and Police Departments arrange appointments with members of the public at outstations but later cancel their programme and do not keep the appointments or reach the place of appointment with delay. This results in great inconvenience and disappointment to the public and is open to objection. It is, therefore, requested that all officers under your control should be instructed to take particular care and to keep such appointments, and in case it becomes absolutely necessary for administrative reasons to cancel the appointments/programmes, information should be sent to the persons concerned at least 12 hours in advance. I am to add that contravention of these instructions will be viewed very seriously by the Government.

2. The receipt of this communication may please be acknowledged.

Copy of letter No. 1952-8GS-63/6924, dated the 21st February, 1963, from the Financial Commissioner Planning and Additional Chief Secretary to Government, Punjab, to All Heads of Departments, etc. etc.

Subject.—Coaching or Training Courses attended by the Punjab Government employees at the National Institute of Sports Patiala—Treatment of the period of their absence from duty for the purpose.

I am directed to invite your attention to Punjab Government letter No. 2393-8GS-62/11431, dated the 9th April, 1962, and to say that the concession of 30 days casual leave allowed

under these instructions, to Government employees who are sportsmen will also be admissible to sportsmen who are sponsored by the State Government for coaching or training in the National Institute of Sports, Patiala.

2. The receipt of this letter may be acknowledged.

Copy of Circular letter No. 1730-8GS-63/2044, dated the 25th February, 1963 from the Financial Commissioner Planning and Additional Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Combination of casual leave with autumn/winter/spring recess under the revised system of earned leave, holidays and working hours.

I am directed to refer to para (5) of Part VI, of the Punjab Government letter No. 4376-GII-59/2767, dated the 28th May, 1959, on the subject noted above and to say that a question has arisen as to whether casual leave can be combined with autumn/winter/or spring recess enjoyed by Government employees in the vacation Departments. It has been decided that casual leave should not, except in hard circumstances to be determined by the sanctioning authority, be combined with the autumn/winter/spring recess and that such combination should not in any case be allowed to exceed the spell of 16 days admissible under the rules.

2. These instructions may kindly be brought to the notice of all concerned for information and guidance. The receipt of this communication may please be acknowledged.

Copy of Punjab Government Circular letter No. 1922-11GS-63/7797, dated 25th February, 1963 from the Chief Secretary to Government, Punjab to All Heads of Departments, etc. etc.

Subject.—War Service concessions to servicemen etc. and civilian employees who undertake military service during the emergency.

I am directed to address you on the subject noted above and to say, that the question of the concessions to be extended to ex-servicemen and their families and to persons who undertake military service during the present emergency has been under the consideration of the Government and it has been decided as follows :—

I. Ex-servicemen and members of the Territorial Army belonging to Punjab:

(a) The maximum age limits prescribed for civil employment under the Punjab State will be relaxed in their favour and the period of their approved military service shall be excluded in counting their age for this purpose provided that —

- (i) they produce a certificate from the military authorities that they had continuous military service for a period not less than six months and were discharged because of demobilisation/reduction not more than three years prior to the date of their registration at an Employment Exchange or the date of application for employment under the State Government ; and
- (ii) they fulfil the qualifications other than those in respect of age prescribed for the posts applied for by them.

II. Disabled ex-servicemen and families of those killed in action :

(b) In addition to (a), ex-servicemen who become disabled while in military service will also be entitled to exclude from their age the period from the time they were disabled up to the date of their application for appointment or until the end of the emergency, whichever is earlier.

(c) Widows of deceased servicemen and wives of those who become disabled will be considered sympathetically for civil employment provided they fulfil the minimum qualifications prescribed for the posts applied for by them.

(d) Children of deceased/disabled servicemen will be considered sympathetically for civil employment if they fulfil the qualifications of the posts applied for by them.

III. State Government employees who are permitted to join military service during the emergency :

(e) The liens of the permanent employees will be retained. As regards temporary Government employees who join military service they will on return from such service be accommodated in their civil posts provided these posts are still in existence. Otherwise efforts will be made to accommodate them in equivalent posts.

(f) From the date of the issue of these instructions, no direct recruitment, on a substantive basis, shall be made to any post under the Punjab Government except with the sanction of Government and for special reasons to be recorded by the Administrative Department concerned. Recruitment made on temporary basis during this period will not entitle any employee to being made permanent in preference to those who have joined military service.

(g) The period spent on approved military service will count for seniority, promotion, increment, leave and pension in the civil appointment. The employees concerned will be entitled to *proforma* promotion in their present departments under the 'next below' rule and also to seniority in higher posts to which they would otherwise have been entitled if they had not proceeded on military service.

(h) They will be entitled to draw, during military service, the civil rates of pay and allowances admissible to them from time to time, or the military rates of pay and allowances, whichever are higher. In the case of those joining as JCOs/Other Ranks, however, the civil rates of pay and allowances which would have been admissible to them from time to time will be reduced by Rs 25 per month on account of free rations.

(i) They will retain their right or liability, as the case may be, of subscribing in accordance with the rules of the Fund concerned, to any Provident Fund of which they are members.

2. The above concessions will be in addition to the —

- (i) concessions given to ex-servicemen and their families by the Government of India ;
- (ii) concessions given to students who join military service by the Educational Department and/or the Universities concerned ;
- (iii) concessions given to Government employees who join military services by their respective departments in respect of all matters including medical facilities and retention of residential accommodation by their families.

3. It is requested that these concessions should be brought to the notice of all employees who are working under you or were working under you but have since joined military service.

4. The receipt of this letter may please be acknowledged.

Copy of letter No. 2152-8GS-63/7043, dated the 25th February, 1963, from the Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Grant of special casual leave to sportsmen.

In continuation of Punjab Government letter No. 2393-8GS-62/11431, dated the 9th April, 1962, on the subject noted above, I am directed to enclose a copy of Government of India, Ministry of Home Affairs Office memo No. 46/13/54-Ests (A), dated the 3rd December, 1956, on the above subject. I am to say that it has been decided by Government to extend the concession of 30 days special casual leave envisaged in Punjab Government letter No. 684-GII-58/13153, dated the 14th/20th February, 1958, to those Government employees also whose services are utilised in any of the Organisations mentioned in the sub-para 3(b)(i) of Government of India, Ministry of Home Affairs, Office Memo-No. 46/7/50—Ests., dated 5th March, 1954 forming an enclosure of Punjab Government letter, dated the 14th/26th February, 1958, referred to above, or by a State, Zone or Circle in connection with the coaching or administration of the teams participating in sporting events of national or inter-national importance.

2. The instructions will come into operation from the date of issue and past cases which have already been decided will not be re-opened.

3. A complete and up-to-date list of National Sports Federations/Associations recognised by the All India Council of Sports will be circulated in the due course.

4. The receipt of this communication may be acknowledged.

Copy of Office memo No. 46/13/54-Ests(A), dated the 3rd December, 1956, from the Government of India, Ministry of Home Affairs.

Subject.—Participation by Central Government servants in sporting events and tournaments national or inter-national importance—Treatment of the period of their absence from duty for the purpose.

The undersigned is directed to invite a reference to this Ministry's Office memo-No. 46/7/50-Ests, dated the 5th April,

1954, on the above subject, and to say that the Government of India have decided to extend the concessions granted therein to those Government servants also whose services are utilised in any of the organisations mentioned in sub-para 3(b)(i) of the communication mentioned above or by a State, Zone, or Circle in connection with the coaching or administration of the teams participating in sporting events of national or international importance.

2. Past cases which have already been decided will not be reopened.

3. In so far as persons serving in the Indian Audit and Accounts Departments are concerned, these orders are issued with the concurrence of the Comptroller and Auditor-General of India.

Copy of Circular letter No. 3741-8GS-63/9352, dated the 19th March, 1963 from Shri Saroop Krishan, I.C.S., Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc. etc.

Subject.—Revised System of Earned Leave, Holidays and Working Hours.

In continuation of Punjab Government letter No. 7365-GS-60/30440, dated the 29th August, 1960 on the subject noted above, I am directed to clarify that in the matter of earned leave all temporary employees whether appointed for a period of less than six months or more will unless there are specific conditions in the terms of their appointment to the contrary, be governed by leave rules applicable to temporary employees as contained in Part C of Section III of Chapter VIII of the Punjab Civil Services Rules, Volume I, Part I.

2. These instructions are brought to the notice of all concerned for guidance. The receipt of this communication may also be acknowledged.

Copy of Punjab Government Circular Letter No. 5410-3GS-63/11926, dated 28th March, 1963 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Age of compulsory retirement—raising of.

I am directed to say that the question of raising the age of compulsory retirement has been considered by the Government and it has been decided to raise the age of compulsory retirement of State Government employees from 55 years to 58 years with effect from the 1st December, 1962, subject to the exception that, the age of retirement of Patwaris, ministerial staff and Class IV Government employees, including new entrants will remain 60 years in case this practice is being followed according to the rules governing their service conditions.

2. A Government employee who attained the age of compulsory retirement on or after 1st December, 1962 or who was on leave preparatory to retirement or proceeded on such leave on or after 1st December, 1962, will not be entitled to the benefit of the increased age of compulsory retirement unless he is permitted to resume duty after the appointing authority is satisfied that he is efficient and physically fit.

3. Government employees who had already retired before 1st December, 1962, or who were on refused leave on 1st December, 1962, beyond the date of compulsory retirement are not entitled to resume duty under these orders. Those employees, however, who on 1st December, 1962, were on refused leave beyond the date of compulsory retirement may be re-employed, if fit.

4. Government employees who are on extension in service on the date of the issue of these orders may be allowed to continue in service up to the age of 58 years.

5. Scientific and technical personnel may be given extension in service or re-employment beyond 58 years subject to the instructions issued in the matter from time to time.

Amendment
made,—
vide Punjab
Govern-
ment Cir-
cular letter
No. 5599.
3GS-63/
12652,
dated 8th
April,
1963.

6. Notwithstanding any thing contained in the foregoing paragraphs, the appointing authority may require a Government employee to retire after he attains the age of 55 years on three months' notice without assigning any reason. This will be in addition to the provisions already contained in rule 5.32 of the Punjab C.S.R., Volume II, to retire an officer who has completed 10 years qualifying service and will normally be exercised to weed out unsuitable employees after they have attained the age of 55 years. A Government employee may also, after attaining the age of 55 years, voluntarily retire after giving three months' notice to the appointing authority.

7. Detailed instructions for regulating the period between the date of compulsory retirement of the Government employees who have already attained the age of compulsory retirement and the date they are permitted to resume duty by the appointing authority under paragraph 2 above, and other conditions, will follow.

8. The orders shall apply to all Government employees in the integrated State.

9. Necessary amendments to the rules will be issued separately, in due course.

10. These orders issue in consultation with the Finance Department,—*vide* their U.O. No. 723-(2)-FRI-63, dated the 8th March, 1963 and U.O. No. 3736-FRI-63, dated the 28th March, 1963.

* * *

[Published in the PUNJAB GOVERNMENT GAZETTE, Legislative Supplement Ordinary, dated the 31st May, 1963]

PART III

HOME DEPARTMENT

NOTIFICATION

The 23rd May, 1963

No. G.S.R. 123/Const./Art. 309/63.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, and in supersession of all the corresponding rules issued in this behalf, and in force for the time being, the Governor of Punjab is pleased to make the following rules

for regulating the appointment and conditions of service of persons appointed to the Punjab State (Class IV) Service:—

Short title,
commence-
ment and
application.

1. (1) These rules may be called the Punjab State (Class IV) Service Rules, 1963.

(2) They shall come into force from the date of their publication in the PUNJAB GOVERNMENT GAZETTE.

(3) They shall not apply to any person for whose appointment and conditions of service special provision is made by or under any law for the time being in force.

Definitions.

2. In these rules, unless the context otherwise requires—

- (a) "Direct appointment" means an appointment made otherwise than by promotion within the service or by transfer of an official already in the service of the Government of a State or the Government of India.
- (b) "Government" means the Punjab Government in the Administrative Department;
- (c) "Head of Department" means the authority as defined in rule 2.25 of the Punjab Civil Services Rules, Volume I, Part I, and includes any other authority who is specially appointed by the Government to exercise the powers of a Head of Department for the purposes of these rules.
- (d) "Head of Office" means the authority as defined in rule 2.26 of the Punjab Civil Services Rules, Volume I, Part I; and
- (e) "Service" means the Punjab State (Class IV) Service.

Authorities
empowered
to make
appoint-
ments.

3. All appointments to posts in the Service shall be made by the Heads of Departments and Heads of Offices, as the case may be; provided that the Heads of Departments or the Heads of Offices may delegate these powers to their subordinate officers in respect of appointments to posts in their offices, for the purpose of this rule.

Notionality
and
domicile.

4. (i) No person shall be appointed to the Service, unless he is—

- (i) a citizen of India, or
- (ii) a subject of Sikkim, or

(iii) a subject of the State of Pondichery, or

(iv) a person of Indian origin, who has migrated from Pakistan with the intention of permanently settling in India :

Provided that, subject to the issue of a certificate of eligibility in his favour, a subject of Nepal or a Tibetan who came over to India before the 1st January, 1962, with the intention of permanently settling in India, may also be appointed to any post in the service :

Provided further that a candidate belonging to category (iii) or (iv) above must be a person in whose favour a certificate of eligibility had been given by the competent authority, and if he belongs to category (iv) the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become a citizen of India.

(2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the recruiting authority on his furnishing proof that he has applied for the certificate and he may also provisionally be appointed subject to the necessary certificate being given to him by the competent authority.

5. No person shall be recruited to the Service by direct Character. appointment unless he—

(a) produces certificates of character from two responsible persons, not being his relatives, who are well acquainted with him in private life ;

(b) is not less than 16 years and not more than 35 years of age on the date of appointment ;

Age and other qualifications.

(c) has not more than one wife living and in the case of a woman, is not married to a person already having a living wife ;

Provided that the Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this clause ; and

(d) possesses the requisite knowledge of the regional

languages and of English as may be prescribed by the Government from time to time :

Provided that the appointing authority may, if it is of the opinion that the candidate is otherwise fit to discharge his duties satisfactorily, relax any of the qualification prescribed under this clause.

Method of
appointment.

6. (1) Posts in the service shall be filled—
 - (a) in the case of posts carrying the grades of Rs. 30— $\frac{1}{2}$ —35.
 - (i) by direct appointment ; or
 - (ii) by transfer or deputation of an official already in the service of the Government ; and
 - (b) in the case of other posts in the Service carrying higher grades—
 - (i) by direct appointment ; or
 - (ii) by promotion from the officials working in the next lower grades ; or
 - (iii) by transfer or deputation of an official already in the service of the Government :

Provided that in the case of an appointment by promotion, the appointing authority shall satisfy itself about the capability of the official to perform the duties of the posts for which he is selected.

(2) The appointing authority shall ensure that the grounds of ignoring a senior official in favour of a junior one are invariably recorded in writing and the proportion fixed by it for filling up the posts by promotion and otherwise is maintained.

(3) When any vacancy occurs or is about to occur in the Service, the Head of Department or the Head of Office, as the case may be, shall determine the manner in which it shall be filled keeping in view the proportion fixed under clause (2) above.

(4) No official shall have any claim to appointment by promotion or transfer as of right.

7. The Service shall comprise the posts classified as Class IV, within the meaning of rule 1.2 of Punjab Civil Service Rules, Volume I, Part I, and nothing in these rules shall affect the inherent right of the Government to make additions or reductions in the cadre of the Service either permanently or temporarily.

Number
and charac-
ter of posts.

8. (1) Persons appointed to the Service shall remain on probation for a period of two years :

Probation of
member of
the service.

Provided that —

(a) any period, after appointment to the Service, spent on deputation on a corresponding or a higher post shall count towards the period of probation fixed under this rule ;

(b) in the case of an appointment by transfer, any period of work in similar rank or above, prior to appointment to the Service may, at the discretion of the Government, be allowed to count towards the period of probation fixed under this rule ; and

(c) an officiating appointment in the Service shall be reckoned as a period spent on probation but no member who has thus officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent post.

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

(a) dispense with his services, if recruited by direct appointment ; or

(b) if recruited otherwise—

(i) revert him to his former post ; or

(ii) 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 he was appointed against a permanent vacancy confirm such person from the date of his appointment or if he was not so appointed,,

confirm him from any date following such appointment from which a permanent vacancy exists ; or

- (b) if there is no permanent vacancy, declare that he has completed his probation satisfactorily ; or
- (c) if his work or conduct has, in its opinion, not been satisfactory, (i) dispense with his services, if recruited by direct appointment ; or (ii) if recruited otherwise revert him to his former post, or (iii) deal with him in such other manner as the terms and conditions of his previous appointment permit ; or
- (d) extend his period of probation and thereafter pass such orders as it would 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.

9. The seniority *inter se* of members of the Service holding the posts in the same grade, shall be determined with reference to the date of their appointment to such posts :

Provided that after joining they have continuously served on such posts ; and

Provided further that if two or more members are appointed in the same grade 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 ;
- (b) a member recruited by promotion shall be senior to a person recruited by transfer ;
- (c) in the case of members who are recruited by promotion seniority shall be determined according to their seniority in the appointments from which they are promoted ;
- (d) in the case of members recruited by transfer from the same office, seniority shall be determined according to seniority in the appointments previously held in that cadre ;

- (e) in the case of members who are recruited by transfer from different departments or offices of the Government, 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 rate of pay drawn be the same, an older member shall be senior to a younger member ; and
- (f) in the case of members recruited by direct appointment seniority shall be determined by their age, an older member being senior to a younger member ;

Provided that in the case of members recruited by direct appointment the order of merit, if any, drawn up at the time of the selection shall not be disbursed and persons recruited as a result of an earlier selection shall be senior to those appointed as a result of a subsequent selection :

Provided further that in the case of members whose period of probation is extended under rule 7, the date of appointment for the purposes of this rule shall be deemed to have been deferred to the extent the period of probation is extended.

10. Members of the Service shall be entitled to such scales of pay as may be sanctioned from time to time for the posts to which they are appointed. pay of members of the Service.

11. In respect of leave, pension and other cognate matters not specifically mentioned in these rules, the members of the service shall be governed by the Punjab Civil Services Rules or such other rules as are from time to time framed or issued under the proviso to Article 309 of the Constitution of India. Leave, Pension, etc.

12. Every member of the service shall be liable to transfer under the orders of the appointing authority prescribed in rule 3 from posts within their respective classes of appointment to other posts in the Department and also anywhere within the jurisdiction of such authority. Liability to transfer.

13. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952 : Authorities empowered to impose penalties and right of appeal.

Provided that the nature of penalties which may be imposed the authority empowered to impose such penalties and the appellate authority shall, subject to the provisions of any law or rules made under Article 309 of the Constitution of India, be as specified in Appendix 'A' to these rules ;

(2) the authority competent to pass an order reducing or withholding the maximum pension admissible under the rules governing pension and terminating the appointment otherwise than upon reaching the age fixed for superannuation and the appellate authority shall be as specified in Appendix 'B' to these rules.

Liability for
vaccination
and revacci-
nation.

14. Every member of the Service shall have himself vaccinated or revaccinated when the Government so directs by a special or general order.

Oath of
allegiance.

15. Every member of the Service, unless he has already done so, shall be required to take the oath of allegiance to India and to the Constitution of India as by law established.

Power to
relax.

16. Where the Government is satisfied that the operation of any of the rules causes undue hardship in any particular case, it may, by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

APPENDIX 'A'

[See Rule 13 (f)]

Designation of officials	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority
All Class IV servants employed in Government Department	Head of Department concerned	(a) Censure ; (b) Withholding of increments or promotion ; (c) Recovery from pay of whole or part of any pecuniary loss caused to Government by negligence or breach of order ; (d) Reduction to a lower post or time scale or to a lower stage in a time scale ; (e) Suspension ; (f) Removal from Service which does not disqualify for future employment ; (g) Dismissal from service which ordinarily disqualifies from future employment	Head of Department concerned	Government
All Class IV Servants employed in Government Offices	Head of Office concerned	All the above penalties from (a) to (g)	Head of office concerned	Head of Department concerned

APPENDIX 'B'

[See Rule 13 (2)]

Designation of officials	Appointing Authority	Name of Order	Authority empowered to pass original orders	Appellate authority
All Class IV Servants employed in Government Department	Head of Department Concerned	(i) Reducing the maximum amount of ordinary pension admissible under the rules governing pensions (ii) Termination of appointment otherwise than upon reaching the age fixed for superannuation	Head of Department concerned	Government
All Class IV servants employed in Government Offices	Head of Office concerned	Above orders (i-ii)	Head of Office concerned	Head of Department concerned

Copy of U.O. Circular letter No. 5142-3GS-63, dated 25th May, 1963 from the Chief Secretary to Government, Punjab to All the Administrative Secretaries to Government, Punjab.

Subject.— Grant of extension in service and re-employment of Government servants both gazetted and non-gazetted after the age of retirement.

The existing instructions as contained in para 2 (vii) of this Department un-official circular No. 9246-GII-57, dated the 8th January, 1958, are that cases for re-employment/continued re-employment/grant of extension in service should reach the Administrative Secretary at least three months before the crucial date i.e., the date of superannuation or the date on which the term of re-employment/grant of extension in service expires. It has been observed that this time limit does not provide sufficient time for the cases being scrutinised and processed, properly. It has, therefore, been decided that in future all cases of re-employment/continued re-employment/grant of extension

in service should reach the Administrative Secretary concerned at least *four months* before the date of superannuation or the date on which the terms of re-employment/extension in service expires, as the case may be and the Administrative Secretaries should forward them to the Chief Secretary (in the General Services Branch), *three months* before that date.

2. Similarly, Punjab Government letter No. 1417-3GS-63/4884, dated the 13th February, 1963, provides that in cases for refusal of leave preparatory to retirement, Government employees should, as a rule, intimate in writing his intention with regard to leave preparatory to retirement to his Head of the Department with an advance copy to the Administrative Department concerned, three months before the date on which he proposes to proceed on leave or three months from the date from which ordinarily the leave preparatory to retirement would commence in his case. It has now been decided that this period should also be increased to four months as in the case of re-employment/extension in service. The instructions in question should therefore be considered to have been modified to this extent. Furthermore, all cases pertaining to requests for grant of benefit of refused leave preparatory to retirement should reach the Chief Secretary (in the General Services Branch) within a month of the receipt of leave application.

3. It is requested that these instructions should be complied with strictly in future. In the event of default the Government may not find possible to allow the request for re-employment, continued re-employment/extension in service after the date of superannuation, with the result that the officer concerned might lose the leave as well as the benefit of refused leave after the date of superannuation.

4. The receipt of this communication may kindly be acknowledged.

Copy of letter No. 7386-8-GS-63/20345, dated the 29th May, 1963 from Shri Saroop Krishan, I.C.S. Financial Commissioner Planning and Additional Chief Secretary to Government, Punjab to the address of All Heads of Departments, etc.

Subject.—Recruitment through the Subordinate Services Selection Board.

I am directed to invite a reference to the Punjab Government letter No. 4832-GS-60/34308, dated the 16th September, 1960 on the subject noted above and to say that it has been

suggested that in order to provide an impetus to matriculate peons to improve their prospects, they may be appointed as clerks on temporary basis till the candidates recommended by the Subordinate Services Selection Board, Punjab become available or for a period of six months whichever is earlier. After consultation with the Subordinate Services Selection Board, it has been decided that matriculate peons may be so appointed on the temporary basis against the permanent vacancies in emergent cases till candidates recommended by the Board report for duty or for a period of six months whichever is earlier. A requisition in such cases should also be placed with the Board simultaneously and copies of the orders making appointments on temporary basis should invariably be forwarded to the Board for information.

2. The question has also arisen whether a peon appointed as Clerk should be allowed usual pay of a clerk on his initial appointment. I am to state that the appointment of a peon as a Clerk is strictly not a case of promotion, as the two posts belong to different services, i.e. Class IV and Class III respectively. Such cases are not therefore, covered by para 1 (v) of the instructions contained in P.G. Letter No. 15055-1GS-61/44784, dated the 15th December, 1961. They will be taken on apprenticeship basis for two months at a stipend of Rs 40 p.m.

3. The receipt of this communication may kindly be acknowledged.

Copy of U.O. Circular letter No. 6994-2GS-63, dated 18th June, 1963 from the Chief Secretary to Government, Punjab to All the Administrative Secretaries to Government, Punjab.

Subject.—Pension clearance Certificate from the Vigilance Department.

Will—

(i) All Financial Commissioners, Punjab,

(ii) All Administrative Secretaries to Government, Punjab.

please refer to the instructions issued with this department U.O. reference No. 10873-G11-57, dated the January, 1968 to all Administrative Secretaries saying that the pension cases of the Gazetted Officers should not be finalised without first obtaining a clearance certificate from the Anti-Corruption (now Vigilance) Department ?

2. It has been pointed out by the Vigilance Department that while asking for the issue of a clearance certificate, the Administrative Departments generally intimate only the date of retirement of the officer concerned and not the details of his service and posting(s). This makes the checking of the relevant records difficult. It has, therefore, been decided that in future while requesting for the issue of a clearance certificate the Departments should invariably supply the following information to the Vigilance Department :—

- (i) the details of service and postings of the officer for the last five years ; and
- (ii) the details of any misconduct of the officer which might have been brought to the notice of the Administrative Department earlier.

Copy of letter No. 7742-3GS-63/22947, dated 18th June, 1963 from Sirdar Gian Singh Kahlon, I.C.S. Chief Secretary to Government, Punjab, to All Heads of Departments, Commissioners of Divisions, Registrar, High Court etc., etc.

Subject.—Concessions to Scheduled Castes/Tribes and Backward Classes in the matter of application/examination fee who apply for posts advertised by the Commission/Board.

I am directed to say that a concession in the matter of application/examination fee was originally granted to members of the Scheduled Castes/Tribes and Backward Classes, who seek admission to the examinations conducted by the Commission. This concession was further extended in respect of examination conducted by the Board.

2. A question arose whether the application/examination fee concession allowed by the State Government to Scheduled Castes/Tribes and Backward Classes was admissible to members of Scheduled Castes/Tribes and Backward Classes of all the States in the Country or to persons residing in the State of Punjab alone. The matter has been considered by the Government and it has been decided that the concession allowed be admissible to Scheduled Castes/Tribes belonging to all the States in the country but the concessions to Backward Classes is admissible in the case of members of the Backward Classes of the Punjab State alone.

Copy of Punjab Government Circular Letter No. 7820-6GS 63/21608, dated 27th June, 1973 from the Chief Secretary to Government, Punjab to all Heads of Departments etc. etc.

Subject.—Expeditious disposal of cases involving financial liability of Government—Delays in taking disciplinary action.

I am directed to invite your attention to the instructions contained in Punjab Government letter No. 5356-G(C)-56/1986, dated the 26th/31st July, 1965 and No. 6757-6GS-60/31334, dated the 27th September, 1960, which inter alia laid down that cases involving financial liability of Government should receive your personal attention for fixing responsibility on the Government servants concerned, taking timely action against all the delinquents and that it should be handled at all levels at the highest possible priority so as to eliminate any chance of loss owing to delayed action against those who are found guilty of negligence of duty in this behalf. The Public Accounts Committee have again pointed out that notwithstanding their repeated observations regarding inordinate delays in undertaking investigations into the irregularities immediately after they come to notice, inordinate delays continue to occur in regard to investigation and fixation of responsibility for various lapses. Such a state of affairs cannot be viewed with equanimity. They have further observed that in the Engineering Departments in particular, investigation and departmental proceedings have been allowed to drag on by which Government might find itself handicapped in taking action against the officials concerned either because they might retire or the relevant records might not be available. The Committee have noticed a general tendency, particularly on the part of Engineering Departments to cover up lapses on the part of the officials/officers and to give evasive or equivocal explanations. Government have taken a very serious view of such state of affairs.

2. All Departments are expected to investigate the irregularities as soon as they come to their notice and to take prompt and suitable action against the delinquent officials so that the decision taken could be fully implemented. With a view to remedy the situation to which the Committee has drawn attention, it has again been considered necessary to impress upon you (especially the Engineering Departments) to ensure speedy investigations of all cases involving financial irregularities committed by Government employees and timely action against all lapses.

3. The receipt of this communication may kindly be acknowledged.

Copy of Punjab Government Circular letter No. 8484-6GS-63/23957, dated 3rd July, 1963, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Observance of punctuality in keeping appointments.

I am directed to invite your attention to Punjab Government letter No. 1946-8GS-63/6299, dated the 16th February, 1963, on the subject cited above and to say that the State Government have received complaints that the instructions contained therein are not being fully observed. I am accordingly to request that steps should be taken to ensure that they are implemented strictly in future. It may be noted that these instructions apply to district officers as well as to others and all such officers should make it a point to adhere to the appointments fixed by them for meetings, interviews, hearing of cases etc. whether at the headquarters or in camp. I am also to emphasise, that Government will take serious notice of cases of non-compliance with these instructions in future.

Copy of Punjab Government Circular letter No. 8323-6GS-63/22817, dated 5th July, 1963, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Punjab Government Servants (Conduct) Rules, 1955—Form of report to be submitted to the prescribed authority regarding purchase of land material etc. for building/making additions to a house—Rule 8 thereof.

In supersession of Punjab Government letter No. 2874-GH-58/49622, dated the 26th June, 1958, on the subject cited above, I am directed to say that the construction/extension of a house by a Government employee amounts to acquisition by

him of a immovable property for which the previous knowledge or sanction, as the case may be, of the prescribed authority, is required under rule 8 of the Punjab Government Servants' (Conduct) Rules, 1955. A question has been raised whether the purchase of any movable property, exceeding five hundred rupees in value, required for the construction/extension of the house comes within the scope of rule 8(2) *ibid*, which requires that a report of such transactions shall forthwith be sent to the prescribed authority. It would, obviously, be cumbersome and inconvenient if such reports have to be made in respect of every such purchase made in connection with the building of/addition to the house. At the same time the purpose of the rule would be defeated, if a check is not kept on such purchases merely because permission has been given for the building of/ addition to house just before the construction begins. It is, therefore, necessary that whenever a government employee wishes to build a house or make extensions to it, the following procedure should be followed.

2. Before starting construction of the house, or extension thereof, he should report or seek permission, as the case may be, in form I and after completion of the house/extension, he should report in Form II to the prescribed authority.

3. The details in the *pro forma* should be furnished whenever it is possible to do so. Where, however, it is not possible to furnish these details, the officer, should mention the covered area on which the building is proposed to be erected and estimated cost of the building.

4. These instructions may pleased be brought to the notice of all Government employees under your control for compliance and its receipt acknowledged.

FORM I

(Form of report/application (for permission) to the prescribed authority for the building of or addition to a house)

Sir,

This is to report to you that I propose to

This is to request that permission may be granted build/make addition to a house.

-----The
to me for the building of or addition to a house.
estimated cost of the land and materials for the construction/
extension.

LAND

- (1) Location (Survey numbers, Village, District, State)
- (2) Area.
- (3) Cost.

BUILDING MATERIALS.

- (1) Bricks (Rate/quantity/cost).
- (2) Cement (Rate/quantity/cost).
- (3) Iron and Steel (Rate/quantity/cost).
- (4) Timber (Rate/quantity/cost).
- (5) Sanitary fittings (cost).
- (6) Electrical fittings (cost).
- (7) Any other special fittings (cost).
- (8) Other charges, if any.
- (9) Labour charges.

Total cost of Land and Building.

Yours faithfully,

FORM II

(Form of report to the prescribed authority after completion of the building/extension of a house)

Sir,

In my letter No. _____ dated _____ I have reported

Permission was granted to me in Order No. _____ dated _____ that I proposed to build/make addition to a house

_____ .The

for the building of/addition to a house house/extension has since been completed and I enclose a valuation Report, duly certified to by (A firm of Civil Engineers, of repute) _____

of _____
Date :—

Yours faithfully,

(Signatures).

VALUATION REPORT

I/We hereby certify that I/we have valued House/
(Here enter details of the house/extension) extension
thereof _____

_____ constructed by Shri/
Shrimati (Here enter name etc. of the Government servant.)
_____ and I/we
give below the value at which we estimated the cost of the
house/extension under the following headings :-

Heading	Cost
	Rs. nP.
1. Bricks	..
2. Cement	..
3. Iron and steel	..
4. Timber	..
5. Sanitary fittings	..
6. All other special fittings	..
7. Labour charges	..
8. All other charges	..

Total cost of the Building/ extension	..

Dated

(Signature of the valuation authority)

Copy of letter No. 747-4GS-63/24400, dated 8th July, 1963, from the Financial Commissioner, Planning & Additional Chief Secretary to Government Punjab, to all Heads of Departments etc. etc.

Subject.—Concessions to civilian employees and others who join military service during the Emergency.

I am directed to refer to Punjab Government letter No.1922-11-GS-63/7798, dated the 25th February, 1963, on the above mentioned subject regarding the concessions to be given to persons who join military service during the present Emergency, and to say that the matter has been reviewed and in supersession of that letter, it has been decided as follows :—

Ex-Servicemen and Members of the Territorial Army

(a) The maximum age-limits prescribed for civil employment under the Punjab State will be relaxed in their favour and the period of their approved military service will be excluded in counting their age for this purpose provided that—

- (i) they produce a certificate from the military authorities that they had continuous military service for a period not less than six months and were discharged because of demobilisation/reduction not more than three years prior to the date of their registration at an Employment Exchange of the date of application for employment under the State Government ; and
- (ii) they fulfil the qualifications other than those in respect of age prescribed for the service/post applied for by them, save that if the competent authority certifies that a person who has rendered approved military service has acquired by experience or otherwise qualifications equivalent to those prescribed for the service/post, it may in his case relax the minimum qualifications prescribed for such service/post.

(b) The period of approved military service will count for increments, seniority and pension in the civil employment as under :—

- (i) *Increments.*—The period a person has spent on approved military service after he attained the minimum age for entry prescribed for the service/

post to which he is appointed will count for increments in the post to which he is appointed if such appointment is on an incremental scale. Where no age is prescribed the minimum age will be as laid down in rules 3.9, 3.10 and 3.11 of the Punjab Civil Service Rules, Volume II.

This concession will, however, be admissible on first appointment and not on subsequent appointments which might follow resignation, etc., from the first appointment. In the case, however, of a person who joins a second or subsequent post on transfer and who has not already availed of the concession, the concession will be admissible but only such benefit will be allowed to him as would have been admissible to him in the post to which he was appointed first.

(ii) *Seniority*.—An ex-serviceman who is appointed to a civil service will be assigned a place in the cadre of such service which will be fixed with due regard to his age and the period allowed to be deducted under b(i) above and will, as nearly as may be, correspond with the place which he would have been assigned if the Emergency had not intervened and he had qualified in the normal way.

(iii) *Pension*.—Approved military service will count towards pension only in the case of appointment to a permanent civil post and subject to the following conditions —

- (1) the ex-serviceman concerned should not have earned a pension under the military rules in respect of the service in question ;
- (2) in the case of the services/posts in respect of which a minimum age is fixed for recruitment, military service rendered below that age will not be allowed to count for pension ;
- (3) the bonus or gratuity paid in respect of military service by the defence authorities will have to be refunded to the State Government ; and

- (4) the break between the military service and the civil service will be condoned provided the break does not exceed one year. Breaks exceeding one year and not exceeding three years may also be condoned in exceptional cases under the orders of the Government.

*Disabled ex-servicemen and families of those killed
in action*

(c) In addition to (a), ex-servicemen who become disabled while in military service will also be entitled to exclude from their age the period from the time they were disabled up to the date of their application for appointment or until the end of the Emergency, whichever is earlier.

(d) Widows of deceased servicemen and wives of those who become disabled will be considered sympathetically for civil employment provided they fulfil the minimum qualifications prescribed for the service/post applied for by them.

(e) Children of deceased/disabled servicemen will be considered sympathetically for civil employment if they fulfil the qualifications of the service/post applied for by them.

*State Government Employees who are permitted to join
Military Service during the Emergency*

(f) State Government employees who are permitted to join military service during the Emergency will be seconded for military duty. Liens will be retained on the posts held substantively. As regards State Government employees holding posts on temporary/officiating basis, they will be entitled to the concessions contained in clauses (g) and (h) below so long as the posts remain in existence and the employees concerned continue to be entitled to hold the officiating/temporary posts on the basis of their seniority.

(g) The period spent on approved military service will count for seniority, promotion, increment, leave (subject to the procedure in clause (t) and pension in the civil appointment. The employees concerned will be entitled to *pro forma* promotion in their parent departments under the next below rule and

also to seniority in higher posts to which they would otherwise have been entitled if they had not proceeded on military service.

(h) They will be entitled to draw, during military service the civil rates of pay and allowances admissible to them from time to time, or the military rates of pay and allowances, whichever are higher. In the case of those joining as J.C.Os./Other Ranks, however, the civil rates of pay and allowances which would have been admissible to them from time to time will be reduced by Rs 25 per mensem on account of free rations.

(i) The period of military service in any rank will be treated as period spent on deputation on a corresponding post for being counted towards the period of probation fixed under the departmental service rules.

(j) The *pro forma* promotion of State Government employees on military service will be made on the basis of seniority-cum-merit. In case it is necessary for them to pass any departmental qualifying test for a particular promotion/increment, they will stand exempted from passing such a test for the period of the military service and for such period thereafter as would normally have been allowed to them to pass such a test but for proceeding on military service, provided that if a similar qualifying test has been passed by them while on military service they will be exempted altogether from passing such a test. At the same time, without prejudice to seniority, no confirmation will be made till the departmental qualifying test has been passed.

(k) Comparable civil posts will automatically stand created in the respective departments for such periods for which a part or whole of the expenditure on pay and allowance is borne by the State Government in respect of State Government employees who are on military service or under military training.

(l) As from 25th February, 1963, the date of the issue of the original instructions no direct recruitment on a substantive basis, will be made to any service/post under the Punjab Government except with the sanction of the Government and for special reasons to be recorded by the Administrative Department concerned. Recruitment made on temporary basis during this period will not entitle any employee to being made permanent in preference to those who have joined military service.

(m) If any temporary post is made permanent during the Emergency, it will be filled substantively but will be earmarked for the original temporary incumbent till his return from military service without prejudice to the continuance in civil employment of a person who is senior and has rendered longer service than the temporary civil servant who proceeded on military service.

(n) Temporary State Government employees, who after release from military service are absorbed in the posts from which they proceeded on military service or are appointed to posts with equivalent or similar grades, will be treated in the same manner as permanent State Government employees in respect of pay, seniority and pension on their return, irrespective of whether or not the posts on which they were working at the time of their joining the military service continued to remain in existence during the period of their military service. Temporary State Government employees who do not return to the same post or to a post in an equivalent or similar grade shall be treated in the same manner as new entrants under (a) and (b) above.

(o) If a person is successful in a competitive test for a Service/post, but has already taken up military service before the result is announced, his appointment will be made to the Service/post concerned and he will be considered as having been seconded for military duty, with effect from the date of such appointment.

Period of Military Training

(p) The successful period of military training followed by military service will be reckoned as approved military service for all purposes.

(q) If any of the State Government Employees, who are candidates for Emergency Commissions, withdraws, except for reasons beyond his control, from the training or fails to accept a Commission when offered on the completion of the training he will be liable to refund the cost of tuition, food and clothing, and pay and allowances, as may be decided upon by the Government of India. Besides, in the case of permanent State Government employees the entire period of absence from the civil employment on this account will be treated as leave without pay, and in the case of temporary State Government employees they will not be taken back in civil employment.

(r) During the period of military training the State Government employees will continue to receive pay and allowances of the posts which they were holding before being released for such training irrespective of whether or not a lien is retained on that post. In addition they will be entitled to the benefits of increments and promotion which may become due during this period.

Transit Period

(s) In regard to the transit period, the office memorandum No. 35/16/63-E st.(h), dated the 10th May, 1963, from the Government of India, Ministry of Home Affairs (Annexure 'A') will apply *mutatis mutandis* to the State Government employees.

Leave

(t) Permanent State Government employees who are permitted to take up military service during the present Emergency, will be allowed to earn leave during the military service according to the Civil leave rules applicable to them at the time of their transfer to military service. Temporary State Government employees will during military service be governed by the military rules in all respects. Office memorandum No. F.7XII(I) Est.IV/A/62, dated the 3rd April, 1963, from the Ministry of Finance (Department of Expenditure), Government of India, New Delhi (Annexure 'B') will apply *mutatis mutandis* to the State Government employees.

Provident Fund

(u) State Government employees who proceed on military duty will retain their right or liability, as the case may be, of subscribing in accordance with the rules of the Fund concerned, to any Provident Fund of which they are members. In case, however, a State Government employee was not a subscriber to any Provident Fund before transfer to military duty, he will be called upon to become a member of the D.S.O. P/A.F.P. Fund after completion of one year's continuous service from the date of his appointment on the civil side.

Accommodation

(v) State Government employees who are permitted to join military service will be allowed to retain, for their families, the Government residential accommodation allotted to them, on payment of rent at 10 per cent of their pay on civil posts.

Medical Facilities

(w) The families of all State Government employees on military service will be entitled to medical facilities on the same footing as families of officers who continue in comparable civil posts.

2. The above concessions will not have the effect of reducing in extent the following concessions but where the two sets of concessions operate in the same respect, the higher of the two will be admissible :—

- (i) the concessions given to ex-servicemen and their families by the Government of India ;
- (ii) the concessions given to students, who join military service, by the Education Department and/or the Universities concerned ; and
- (iii) the concessions which may be allowed by different Departments to their employees proceeding on military service.

3. Office memorandum No. 1/4/63/D (Pay Services), dated the 20th March, 1963, from the Government of India, Ministry of Defence, inclusive of Annexure III thereof (Annexure 'C') will apply *mutatis mutandis* to State Government employees except that—

- (i) as far as State Government employees who proceed on military duty are concerned, pay and allowances will include all types of pays mentioned in rule 2.44 of the Punjab Civil Service Rules, Volume I, Part I (including special pay on tenure posts); and
- (ii) the crossing of the efficiency bar in the civil scale will not be allowed as a matter of course but on the basis of the up-to-date record of service.

4. The concessions contained in this letter will apply in the case of all persons who have joined or join military service during the Emergency and will be in respect of approved military service rendered during the Emergency and for such period thereafter as the Government may prescribe.

5. It is requested that these concessions should be brought to the notice of all employees who are working under you or were working under you and have since joined military service.

6. The receipt of this letter may please be acknowledged.

(ANNEXURE A)

Copy of Office Memorandum No. 35/16/63-Est(B), dated the 10th May, 1963, from the Deputy Secretary to the Government of India, Ministry of Home Affairs, New Delhi-11- to all State Governments, etc. etc.

Subject.—Treatment of transit period in the case of Civil Government servants permitted to take up military service.

It has been decided in consultation with the Ministry of Finance that in the case of Civil Government servants, who are permitted to take up military service during the present emergency, the period between the date of their release from civil posts and the date on which they report themselves for training/duty to the military authorities shall be treated as duty in their civil posts, during which they should be entitled to civil rates of pay and allowances.

2. The transit period will not be treated as duty if the Government servant avails himself leave during the period and he will be allowed to draw only the civil leave salary for this period. The transit period shall not in any case exceed the joining time admissible under the rules applicable to the Civil Government servants concerned.

3. The disbursement of pay and allowances to the persons concerned for such periods shall be made by the Defence authorities and necessary debits in respect thereof will be raised subsequently against the civil department concerned.

4. Similarly, at the time of release of the persons concerned from military service the period between the date of their release and date on which they report for duty in their parent civil department shall be treated as duty in civil posts to which they may be appointed on such reversion and they will be allowed to draw pay and allowances of those posts during that period.

5. The Ministry of Finance, etc., are requested to extend these orders, if they have no objection, to the corporations and public undertakings under them. Copies of the orders issued may please be sent to this Ministry.

6. In so far as the persons serving in the Indian Audit and Accounts Departments are concerned these orders have been issued after consultation with the Comptroller and Auditor-General of India.

ANNEXURE B

Copy of office Memorandum No. F-7XII(I)-Est IV/A/62, dated the 3rd April, 1963, from Deput Secretary to the Government of India, Ministry of Finance, Department of Expenditure), New Delhi, to all Ministries of the Government of India and all State Governments.

Subject.—Leave conditions of Civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to invite a reference to the Ministry of Home Affairs, Office Memorandum (copy attached) No. F. 35/1/62- Ests. (B), dated the 4th December, 1962 on the above subject and to say that the President has been pleased to decide as follows:—

(1) The permanent civil Government servants, who remain subject to the civil leave rules will be granted leave during the period of their military service under the leave rules of the Armed Forces. The leave so granted will also be subject to the conditions and limits laid down in the leave rules of the Armed Forces.

(2) The balance of leave in the civil leave account at the time of their transfer to military service will be frozen.

(3) (i) The leave actually taken during military service will be adjusted in the civil leave account only at the end of military service and in the manner indicated below :—

(a) Annual leave against earned leave;

(b) Sick leave on full pay as commuted leave against half pay leave;

(c) Furlough on half pay/sick leave on half pay against half pay leave.

(ii) If a Government servant availed of leave during military service in excess of what he earned during that service under the civil leave rules, such excess consumption will be condoned in terms of Military Home Affairs Office Memorandum, dated the 4th December, 1962.

(iii) Accordingly the leave at credit in the frozen leave account will not be operated on for any purpose during military service.

(iv) The balance of leave earned during military service remaining at the credit of a Government servant on the date to his reversion after adjustment of leave availed of during that service as at sub-para (i) above, will be credited to his frozen leave account in terms of Military Home Affairs Office Memorandum, dated 4th December, 1962, to the extent that the total of leave at credit in the frozen leave account together with the balance of leave added under this clause does not exceed the limits up to which leave can be accumulated under the leave rules applicable to the Government servant.

(v) As the Civil Government servants will be granted leave under the leave rules of Armed Forces during the period of military service they will not be granted special disability leave under the civil leave rules.

4. (i) A permanent Civil Government servant who takes leave during the period of military service, will be entitled to leave salary under the leave rules of the Armed Forces. If a Government servant is in receipt of Civil rates of pay, the leave salary under the leave rules of the Armed Forces will be calculated with reference to the civil pay only.

(ii) In accordance with the Ministry of Home Affairs Office Memorandum, dated the 4th December, 1962, the leave salary in respect of the leave availed of during military service will be paid by the Defence authorities. The leave salary in respect of the leave earned during military service will, if such leave is availed of after reversion to the civil department, be the liability of the civil department concerned.

(5) The leave accounts of temporary Government servants who will be governed fully by the leave rules of the Armed Forces during the period of military service, will also be frozen. They will neither earn any leave under the civil rules during the period of military service nor will they be allowed any pecuniary benefit in respect of the leave at their credit on the date of transfer to military service. The leave at their credit in the frozen leave account will, however, be carried forward and made available to them on their reversion to the civil department.

(6) Quasi-permanent Government servants will be treated on par with temporary Government servants in the matter of leave on their transfer to military service.

2. These orders will remain in force for the duration of the emergency or until such time thereafter as the Government may deem fit to continue them.

3. In their application to persons serving in the Indian Audit and Accounts Department these orders issue after consultation with the Comptroller and Auditor General.

Copy of office Memorandum No. F. 35/1/62-Ests (B), dated the 4th December, 1962 from the Deputy Secretary to the Government of India, Ministry of Home Affairs, New Delhi-11. to all State Governments etc. etc.

Subject.— Leave conditions of Civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to say that it has been decided in consultation with the Ministry of Finance and the Ministry of Defence that permanent Civil Government servants who are permitted to take up military service during the present emergency shall be allowed to earn leave during military service according to the civil leave rules applicable to them before their transfer to military service. The amount of leave actually taken by such persons while in military service shall be deducted from their civil leave accounts. Any case of excess consumption of leave during Military service shall be condemned but if the leave taken during Military service is less than the leave earned during that service according to the civil leave rules the balance will be credited to their civil leave accounts.

2. Temporary Civil Government servants will during military service be governed by the military leave rules in all respects.

3. In all cases the leave salary will be paid by the defence authorities and no leave salary contribution shall be demanded by the Civil Departments from the Ministry of Defence.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned these orders have been issued after consultation with the Comptroller and Auditor General of India.

(ANNEXURE 'C')

Copy of Office Memorandum No. 1/4/63/D (Pay/Services), dated the 20th March, 1963 from the Under Secretary to Government of India, Ministry of Defence, New Delhi to all State Governments, etc. etc.

Subject.—Pay and Provident Fund of Civil Government servants who are permitted to take up military service during the present emergency.

Ministry of Home Affairs Office Memorandum No. F.35/1/62-Estt.(B), dated the 4th December, 1962 (copy at Annexure I) provides that all permanent Civil Government servants who are permitted to take up military service during the present emergency shall be allowed to retain their lien on their civil post during the period of their absence on Military service. The period of military service shall be treated as service outside the ordinary line for the purpose of proviso to F.R. 30(1) as a result of which they will be entitled to *proforma* promotion in their present Department under the 'Next below Rule' and also to seniority in their higher posts to which they would have otherwise been entitled if they had not been posted on Military service. That Ministry's Office Memorandum No. F.35/1/62/Estt.-B, dated the 4th December, 1962 (Copy at Annexure II) provides that Civil Government servants who are permitted to take up Military service during the present emergency shall be entitled to draw during Military service the Civil rates of pay and allowances which would have been admissible to them from time to time if they had not proceeded on military service or the military rates of pay and allowances whichever are higher. In the case of Civil Government servants who take up Military Service as J.C.O.s/O.Rs. the civil rates of pay and allowances which would have been admissible to them from time to time shall however, be reduced by Rs 25 per mensem on account of free rations.

2. The following instructions in respect of both permanent and temporary Civil Government servants are issued in order that the provisions of the above-quoted memoranda are fully implemented :—

- (i) The Defence authorities shall, while communicating the final selection to a Civil Government Servant, indicate the name and address of the Military Unit/

formation to which details of pay and allowances, etc. of the Civil Government servants should be communicated by the Civil Departments.

- (ii) As soon as the Civil Government servants struck off the civil post, his Administrative Officer (in the case of Non-Gazetted personnel) or the Accounts Officer (in the case of Gazetted personnel), shall forward his Last Pay Certificate and Gazette Notification or Office Order or Pt. II Order to the head of the Establishment to which the individual expected to report for training/service. In the case of personnel selected for grant of Emergency Commission, the Last Pay Certificate has to be forwarded to the Commandant of the Officers' Training School and in the case of personnel selected for J.C.O.s/O. Rs' appointments, it has to be forwarded to the Pay and Accounts Office Other Ranks concerned through the Commandant of the Training Centre/Unit. Character Rolls or Service Books of the individuals are not to be forwarded to the Military Departments.
- (iii) In the case of personnel selected for Emergency Commission, the Commandants of the Training Centres shall pay during the training period, to the Civil Government servants, net civil pay and allowances as are indicated in the last Pay Certificates. He shall make a further deduction of Rs 25 from the pay and allowance on account of food expenses. Such payments during the training period will be a charge on the Civil Services Estimates, reduced by the amount of any training allowance admissible, under the Defence Rules. Credits for the amounts deducted from pay on account of Provident Fund advances, etc., noted on Last Pay Certificate should, however, be afforded to the Civil Accountant General concerned. After the completion of training and on grant of Commissions, these documents of the individual concerned will be forwarded to the Controller of Defence Accounts (Officer). From the date of grant of the Commission, the officer will start drawing military pay and allowances or civil pay and allowances, whichever are higher. The Controller of Defence Accounts (Officers) will raise debits against the Civil Accountant-General for the excess of civil pay and allowances over military pay and allowances and

afford credits to him for the recoveries made on account of Provident Fund advances, etc., as noted on Last Pay Certificate.

- (iv) In the "case" of J.C.Os./O.Rs. etc. the Commandants of the Training Centre/units shall pay to the Civil Government servants either the civil pay and allowances reduced by Rs 25 or the military pay and allowances, whichever, are higher. In case the reduced civil pay and allowances are higher, debit for the difference shall be raised against the Civil Accountant-General by the C.D.A. (O.Rs.) who shall also afford credits to him for the recoveries made on account of Provident Fund advances, etc. as noted on Last Pay Certificate.
- (v) For purposes of determining whether civil pay and allowances are higher than military pay and allowances, the following elements shall be taken into account from Civil and Military Pay Code:—

Military Pay Code

Civil Pay Code

For J.C.Os./O.Rs., For Officers
etc.

Pay other than special pay, as defined in F.R. 9(21)(a) and dearness allowance. This includes officiating pay (other than short-term officiating pay) provided that the officiating appointments so held was not in a tenure post and it is certified by the appointing authority that but for the military duty the Government servant concerned would have continued to hold the officiating appointment

Pay including Rank Pay, Badge Pay, G.S. Pay, Good Conduct Pay, length of service increments, special pay, and dearness allowance

Pay including Acting rank Pay K.N.A., S.D.A. and Dearness Allowance

Military Pay Code

Civil Pay Code

For J.C.Os./
O.Rs., etc.

For Officers

Special pay granted in lieu of a separate higher scale of pay and special pays drawn in non-tenure appointments for specific additions to duty or arduousness of work subject to the conditions mentioned below, will also be taken into account :—

- (i) It must be certified that but for his military service, the Government servant would have continued to draw the special pay
 - (ii) Such special pay will be reckoned so long as the Government servant would have drawn the special pay
 - (iii) Such Special pay will be computed in the nature of personal pay to be absorbed in future increases in pay on the civil side
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Note.—The above is in supersession of all earlier decisions, including orders contained in Ministry of Home Affairs, Office Memorandum No. 47/13/62 Ests. (A), dated 22nd October, 1962.

- (vi) All local and compensatory allowances shall be regulated in accordance with the provisions of the Military Pay Code applicable at the place of posting, hazard pay, high altitude allowances, field

area concession and other benefits peculiar to military service shall be payable separately in accordance with military rules.

- (vi) The Civil Administrative Officer in the case of the non-Gazetted personnel, and Civil Accounts Officer in the case of the Gazetted personnel, shall communicate to the Controller of Defence Accounts (Officers) in the case of personnel selected for Emergency Commissions and to the Commandants of Regimental Centres in the case of personnel selected for J.C. Os./O. Rs., appointments, all office orders and administrative decisions including those relating to *pro forma* promotion under the 'Next below Rule' which might have a bearing on the pay and allowances of the individuals. All increments including crossing of efficiency bars in the civil scales for these personnel shall continue to be granted as a matter of course, unless a report from the military authorities is received indicating any punishments having the effect of stoppage of increments or pay and allowances.
- (viii) As permitted by the Ministry of Home Affairs Office Memorandum No. F.35/1/62, Estt. (B), dated the December, 1962, regarding Provident Fund (Copy at Annexure III) the Civil Government servant will continue as member of the Provident Fund to which he was subscribing before taking over Military duties. Contribution to the fund will be deducted by the Military authorities and credits for recoveries made will be afforded by the Civil accounts authorities concerned for adjustment in their books (In the case of class IV Government servants an intimation in respect of the credits will also have to be sent to the parent office). In case any Government servant was not a subscriber of any Provident Fund before transfer to Military duty, he shall be called upon to become a member of the D. S. O. P./A. F. P. P. Fund after completion of one year's continuous service from the date of his appointment on the civil side. In the case, the accounts of the officer will be maintained directly by the Military authorities any advance to be drawn from the Provident Fund shall be sanctioned by the competent Military

authorities in consultation with the authorities controlling the Provident Fund concerned and necessary debits will be raised or credits given to the Civil Accounts authorities for the payments and recoveries made, intimation being sent to the parent office in the case of class IV Government servants.

3. These instructions will be applicable *mutatis mutandis* to Civil Government servants who are permitted to take up service in the Navy and the Air Force.

4. These instructions will also be applicable *mutatis mutandis* to employees of such semi-Government organisations Public undertakings, State Governments etc. who have extended the provisions of the Ministry of Home Affairs Office Memorandum referred to in para 1 above, to their employees.

5. This Office Memorandum issues with the concurrence of the Ministries of Finance and Home Affairs.

6. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller Auditor-General of India.

ANNEXURE I

To Ministry of Defence Office Memorandum No. 1/4/63
D (Pay/Services), dated the 20th March, 1963

Copy of Government of India, Ministry of Home Affairs Office Memorandum No. 35/1/62 Ests (B), dated the 4th December, 1962, regarding lien of civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to say that it has been decided that all permanent civil Government servants, who are permitted to take up military service during the present emergency should be allowed to retain liens on their civil posts during the period of their absence on military service to enable to return to their civil posts on release from military service.

2. Under the Fundamental Rules a lien on the post temporarily held by civil Government servant cannot be granted. It has been decided that temporary civil Government servants who are permitted to take up military service should, if they so apply, be permitted to return to their civil posts on release from military service, provided those posts are still in existence at that time and the service rendered is "approved" military service.

3. It has further been decided in consultation with the Ministry of Finance that in the case of civil Government servants who are permitted to take up military service during the present emergency, the period of their military service shall be treated as service outside the ordinary line for the purpose of the proviso to F. R. 30 (1), as a result of which they will be entitled to *pro forma* promotion in their present department under the next below rule and also to seniority in higher posts to which they would otherwise have been entitled, if they had not proceeded on military service.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor-General of India.

ANNEXURE II

To Ministry of Defence Memorandum No. 1/4/63/D (Pay/Services), dated the 20th March, 1963.

Copy of Government of India, Ministry of Home Affairs Office Memorandum No. F 35/1/62-Ests (B), dated the 4th December, 1962, regarding pay of civil Government servants who are permitted to take up military service during the present emergency.

The undersigned is directed to say that it has been decided in consultation with the Ministry of Finance and the Ministry of Defence that Civil Government servants who are permitted to take up military service during the present emergency, shall be entitled to draw during military service, the civil rates of pay and allowances which would have been admissible to them from time to time if they had not proceeded on military service,

or the military rates of pay and allowances, whichever are higher. In the case of civil Government servants who take up military service as J.C.Os./Other Ranks, the civil rates of pay and allowances which would have been admissible to them from time to time shall, however, be reduced by Rs 25 per mensem on account of free rations.

2. It has also been decided that where the civil rates of pay and allowances are admissible the difference between these rates and the military rates will be paid by the Defence authorities and a debit thereof will subsequently be raised against the civil Department concerned.

3. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned these orders have been issued after consultation with the Comptroller and Auditor-General of India.

ANNEXURE III

To Ministry of Defence Office Memorandum No. 1/4/63/D (Pay/Service), dated the 20th March, 1963.

Copy of Government of India, Ministry of Home Affairs Office Memorandum No. F.35/1/62-Ests (B), dated the 4th December, 1962, regarding terms in the matter of Provident Fund of Civil Government servants who take up military service during the present emergency.

The undersigned is directed to say that it has been decided that Civil Government servants who take up military service during the present emergency shall, while so employed and subject to the conditions, stated below, retain their right or liability, as the case may be, of subscribing in accordance with the rules of the fund concerned, to any Provident Fund of which he is a member.

2. While in military service, subscriptions to the Provident Funds and the Government contribution towards the Account of a subscriber to the Contributory Provident Fund (India) will be calculated on the basis of the Government servants' emoluments (as defined in the rules of the different funds concerned). The Government contribution, where payable, towards the Provident Fund Account of a subscriber during the period of military service will form a charge against the Defence Services Estimates. Those estimates will, however, be entitled to a

refund of the whole amount charged thereto on this account, or of a proportion thereof as the case may be in any individual case in which the whole of the Government contribution with interest thereon, or a fraction thereof, is withheld under Rule 26 the Contributory Provident Fund Rules (India).

3. The above orders do not apply to —

- (i) persons in Railway Service who take up military service ;
- (ii) persons in other civil employ on contract who are so transferred to military service during the currency of their contracts ; and
- (iii) persons borne on the reserve of the Indian Forces who are called up for service in those Forces.

4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor-General of India.

Copy of letter No. 5213-6GS-63/23036, dated the 8th/16th July, 1963, from the Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab, to all Heads of Departments, etc.

Subject.—Admissibility of pay and allowances to Government employees on reinstatement.

I am directed to say that the provisions contained in sub-rules (2) and (4) of rule 7.3 of Punjab C.S.R., Volume I, Part I lay down *inter alia* that when a Government employee who was dismissed, removed or suspended from service is reinstated after he has been fully exonerated or, in the case of suspension after it has been held that the suspension was wholly unjustified, the Government employee shall be given full pay and allowances to which he would have been entitled, had he not been dismissed, removed or suspended from service as the case may be, and that the period of absence from duty shall be treated as period spent on duty for all purposes. The question regarding the admissibility of pay and allowances to such reinstated Government employees as secured employment during any period between dismissal, removal, discharge or termination of service and reinstatement, has been

under the consideration of the Government, and it has been decided that the pay and allowances admissible to them for the period prior to their reinstatement shall be reduced by the emoluments earned by them during such employment if the pay and allowances exceed such emoluments. If the pay and allowances admissible to them are equal to or less than the emoluments earned by them, no amount shall be paid to them.

2. These instructions will take effect from the date of issue. The receipt of this communication may be acknowledged.

Copy of letter No. 4656-6GS-63/24763, dated the 25th July, 1963 from Shri Saroop Krishen, I.C.S., Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab to the address of all Heads of Departments, etc. etc.

Subject.—Conduct of a Government employee in relation to the proper maintenance of his family.

I am directed to say that instances have come to the notice of the Government in which there has been failure on the part of Government employees in the matter of proper maintenance of their families and the question has arisen as to the action that can be taken in such cases. The position is that a Government employee is expected to maintain a reasonable and decent standard of conduct in his private life and not bring discredit to his service by misdemeanour of this type. Where, therefore, a Government employee is reported to have acted in a manner unbecoming of such employee, for instance by neglect of his wife and family, departmental action can be taken against him on that score. The Government Servants Conduct Rules should not, however, be invoked for this purpose and instead basis should be that neglect by a Government employee of his wife and family in a manner unbecoming of him can be regarded as a good and sufficient reason to justify action being taken against him in the terms of Rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, which specifies the nature of penalties that may for good and sufficient reason be imposed on a Government employee.

2. It should, however, be noted that in certain cases the party affected has a legal right to claim maintenance, and if any legal proceedings in that behalf are pending in a court of law, it would not be correct for the Government to take action against the Government employee as such action may be construed by the Court to amount to contempt.

3. It is requested that these instructions should be brought to the notice of all the employees under your control. The receipt of this communication may also be acknowledged.

Copy of letter No. 7918-3GS-63/26112, dated 31st July, 1963, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc.

Subject.—Practice of making recruitment under the Draft Service Rules—Subordinate Services Selection Board.

I am directed to say that the Secretary, Subordinate Services Selection Board has brought to the notice of Government a number of cases in which the Board was in the first instance approached to approve the appointment/promotion of particular candidates but when the request was not agreed to the respective Departments proceeded to make such appointments/promotions on their own, under the cover of draft service rules. The draft rules till finally approved and notified have no legal sanction behind them and appointments/promotions made thereunder are not regular. This is tantamount to short-circuiting the authority of the Board.

2. Government has already issued instructions in the case of the Commission, with Punjab Government U.O. reference No. 7516-G-4-54, dated the 17th December, 1954, that once a reference has been made to the Commission to fill the post by direct recruitment it should not be withdrawn save for exceptional reasons. It has now been decided that these instructions should be deemed to have been extended in the case of reference made to the Board as well.

3. Further, it is hardly necessary to emphasize that the services of the Board should be utilized to the maximum for the recruitment of staff so as to avoid unnecessary criticism of any favouritism by the department.

4. The departments who have not yet finalized their Service Rules should do so at the earliest possible date.

5. The receipt of this communication may kindly be acknowledged.

Copy of U.O. No. 9875-6GS-63, dated 21st August, 1963, from Chief Secretary to Government, Punjab to all Administrative Secretaries to Government, Punjab.

Subject.—Classification of posts/services.

The following are the broad criteria which are observed for the declaration of posts/services as Class I or Class II:—

- (a) **Class I posts/Services.**—All Gazetted posts the maximum of which exceeds Rs 1,000.
- (b) **Class I (Junior) posts/Services.**—This is a Class in existence peculiar to Punjab and, at present, Engineers in the P.W.D in the time scale of Rs 375—925 are so classified, while the existing category may continue, no new posts may be added to it.
- (c) **Class II posts/Services.**—All other gazetted posts the maximum of which is Rs 550 or above but does not exceed Rs 1,000.

These are only general considerations and are not intended to apply automatically to any existing or new posts/services. The Administrative Departments may keep in view the above criteria while recommending classification of posts/services to this Department, or framing service rules.

Copy of Punjab Government Circular letter No. 14089-3GS-63/35196, dated 16th September, 1963 from the Chief Secretary to Government, Punjab to all Heads of Departments etc. etc.

Subject.—Age of compulsory retirement—raising of

I am directed to invite reference to Punjab Government letter No. 5410-3GS-63/11926, dated the 28th March, 1963, on the subject noted above and to set out the following clarifications in respect of it.

1. (i) In the terms of para 2 of that letter a Government employee who attained the age of compulsory retirement on or after 1st December, 1962, or who was on leave preparatory to retirement or proceeded on such leave on or after 1st December, 1962, is entitled to the benefit of the increased age of compulsory retirement only if he is permitted to resume duty

after the appointing authority is satisfied that he is efficient and physically fit. In respect of physical fitness, it will be sufficient if a certificate to that effect from a Civil Surgeon is furnished and examination by a Board, etc. will not be necessary.

(ii) As regards the period between the date of compulsory retirement (at 55 years) and the date he was permitted to resume duty, this period will be treated as leave of the kind due. The amount of pension, death-cum-retirement gratuity and Provident Fund, already drawn by the Government employee will, however, have to be refunded by him together with interest, within two months of the issue of these orders.

(iii) A Government employee whose date of birth is 1st December, 1907 and who was due to retire on 1st December, 1962, on attaining the age of 55 years is eligible for the benefit of the enhanced age of compulsory retirement. It is immaterial in such a case whether he finally relinquished or handed over charge on the afternoon of 30th November, 1962, or on 1st December, 1962.

2. (i) In accordance with rule 8.21 of C.S.R., Volume I, Part I, the leave due to a Government employee would be treated as lapsed on his attaining the age of 55 years which has hitherto been the date of superannuation. The leave which has been treated as lapsed or would have so lapsed will now be revived and furthermore such a Government employee will continue to earn and enjoy leave under the normal rules till he reaches the age of 58 years.

(ii) The leave that could be carried forward by such a Government employee beyond the age of 55 years in the terms of 8.21 of C.S.R., Volume I, Part I, will cease to have the attributes of refused leave and will not automatically be granted to him, on his attaining the age of 58 years. For purposes of that rule, therefore, it will be necessary for him to apply again for leave preparatory to retirement, in sufficient time, before he attains the age of 58 years. If the leave so applied for, is refused in the public interest, he may be granted such refused leave after the age of 58 years. In view, however, of the extended age of retirement, the leave preparatory to retirement will now be refused most sparingly.

(iii) In the case, however, of a Government employee who has after 1st December, 1962 already retired after attaining the age of 58 years or who has less than six months to attain such age from the date of issue of these orders, the refused leave, if any,

carried forward beyond 55 years of age will not lapse. He may in such a case be granted after attaining the age of 58 years, the refused leave to the extent admissible to him on his attaining the age of 55 years reduced by the amount of leave, if any, availed of by him out of such refused leave, between the ages of 55 and 58 years, plus the leave, if any, applied for as preparatory to the final, cessation of duties and refused in the interest of public service, subject to a maximum of six months in all.

3. A Government employee who is required to retire or who himself chooses to retire under para 6 of the Punjab Government letter No. 5410-3GS-63/11926, dated the 28th March, 1963 may be allowed the leave due and admissible to him provided it does not extend beyond the date on which he attains the age of 58 years. If the leave is allowed to be availed of before the expiry of the period of notice, the period of notice or the unexpired period of notice, as the case may be, and the leave should run concurrently.

4. As regards pension to be allowed in such cases, it has been decided that the pension will be sanctioned on the basis of qualifying service of the individual Government employee concerned.

Copy of Circular letter No. 18405-9GS-63/46062, dated the 13th/19th December, 1963 from the Planning Commissioner and Additional Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject.—Economy in use of paper —Leave and transfer of Gazetted Officers.

I am directed to say that with a view to effecting economy in paper and printing in the present Emergency, the question of discontinuing the existing practice of notifying leave and transfer (including deputation and transfer to foreign service) of officers in the Punjab Government Gazette has been considered by Government, and it has been decided that the practice should be discontinued with immediate effect except in the following cases :—

- I. Cases in which statutory requirements make it necessary for a change in the incumbency of a post to be notified in the Gazette.
- II. In cases of transfer and deputation, appointments resulting from the following types of transfer,

should continue to be notified by the new employer of the transferee :—

- (i) Transfer of a non-gazetted employee to a Gazetted post.
- (ii) Deputation of an officer of the State Civil Service or the Indian Administrative Service holding a post in the State to the Centre.
- (iii) Deputation of officers of the State Government to ex-cadre posts under the State Government.

Appointments resulting from transfer of a Gazetted officer from one office to another should not, however, be notified if—

- (i) the transfer does not involve any change either in the grade of Service (including designation) or the cadre ; or
- (ii) the transfer involves a change in the cadre but no change in the grade of Service or designation of the post ; or
- (iii) the transfer involves a change in the designation of the post only without involving any change in the grade of Service or in the cadre.

III. Cases like first appointment to new posts or grade and subsequent promotions.

2. It may be noted that where , in pursuance of these instructions, Gazette notifications are discontinued, Office orders should continue to be issued and their copies endorsed to all concerned, including where necessary the audit authorities.

3. This issues with the concurrence of the Finance Department,—*vide* their U.O. Advice No. 12605-3FR11-63, dated the 15th October, 1963.

4. These instructions may be brought to the notice of all concerned and their receipt acknowledged.

Copy of letter No. 15717-4GS-63/47723, dated the 31st December, 1963, from the Planning Commissioner and Additional Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject.—Relaxation of age limit for entry into Government service for the wives of serving military personnel.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 19982-3GS-62/45907, dated the 27th December, 1962, on the subject noted above, and to say that it has now been decided by the Government to extend the concession of relaxation of age limit up to 45 years to widows of military personnel who are killed and to wives of those who are disabled while in military service, provided they are otherwise eligible for the posts in question.

Copy of Punjab Government Circular No. 19142-DSGS-64/1815, dated the 18th January, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject:—Speedy disposal of cases of Government servants under suspension—Instructions regarding.

I am directed to invite reference to Punjab Government letter No. 3624-GS-61/14607, dated the 21st April, 1961, on the subject cited above and to say that it has been brought to the notice of the Government that the instructions contained therein are not being strictly complied with by the officers entrusted with the conduct of departmental enquiries in disciplinary cases and as a result heavy delay occurs in the disposal of these cases. I am directed to emphasise once again that the above mentioned instructions should be followed carefully and moreover in cases of delay the persons dealing with such inquiries should be held responsible for the delay. It has also been decided by the Government that separate inquiry officers for holding inquiries should be appointed in those departments in which the number of departmental enquiries is large enough to provide wholetime work for such officers. In other cases Administrative Departments are requested to consider making one of their officers, both at the Secretariat and the Directorate level, responsible for pursuing the enquiry cases so that they are concluded without avoidable delay.

2. The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 18341-DSGS-63/3072, dated the 3rd February, 1964 from the Planning Commission and Additional Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject : Seeking redress in Courts of law by employees—grievances arising out of their employment or conditions of service.

I am directed to invite reference to Punjab Government Circular letter No. 4198-GII-59/5323, dated the 20th June, 1959, on the subject cited above, in which it is stated *inter alia* that when a Government employee desires to sue the Government in a court of law for the redress of grievances arising out of service matters, he may be informed that such permission is not necessary and that if he decides to sue the Government he may do so on his own responsibility. I am to say that on reconsideration it has been decided that, in such cases, it would be sufficient to inform the Government employee concerned that permission to sue the Government is not necessary, and the words "if he decides to have recourse to a court of law, he may do so on his own responsibility" should not appear in the communication to him.

Copy of letter No. 1569-Pol(3)-64/3714, dated the 22nd/24th February, 1964, from the Chief Secretary to Government, Punjab to all Heads of Departments in the Punjab, etc., etc.

Subject:— Grant of overtime allowance to peons who are called to duty after office hours and on holidays.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 6476-PI(C)-57/18892, dated the 23rd September, 1957, which *inter alia* lay down that the peons including Jamadars employed in the Secretariat offices and in the offices of Heads of Departments at their Headquarters are entitled to an overtime allowance of

00.37 NP per day, when they are detained in offices on official duty after one hour of the usual office hours. The question regarding grant of overtime allowance to these Peons and Jamadars if they are called upon to work more than one hour earlier than the usual office hours has been engaging the attention of Government for some time past. It has now been decided by Government that these Peons and Jamadars if they are called upon to work more than one hour earlier than the usual office hours will also be entitled to the overtime allowance at the same rates and conditions as laid down in the letter under reference.

2. This issues with the concurrence of the Finance Department,—*vide* U. O. No. 1148-3FR-63, dated the 23rd January, 1964.

Copy of Circular letter No. 1466-9GS-64/10394, dated the 28th March, 1964 from the Chief Secretary to Government, Punjab to all Head of Departments etc. etc.

Subject .—Leave to Scheduled Caste and Scheduled Tribes Government employees attending the pre-examination training centre for I.A.S. etc. examination at Allahabad and Bangalore.

I am directed to say that it has been decided by the Government that Scheduled Caste and Scheduled Tribes Government employees selected for training at the Pre-examination Training Centres for I.A.S. etc. Examination at Allahabad or Bangalore may be granted leave (earned leave) etc. as may be due to them under the normal rules, including extra-ordinary leave. Individual cases in which leave due, including extra-ordinary leave, is not sufficient to cover the period of training will, however, be considered by the Government for relaxation of the limit of extraordinary leave up to the period of leave required for training.

2. These instructions are being issued with the concurrence of the Finance Department contained in their U.O. advice No. 1339(5)-FR-II-64, dated the 6th March, 1964.

3. They will come into force from the date of issue.

4. These may kindly be brought to the notice of all

concerned for information and guidance and the receipt of this communication may be acknowledged.

Copy of Punjab Government Circular letter No. 472-ASI-64/11586, dated 9th April, 1964 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :—Confidential reports—issue of letters of appreciation

I am directed to invited a reference to the Punjab Government letter No. 2334-ASI-60/15708, dated the 3rd May, 1960, on the above-mentioned subject and to state that in para 9 thereof it was specifically mentioned that letters of appreciation should not be issued indiscriminately but only in really deserving cases, in order to encourage good work on an overall assessment of the officer's whole work during the reporting period. The intention behind this really was to ensure that commendatory letters are based on a record of exceptionally good work, and not merely on the performance of routine duties with more than average ability and industry. Since commendations lose much of their value if they are given too easily, it is essential that the greatest care is taken to limit the number of such letters and to grant them only in really deserving cases.

2. Instances have however, come to the notice of the Government where these instructions have not been followed in the spirit in which they were issued, with the result that recommendations for letters of appreciation were made only in a routine manner and not after full and proper consideration of the merits of the work done. And, of late such recommendations have been found to have been made too frequently, which had even led to an unhealthy tendency among officers to go abegging for such letters.

3. It has, therefore been considered that the standing instructions on the subject should be brought to the pointed notice of all concerned, so that these may be observed carefully.

In order to further ensure that such recommendations come up after thorough consideration, Government desire that for any good case for acceptance :—

- (a) at least two authorities, when there are two or more such competent authorities, should make the recommendation in clear terms ; and

- (b) the work proposed for commendation should be clearly indicated.

4. It is requested that these instructions may be brought to the notice of all the reporting authorities under your control, for careful compliance. The necessary addition to paragraph 9 of the Circular letter referred to above is also being made.

5. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 4068-DSGS-64/12488, dated the 10th April, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Allegations against individual Government employee in the Press—Action to be taken in the case of Government employees involved in legal proceedings—Provision for legal and financial assistance.

I am directed to invite reference to Punjab Government letter No. 728/8GS/62/1501, dated the 15th January, 1962, on the subject cited above and to say that it has been further decided by the Government, that where in a civil suit a Government employee sought to be made liable for damages for acts or negligence in discharge of his official duties of a civil nature and the Government is impleaded on the ground of vicarious liability, the Government should arrange for the defence of the Government employee also, provided the defences of the Government and the Government employees are substantially the same and there is no conflict of interest. Each case should be examined in consultation with the Law Department before undertaking common defence. If it is decided to arrange for the defence of the Government employee, the Government employee should be required to make a statement in writing as in Annexure 'A' to Punjab Government letter, dated 15th January, 1962, referred to above.

2. These instructions come into force from the date of issue.
3. The receipt of this letter may please be acknowledged

Copy of Punjab Government Circular letter No. 2295-9GS (II, -64/13551, dated the 27th April, 1964 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Grant of leave to Civil employees who are wives of Defence Services Personnel.

I am directed to say that this Government have had under consideration the question of providing suitable concessions to ladies in Government employ, whose husbands are serving in the Defence Forces and as such have to remain in non-family stations for long periods. It has been felt that the families of such Defence Services Personnel have to undergo quite a lot of extra expense on account of having to run two establishments and to suffer considerably long periods of separation in the circumstances. The wives who may have undertaken temporary Government employment cannot, however, under the existing rules, be granted leave for any longish periods while the husbands may be posted to family stations.

In order, therefore, to alleviate hardship in such cases, it has been decided that in relaxation of any rules to the contrary the wives may be granted extra-ordinary leave for the period during which their husbands are posted to family stations, and that the wives should be entitled to re-join their Civil Government posts on the expiry of the period of their husband's posting to family stations.

2. These instructions are issued with the concurrence of the Finance Department,—*vide* their U.O advice No. 3435-FRII-64, dated the 14th April, 1964.

3. You are requested to note these instructions and to bring them to the notice of all concerned, for information and necessary action.

Copy of Circular letter No. 2423-IGS (1)-64/12900, dated the 27th April, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments etc. etc.

Subject.— Procedure to be followed in the event of Government Officers/officials returning to duty after having suffered from serious illness.

I am directed to address you on the subject noted above and to say that of late the Government has been receiving an increasing number of requests from all categories of officers/

officials who return to duty after serious illness, for postings on light duty assignments. However, it has been found that it is generally very difficult to accept all such requests. While if may necessary for every such officer/official to have proper rest after a serious illness, the Government is also justified in expecting that on resumption of duty the officer/official should be fit to shoulder the full responsibilities of the post he takes over. As will be appreciated it is very difficult for Government to find light duty posts or sinecures for its employees, especially in the present-day context, when on account of the needs of heavy development work all round every officer/official is required to put in his very best with hard work.

Accordingly, in order to deal with all such cases suitably, Government desire that the relevant provisions of the existing Civil services Rules should be used carefully for giving adequate relief to such officers/officials concerned as well as for safeguarding the Government and public interests in the matter of maintaining proper efficiency. Rule 8.44 of the Punjab Civil Services Rules, Volume I, clearly lays down that when a Gazetted officer resumes duty after sick leave for more than three months, he should produce a medical certificate of fitness from a Medical Board, and in case the leave is less than three months, such certificate should be from a Civil Surgeon. Similarly, in the case of non-gazetted employees, they have to produce a certificate from Registered Medical practitioner. The appointing authorities are also competent to require a Government employee, under rule 3.5(a) of the Punjab Civil Services Rules, Volume I, to appear before a Medical Board for medical examination whenever the appointing authority has reason to believe that the Government employee is not physically fit to carry out his duties satisfactorily. Rule 5.11 of the Punjab Civil Services Rules, Volume II, further provides that Government employees can be retired or put on invalid pension, on certain grounds as mentioned in the rule.

3. To ensure proper compliance of the rules mentioned just above, so that the interests of both Government employees as well as of Government work are properly safeguarded, no Government employee who is not quite fit to resume duty should be recommended or allowed to come back to work until he has been properly certified to be fit for undertaking the full load of his responsibilities.

4. The receipt of the letter may kindly be acknowledged.

Copy of letter No. 3070-I-GSI-64/15080, dated the 7th May, 1964 from the Chief Secretary to Government, Punjab, to All Heads of Departments, etc. etc.

Subject.—Recruitment through the Subordinate Services Selection Board, Punjab.

I am directed to invite a reference to Punjab Government letter No. 7386-8GS-63/20345, dated 29th May, 1963 on the subject noted above and to convey the following further decisions taken by the Government.

I. All Class IV employees of the State Government besides the Peons who alone are at present eligible for temporary appointment as clerk may be considered for temporary appointments as Clerks provided they are Matriculates and are otherwise suitable for such appointments.

II. As the appointment of Class IV employees as Clerks will be a purely temporary arrangement i.e. pending the receipt of the recommendations of the S.S.S. Board it is not necessary that they should possess the minimum qualifications prescribed for appointment to these posts in the Service Rules, except, of course, the possession of the Matriculation Certificate.

III. The instructions for Apprenticeship, issued,—vide Letter No. 8522-GS-61/27265, dated 1st August, 1961 will not apply in the case of Class IV employees promoted as Clerks, in addition to their existing emoluments viz. pay plus allowances, they may be given an extra allowance equal to 10 per cent of their basic pay till such time as they are approved by the S.S.S. Board, when of course, they would be entitled to the minimum of the scale of pay attached to the post of Clerks.

2. The above decisions may please be brought to the notice of all concerned for their information and guidance. The receipt of this letter may also be acknowledged.

Copy of Circular Letter No. 4776-3GS(1)-64/15823, dated the 19th/21st May, 1964, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Age of compulsory retirement—raising of.

I am directed to invite reference to para 6 of Punjab Government letter No. 5410-3GS-63/11926, dated the 28th March, 1963, according to which the appointing authority may require a Government employee to retire after he attains the age of 55

years on 3 months notice without assigning any reason. In order to ensure uniformity in the operation of this provision and also equitable treatment in all cases, it has been decided to observe the following criteria and procedure for the purpose.

- (i) Six months before a Government employee attains the age of 55 years, his record should be carefully examined by the appointing authority, and a provisional judgement formed as to whether he should be retired on attaining the age of 55 years. This decision should be made well in advance so that in the event of retirement being finally decided upon, a notice could be given to the Government employee concerned, at least 3 months before the date on which he is to attain the age of 55 years and his retirement, given effect to at that age.
- (ii) When the appointing authority has reasonable cause to believe that a Government employee is lacking in integrity, it would be appropriate to consider him for premature retirement, irrespective of an assessment of ability or efficiency in work.
- (iii) In a case in which a Government employee's integrity is not in doubt but his physical or mental condition is such as to make him inefficient for further service, it would be appropriate to consider him for premature retirement.
- (iv) A Government employee who has been assessed as "average" should not be retired at the age of 55 years. The test whether a Government employee should be allowed to continue upto the age of 58 years should not, for obvious reasons, be as rigorous as the one applied in consideration when extension in service is allowed beyond the age of superannuation otherwise the power to grant extension would have been sufficient and there would have been no need to raise the age of retirement itself. In considering whether an officer/official falls below the average standard, the question may sometimes arise as to whether he should be judged with reference to the requirements of his substantive grade or those of the grade in which he has been officiating. It is not unusual, for instance, for a Government employee who has earned good reports in his substantive

grade to prove inadequate in his officiating grade. Ordinarily his fitness to continue in service upto the age of 58 years may be judged in relation to his substantive grade, and if he is good enough for that grade but not for the higher grade in which he has been officiating, he may be reverted to his substantive grade but retained in service. There may be difficulties when a Government employee has been officiating in a higher grade for a long time and it appears unlikely that he would put his heart into his work after reversion. This, however, is a question on which no hard and fast rules can be laid down and each case will have to be considered on its own merits.

- (v) Once it is decided to retain Government a employee beyond the age of 55 years he should be allowed to continue upto the age of 58 without any fresh review unless this is justified by any exceptional reasons, such as his subsequent work or conduct or the state of his physical health, which may make earlier retirement clearly desirable. It is felt that in order that a Government employee who is cleared for continuance at a stage of attaining the age of 55 years may settle down to another three years of work with a sense of security and those working under him accept his control and discipline without any reservation an annual review between the age of 55 years and 58 years would not be desirable.

2. Government further observe as under in continuation of Punjab Government letter No. 18790-3GS(1)-64/5569, dated the 19th February, 1964 :—

- (a) Government employees who are permitted to resume duty under para 2 of Punjab Government circular letter No. 5410-2GS-62/11926, dated the 28th March, 1963 on account of extension of age of superannuation from 55 to 58 years, should be allowed actual expenses incurred by them on travelling both ways, subject to the condition that these should in no case exceed the amount of travelling allowance, ordinarily admissible under the Rules to such employee without prejudice to their claim to T.A. on final retirement at the age of 58 years in conformity with Government instructions contained in Punjab Government letter No. 9219-FR(1) 60/1625, dated the 9th February, 1961.

- (b) It has been laid down in para 1 (ii) of Punjab Government circular letter No. 14089-3GS-(1)-63/35196-dated the 13th /16th September, 1963 that the period between the date of compulsory retirement of a Government employee (at 55 years) and the date on which he was permitted to resume duty, would be treated as leave of the kind due. A point has been raised as to how the leave preparatory to retirement already availed of by such a Government employee would be treated. In this connection it is stated that the leave preparatory to retirement already enjoyed in such cases will have to be re-classified as earned leave upto the extent of 120 days and the balance as half pay leave. The remaining gap upto the date of joining if any, will also have to be covered by the grant of half pay leave or extraordinary leave as the case may be, in terms of Punjab Government circular letter referred to above.

These orders issues in consultation with the Finance Department vide their U. O. references No. 2298-IFRI-64, dated the 13th/14th April, 1964 and No. 3467-(5)-FRII-64 dated the 7th/8th April, 1964.

3. The receipt of this letter may kindly be acknowledged .

Copy of Punjab Government Circular Letter No. 5582-A SI-64/24104, dated 15th July, 1964 from the Chief Secretary to Government, Punjab, to all Head of Departments etc.

Subject.—Relationship between the Commissioners and Divisional Officers in Divisions.

I am directed to invite a reference to the instructions contained in the Punjab Government letter No. 10542-GIII-59/26741, dated the 17th December, 1959, on the subject noted above, wherein it has been provided, inter-alia, that Commissioners of Divisions will record remarks on all the Divisional Officers of the various Departments with regard to.—

- (i) reputation for honesty;
- (ii) relationship with public; and
- (iii) implementation of development schemes and policy of the Government.

2. In this connection, it has been brought to the notice of the Government that the Divisional officers of the various

Departments often do not pay even a courtesy call on the Commissioners, with the result that most of these officers are not likely to be known personally to the Commissioners who are consequently not able to express proper opinion about them.

I am, therefore, in the intrests of the Administraion, as well as of the individual officers themselves, to request that the Divisional officers of your Department may be directed to see the Commissioners of their Divisions as and when they find it feasible and convenient, but at least once in six months.

Copy of letter No. 4453-9GSII-64/22797, dated the 31st August, 1964 from the Chief Secretary to Government Punjab to all Head of Department, etc., etc.

Subject.—Impartial behaviour of Government employees in a secular State.

The Government has recently noticed a trend among some of its employees towards communal tendencies and participation in political movements. Your attention is invited, in this connection, to Government instructions issued vide Punjab Government letter No.1036-P-60/12454, dated the 19th May, 1960 regarding participation of Government employees in political activities and agitations and also to rule 23 of Government Servants' Conduct Rules which prohibits participation in political movements. Government expects that all its employees should conduct themselves in an impartial manner, and create confidence in the people about their integrity and impartiality. If any cases come to the notice of the Government contrary to these instructions and those already issued, Government would be constrained to take strong action against all those employees who indulge in these things.

2. I am to request you to bring these instructions to the notice of all employees and also acknowledge thier receipt.

Copy of Circular letter No. 7954-D SGS-64/31831, dated the 9th October, 1964 from the Chief Secretary Government, Punjab to all Heads of Departments, etc., etc.

Subject.—Reservation of seats for outstanding sportsmen in Technical/Medical institutions and in service of the State.

I am directed to invite a reference to para 2 of Punjab Government circular letter No. 10266-5GS-61/1134, dated the 11th January, 1962, wherein it is laid down that 2% of the seats in Technical/ Medical institutions in the State should be reserved for outstanding sportsmen provided that they possess the minimum educational qualifications prescribed for admission to such institutions. In this respect, it is clarified that the idea of grading sportsmen in to grade 'A', 'B', 'C' and 'D' was that candidates possessing 'A' grade certificates should be given preference for admission over the holders of 'B', 'C', and 'D' grade certificates, even if the latter may be superior to the former in academic qualifications, provided of course, the holders of 'A' grade certificates fulfil the minimum academic qualifications prescribed for admission to such institutions. In case, no candidate possessing 'A' grade certificate is available, the candidates possessing 'B' grade certificates should be given preference for admission and so on.

2. The receipt of this letter may be acknowledged.

Copy of Punjab Government Circular letter No. 7865-I-GSI-64/31874, dated the 12th October, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject.—Recruitment through the Subordinate Services Selection Board.

I am directed to invite a reference to Punjab Government letter No. 7386-8GS-64/20345, dated the 29th May, 1963 on the subject noted above, and to say that it has further been decided by the Government that Matriculate persons may be appointed on temporary basis even against temporary vacancies in emergent cases, till the candidates recommended by the Board, report

for duty or for a period of three months whichever is earlier. It will however, be obligatory for the Departments to place/send a requisition with the Board simultaneously and forward copies of orders making appointment on temporary basis to the Board for information.

Copy of Circular letter No. 2122-DSGS-63/38118, dated the 27th November, 1964 from the Chief Secretary to Government, Punjab to all Heads of Department etc. etc.

Subjects—Rules relating to the power of the State Government to dispense with or relax the requirements of any rule regulating conditions of service of Government employees for dealing with any case in a just and equitable manner.

I am directed to invite a reference to Finance Department's letter No. 2314-FR-55/3478, dated the 26th April, 1955 asking the departments to incorporate a general rule in their service rules empowering the Governor to relax the provisions of various rules contained therein in any particular case provided that the case is not dealt with in a manner less favourable than that provided in the rules. This was done with a view to enabling the State Government to dispense with, or, relax the requirements of any rule, regulating the conditions of service of Government employees for the purpose of dealing in a just and equitable manner with particular cases in which the normal operation of the rule may involve undue hardship. As stated in para 2 of that letter, the Finance Department subsequently added a general rule in this regard in the Punjab Civil Services Rules, Volume I, Part I, as note 2 below rule 1.8. In individual cases of service Rules, this department has also been advising the incorporation of the following general rule of relaxation pending the finalisation of general services rules.

2. A question was recently raised with the Government of India as to whether the aforesaid rule permits relaxation of rules relating to recruitment, promotion, retirement or re-employment etc. for conferring benefit on a particular individual to the exclusion of all other similarly placed persons ; and if this could be done, as to whether the rule can be considered

to be constitutionally in order? The matter has been examined and after obtaining legal advice the Government of India has reached the conclusion that the rule as promulgated is constitutionally in order. It permits relaxation of those rules only which regulate conditions of service e.g. Travelling Allowance Rules, Leave Rules, etc. It cannot be utilised to relax the requirements of the rules, which cannot be covered by the expression conditions of service, e.g. the rules relating to recruitment promotion, grant of extension of service or re-employment. The Government of India has suggested that such rules, if necessary, should be amended so as to remove hardship from, and confer benefit generally on, all similarly placed individuals; it should not be relaxed to confer benefits on an individuals: to the exclusion of other similarly placed persons. I am to communicate these conclusions to you with the suggestion that the following general rule providing for relaxation etc. may be immediately incorporated in the relevant Service Rules till the publication of General Service Rules.

"Where the State Government is satisfied that the operation of any rule regulating the conditions of service of the State Government employees or any class of such Government employees causes undue hardship in any particular case, it may by order dispense with or relax the requirements of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner."

In this rule, the expression 'State Government employees' means all persons whose conditions of service may be regulated by rules made by the Governor of Punjab under the provision to Article 309 of the Constitution of India. Where the general rule of relaxation has already been incorporated in the service Rules, steps should be taken immediately to substitute it by the above quoted rule.

3. It is also pointed out that, as laid down in the letter of the Finance Department mentioned in para 1, detailed reasons for making the relaxation should be recorded in the file dealing with the case. In case the Audit Department wants any explanation of the exceptional circumstances which led to the relaxation of the rule, they should be provided with the requisite information. A separate register should be maintained to keep this record. This register should contain the details of relaxations of rules relating to conditions of service or of general orders bearing on the subject decided upon from time to

time in individual cases. The entries in the register should contain the following details:—

S. No. (The No. should be running for each calander year)	Section/ Diary Number	Recom- mend- ation of sponsoring authority (in brief)	Extent of relaxation and con- ditions, if any, on which relaxation is made	Record particular (i.e. file No. of the case if recorded in the Section otherwise No. and date of the sanction issued by the sanctioning authority)
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4. It should be noted that relaxation of rules or any general order bearing on the subject can be made in individual cases when it is considered necessary to deal with a case in a just and equitable manner. This power is to be invoked only in rare and exceptional cases. Hence the occasions for making entries in the register should be very few and far between. If, however, it is found necessary to relax any particular rule or order frequently, the inference is that the particular rule if administration warrants revision and such a revision should be undertaken as soon as the need for it is established. For this purpose, the Administrative Department should have an abstract made out at the end of each-half year based on the decisions recorded in the register during that half year in the following form and consider whether action should be initiated to revise any of the rules or orders mentioned therein and if so the lines on which it should be done —

Particulars of rule or orders relaxed (i.e. No. of the rule or No. and date of orders)	Serial No. in the register relating to the relaxation	Remarks
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5. These instructions may be brought to the notice of all concerned for information and guidance and the receipt there of may be acknowledged.

Copy of Circular letter No. 7554-10GS-64/39008, dated the 8th December, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc.

Subject:—Training of Clerks-Initial recruitment of clerks on apprenticeship basis.

I am directed to invite your attention to the instructions, contained in Punjab Government letter No. 8522-GS-61/27256, dated the 1st August, 1961 laying down that recruitment to posts of clerks should be made on an apprenticeship basis, and the person selected by the Subordinate Services Selection Board, Punjab, should be required to undergo two month's training in the office of appointment on a stipend of Rs.40.00 per mensem. It was clarified,—*vide* Punjab Government letter No. 15055-IGS-61/44784, dated the 15th December, 1961 that the apprenticeship instructions would be applicable to all clerical posts of typist, Steno-typist, Stenographer, Store-keeper, Librarian etc. carrying the same identical scale of pay of a clerk. In partial modification of these instructions the Government has decided to exempt the Steno-typists from the operation of these instructions. The steno-typists, will henceforth be allowed the regular scale of clerk, i.e. Rs.60-4-80/5-120-5-175 plus usual allowances including stenography allowance of Rs.15/- p.m. from the date of joining the posts in the first instance.

2. These instructions will come into operation with immediate effect.

3. This issues with the concurrence of the Finance Department, *vide* their U.O advice No. 8798-FGI-64, dated the 4th November, 1964.

4. The receipt of this communication may please be acknowledged.

Copy of Circular letter No. 7899-9GS(II)-64/38646, dated the 8th December, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject:—Assessing of length of service for calculating earned leave/casual leave under the revised system.

I am directed to refer you to the instructions contained in Punjab Government letter No. 1929-GII-60/12089, dated the 14th April, 1960 and No. 11981-GS-60/37758, dated

the 26th October, 1960 on the subject noted above and to say that it has been decided in modification of these instructions that the service rendered by an employee under the Government of India or another State Government prior to his joining service under the Punjab Government, will count for the purposes of calculating earned/casual leave under the revised system of Earned Leave, Holidays and Working Hours subject to the condition that the previous service with the Government of India or any other State of the Union has been considered as continuous for the purposes of pension.

2. These instructions may kindly be brought to the notice of all concerned and the receipt of this communication may be acknowledged.

3. This issues with the concurrence of the Finance Department, *vide* their U.O. advice No. 11874-FRII-64, dated the 20th November, 1964.

Copy of Punjab Government Circular letter No. 9578-3GSI-64/41005, dated the 31st December, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc.

Subject:—Holding of combined examinations for recruitment to similar posts/services-procedure regarding allocation of candidates.

I am directed to invite a reference to Punjab Government circular letter No. 391-3GS-62/1443, dated the 11th January, 1962 on the subject noted above and to say that the last two lines of para 1(ii) thereof be read as under :—

“that the choice indicated by the candidate would be final unless changed before the final result becomes available.”

2. The receipt of this letter may kindly be acknowledged.

Copy of Punjab Government Circular letter No. 6772-10GS-64/1923, dated the 18th January, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc.

Subject.—Termination of employment of temporary Government servants—provision of notice.

I am directed to invite a reference to Punjab Government letter No. 8845-G-54/29154, dated the 19th October, 1954, on the subject noted above and to state that a number of references are being received from time to time from various Departments as to whether or not a provision in regard to one month's notice from either side, need be made in the terms of appointments made on *ad hoc* basis, for a specific period, on stop-gap arrangements. It has been decided by the Government that as the appointments in such cases are made on purely temporary basis, no provision for one month's notice from the either side need be made in the terms of appointment of such a candidate. It should be indicated in such cases that the services of the official(s) concerned would be liable to be terminated at any time without any prior notice.

2. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 7176-10GS-64/1773, dated 20th January, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Concessions to the Government Employees of the Punjab Government who learn Chinese, Tibetan and Lahauli and Spitian Languages.

I am directed to say that with a view to encouraging the officers of the Punjab State Government to acquire reasonable proficiency in the languages of the areas contiguous to this State viz. Chinese, Tibetan, Lahauli and Spitian, it has been decided that honorarium up to the extent noted against each of the following examinations should be granted to the Officers of the ICS, IAS, IP/IPS and Provincial Services (excluding non-gazetted ranks) in case they pass the examinations in these

courses from the Punjab University, the Punjabi University or the School run by the Ministry of Defence :—

	Rs
(i) Preliminary examination ..	500
(ii) Higher standard examination ..	1,000
(iii) Interpretership examination ..	3,000

2. No other concessions in the form of tuition fees, books, travelling expenses etc. would be given to such officers. They may be allowed to avail of the kind of leave due to them in case they want to study whole-time and permission to attend evening classes in case they want to indulge in it part-time.

3. These instructions will not apply to those Officers in respect of any of these languages, which is their mother tongue.

4. These instructions should be brought to the notice of all Officers for their information. The particulars of the Officers who pass any of the prescribed examinations in these languages may be communicated to Government.

5. These instructions come into operation with effect from the date of issue.

6. This issues with the concurrence of the Finance Department, —vide its U. O. No. 1062-7FRI-64, dated the 19th October, 1964.

7. The receipt of this letter may kindly be acknowledged.

Copy of Circular letter No. 1036-IGS(I)-65/13310, dated the 3rd March, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Fixation of period for joining appointments in the case of candidates recruited through the Punjab Public Service Commission/Subordinate Services Selection Board, Punjab.

I am directed to refer to you to the instructions contained in Punjab Government letter No. 13178-4GS-61/41501, dated

the 23rd November, 1961, on the subject noted above and to say that Punjab Government have been frequently receiving proposals from some departments dealing with technical personnel for the relaxation of the maximum time limit of two months as laid down in the said instructions in favour of selected candidates who are unable to join their appointments. These requests were normally accepted by Government on the basis that there was an acute shortage of doctors and other technical hands. In order to further facilitate the position of such departments and to avoid unnecessary correspondence it has now been decided by Government to authorise the Administrative Departments to allow suitable extension, if necessary, at their own level to doctors and other technical hands who are in short supply and in whose case recommendation is made by the Punjab Public Service Commission/Subordinate Services Selection Board, Punjab.

2. These instructions may please be brought to the notice of all concerned for strict compliance in future.

Copy of Punjab Government Circular letter No. 1757-GSII-65/6393, dated 3rd March, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Training of Clerks—Initial Recruitment of Clerks on apprenticeship basis.

I am directed to invite your attention to Punjab Government letter No. 8523-GS-61/27256, dated the 1st August, 1961, on the subject noted above and to say that on reconsideration Government has abolished the scheme of apprentice clerks with effect from 1st January, 1965, from which date all freshly appointed clerks be paid regular pay and allowances.

2. Necessary action may please be taken accordingly.

Copy of Punjab Government Circular letter No. 140-2GSI-65/5259, dated 4th March, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Possession by Government employees or by any other person on their behalf of pecuniary resources

or property disproportionate to their known sources of income.

I am directed to say that a presumption of corruption fairly and reasonably arises against an officer who cannot account for large accretion of wealth which he could not possibly have saved from his known sources of income. This principle has received statutory recognition in section 5(3) of the Prevention of Corruption Act, 1947, and its application in a departmental enquiry against an officer charged with corruption could not, therefore, be unjust or inequitable. In fact, this principle has recently been upheld by the Supreme Court in the case of *Shri G.R. Mankar Versus Union of India* (Civil Appeal No. 160 of 1963).

2. You are, therefore, requested to ensure that, in a departmental enquiry against an officer charged with corruption and found to be in possession of assets disproportionate to his known sources of income, the Presenting Officer concerned brings the legal position, as set out in para 1 above, to the notice of the Enquiring officer.

3. Punjab Government's letter No. 4167-2GS-63/9945, dated the 28th March, 1963, may be treated as cancelled.

4. These instructions should be brought to the notice of all Government employees working under you.

5. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 1220-IGSII-65/7944, dated 24th March, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—All India Services (Conduct) Rules, 1954—interpretation.

I am directed to enclose a copy of letter No. 8/62/64-AIS-III, dated the 14th January, 1965, from the Government of India, Ministry of Home Affairs, on the subject noted

above and to say that these instructions will apply *mutatis mutandis* to the P.C.S. and other Officers of the State Government who held executive jobs. I am to request you to bring this to the notice of all concerned for information and necessary action.

2. The receipt of this letter may please be acknowledged.

Copy of letter No. 8/62/64-AIS.III, dated the 14th January, 1965, from the Under-Secretary to the Government of India, Ministry of Home Affairs, New Delhi-11, to the Chief Secretary to the Government of all State Governments except Orissa and Nagaland.

Subject.—All India Services (Conduct) Rules, 1954—interpretation.

I am directed to state that recently a question was referred to the Government of India whether wives of All India Services Officers, should be permitted to enter into business or become partners in firms of a commercial nature.

2. After a careful consideration, Government of India are of the opinion that even though the wife of an officer may intend to undertake business activity from funds entirely at her own disposal this legal "separation" between the officer and his wife, may not be fully acceptable or tenable in the public eye, who would be prone to cast aspersions on the officer and the office that he holds. Apart from this, the nature of duties of an All India Services Officer is such that he may exercise influence in varying spheres of governmental activity, depending upon the post that he holds from time to time. The State Government on their part may suffer the difficulty of precluding the services of such an officer from departments which might bring him into contact with the business activities of his wife in his official capacity. Even if the officer conducts his affairs in an absolutely honest manner and keeps his conduct above reproach, the chances of allegations of direct or indirect abuse of his official position, cannot be ruled out.

3. I am to request that while dealing with such requests from the All India Services Officers, the State Governments may keep in mind the views expressed above.

Copy of Punjab Government Circular letter No. 3270-ASI-65/11454, dated 3rd April, 1965, from the Chief Secretary to Government, Punjab, to All Heads of Departments etc., etc

Subject.— Confidential Reports—issue of appreciation letters

I am directed to invite a reference to the Punjab Government letter No. 472-ASI-64/11586, dated the 3rd/9th April, 1964, on the subject noted above, wherein it was decided that before a letter of appreciation could be issued to an officer on the basis of his confidential report, the following conditions should be fulfilled :—

- (a) at least two authorities, when there are two or more such competent authorities, should make the recommendation in clear terms ; and
- (b) the work proposed for commendation should be clearly indicated.

The State Government has, from time to time, been receiving references from the various departments seeking clarification on certain points. The matter has, therefore, been considered further and I am to offer the following clarifications in this behalf :—

- (i) Where there is only one reporting authority and it recommends clearly the issue of an appreciation letter and also indicates the work proposed for commendation, an appreciation letter may be issued in such cases ;
- (ii) In cases where the first reporting authority recommends an appreciation letter in clear terms indicating the work proposed for commendation and the second authority simply endorses it by saying 'I agree', an appreciation letter may be issued as the words 'I agree' amount to endorsing the recommendation of the first reporting authority notwithstanding the fact that the second reporting authority did not clearly say in so many words that an appreciation letter may be issued ;

- (iii) Where two reporting authorities recommended the issue of an appreciation letter and the highest authority does not contradict that recommendation but records the words "Seen" or "No remarks" or simply appends his signature, an appreciation letter may be issued. Where, however, the final authority controverts the recommendation of the lower authority, no letter of appreciation should be issued ;
- (iv) Where the two lower reporting authorities do not recommend the issue of an appreciation letter but the highest authority makes the recommendation for such a letter in clear terms, a letter of appreciation should not be issued straightaway. In such cases, a reference to the two lower reporting authorities, where there are two or more such authorities, should be made asking for their views on the issue of a letter of appreciation. A letter of appreciation should be issued only if at least one of the lower reporting authorities is also of the view that an appreciation letter should be issued.

2. I am to request that these instructions may be brought to the notice of all reporting authorities under your control for careful compliance.

The receipt of this letter may be acknowledged.

Copy of Punjab Government Circular letter No. 8069-10GS-64/11669, dated 6th April, 1965, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.— Training of Clerks— Initial recruitment of Clerks, on apprenticeship basis.

I am directed to invite a reference to Punjab Government letter No. 8522-GS-61/27256, dated the 1st August, 1961, and subsequent letters Nos. 15055-10GS-61/44784, dated the 15th December, 1961, and 20179-10-GS-62/2582, dated the 22nd January, 1963, on the subject noted above and to clarify further that the persons who were previously appointed as Clerks, typists, Steno-typists, Store-keepers, Librarians, in the scale of Rs. 60—4— 80/5— 120/5— 175 through the Subordinate Services Selection Board and had worked as such for two months before their re-appointment on such clerical posts after 1st August,

1961, through the Subordinate Services Selection Board should be treated as exempted from the operation of the apprenticeship instructions.

2. This issues with the concurrence of the Finance Department,—vide their U.O. advice No. 3059-FGI-65, dated the 30th March, 1965.

3. The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 4752-IGS(1)-65/14567, dated the 7th May, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Grant of advance increments to Government employees for doing work of exceptional merit.

I am directed to address you on the subject noted above and to say that the question of laying down a policy for the grant of advance increments to Government employees in recognition of work of exceptional merit, has been under consideration of the Government for sometime past. After careful consideration of the whole matter and in the interest of uniformity it has been decided that in future all cases for the grant of advance increments to Government employees for doing work of exceptional merit, will be considered and decided by the Committee comprising the senior-most Financial Commissioner, Chief Secretary, Finance Secretary and the Administrative Secretary concerned.

2. I am further to state that with a view to facilitate the consideration of such cases by the Committee referred to above, the Administrative Department should send seven copies of complete and self-contained memorandum, summary of service record along with the Personal File(s) of the official concerned and other documents which may have a bearing on the subject.

3. All cases at present pending with the departments may be submitted to the Chief Secretary to Government, Punjab (in General Services I Branch) in accordance with the procedure laid down in the preceding para for consideration by the said Committee.

4. The receipt of this letter may kindly be acknowledged,

Copy of Punjab Government Circular letter No. 3734-1GSII-65/17769, dated the 27th May, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject.—Fixation of tenure of Secretaries/Heads of Departments Deputy and Under-Secretaries/Commissioners/Deputy Commissioners.

I am directed to invite a reference to Punjab Government letter No. 3451-JGSII-65/1390, dated the 29th/30th April, 1965, regarding tenure of Heads of Departments and to say that Government have further decided that the tenure of the following classes of posts should be as under:—

- | | | |
|--|----|---------|
| (1) Secretaries and Heads of Departments and Commissioners | .. | 5 years |
|--|----|---------|

The tenure to start from the beginning of the fourth year of the current plan and terminate at the end of the third year of the next-plan.

- | | | |
|--------------------------|----|-----------|
| (2) Deputy Commissioners | .. | 3-4 years |
| (3) Deputy Secretaries | .. | 3 years |
| (4) Under-Secretaries | .. | 2 years |

2. Although the tenures mentioned above will be the normal rule, so that officers in the field and the Secretariat circulate adequately yet in any special circumstances an officer after holding the post of a Secretary/Deputy/Under-Secretary may have to be posted in some other department in the Secretariat also, after completion of this tenure in one Department, on account of exigencies of public service. However, special care will have to be taken generally that Officers should circulate in the field and Secretariat reasonably.

3. It is requested that these instructions should be properly observed and any exception should be made only in compelling circumstances when exigencies of public service so demand.

Copy of Circular letter No. 5582-3GSI-65/21354, dated the 11th June, 1965, from Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc. etc.

Subject:— Age of compulsory retirement—raising of.

I am directed to invite a reference to para 3 of the Government letter No. 14089-3GS-63/35196, dated 13th/16th September, 1963, where it was mentioned that a Government employee who was required to retire or who himself chose to retire under para 6 of the Punjab Government letter No. 5410-3GS-63/11926, dated the 28th March, 1963, might be allowed the leave due and admissible to him provided it did not extend beyond the date on which he attained the age of 58 years. In this respect, a further question has arisen whether a Government employee who is required to retire or who himself chooses to retire under para 6 of Punjab Government letter No. 5410-63/11962, dated the 28th March, 1963, could also be granted leave preparatory to retirement under rule 8.116(iii) of the Punjab Civil Services Rules, Vol. I, Part I. Since leave applied for and granted before retirement ending with the date of retirement should be treated as leave preparatory to retirement irrespective of the Government employee retiring at the age of 55 years or 58 years, it has been decided that the leave applied for by such Government employees should be regulated under rule 8.116(iii) of the Punjab C.S.R., Volume I, Part I.

3. The receipt of this communication may be acknowledged.

Copy of Circular letter No. 5394-DSGS(I)-65, dated the 6th July, 1965, from the Chief Secretary to Government Punjab, to all Heads of Departments, etc., etc.

Subject:— Approaching Ministers and other higher officers.

I am directed to invite your attention to the instructions contained in the Punjab Government circular letters noted in the margin, requiring officers and official of the Government to refrain from approaching directly Minister and other higher officers in connection with personal grievances. In this context, it has been brought to the notice of the Government that some Departmental Heads have been too

1. No. 16110-8 GS-62/39005, dated 6-11-62.

2. No. 16424-DSGS-II-63, dated 12-11-63

harsh to, and had tried to even victimise officers/officials who have approached Ministers with their grievances whereas no such adverse notice was taken in cases where Government officers/officials might have seen higher officers/officials over the Head of their immediate Departmental superiors. It was, therefore, suggested that these instructions regarding approaching Ministers should be withdrawn.

Government have carefully considered the matter and have decided finally that the existing instructions may remain as they are, but it should be brought to the notice of all concerned that the orders of the Ministers in such cases should be carried out appropriately and no action should be taken against any officials for approaching a Minister, without the permission of the Minister concerned.

2. The receipt of this letter may kindly be acknowledged.

Copy of D.O. letter No. 8904-CMP-65, dated the 10th July, 1965, from Shri Ram Kishan, Chief Minister, Punjab, to all the Financial Commissioners, all the Administrative Secretaries to Government, Punjab, all Heads of Departments, etc., etc.

The other day Shri Gulzari Lal Nanda, Union Home Minister, addressed senior officers of the Punjab Government and highlighted the important role of the services in a developing and progressive economy. He also laid stress on correct relationship between the services and the politician. I am writing this personal letter to reiterate what Shri Nanda Ji said at that meeting and to emphasise that unless we all play our part correctly and effectively it will not be possible to tone up the administration or to fight the evil of corruption.

2. Servicemen must not directly or indirectly involve themselves in politics. They must not take effective part in political work whether of the Ruling Party or any other Party. On the other hand, they must recognise that the ruling party has assumed responsibility of Government through the democratic process and therefore, is entitled to lay down policies to be followed by the administration. These policies have of course to be implemented by members of the services but it must be remembered that in implementing these policies public servants must serve the public generally and not any

particular group. In implementing Government decisions, the public good has to be kept in mind and not the good of any particular group or political party. In administering rules, laws and regulation, there should be no discrimination at all and all members of the public must be treated equally. The Legislators should be given due respect because they are the elected representatives of the public. Government functions, however, must be carried out with impartiality and without fear or favour. I would like to give you a personal assurance on my own behalf and on behalf of the Punjab Government that Government will give you full protection in the due discharge of your duties in a fearless and impartial way.

3. The correct relationship between the Ruling party and the Government is maintained through the agency of the PPCC. State Government Co-ordination Committee. This Committee will hence forth meet regularly every month. This Committee ensures mutual understanding and exchange of views between the Congress Party and the Congress Government. For resolving any problems as may arise between the Party and the Government, the agency of this Co-ordination Committee should be utilised.

4. Sometimes some officials tend to seek political support to further their own ends or actually being to dwell in politics. This must be stopped with firmness. Any instance of this kind coming to the notice of Government will be very strictly dealt with.

5. I shall be grateful if you bring the contents of this letter also to the notice of the other officers working under your control so that every functionary of Government knows the correct relationship between permanent civil servants and the political parties and there is no ambiguity left in the matter.

With regards and all good wishes.

Copy of Punjab Government Circular letter No. 5103-DSGS(1)-65/25495, dated 15th July, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject:—Proper and full implementation of Government policies in district—Particularly at the lower level-assessment.

I am directed to invite attention to item 12 of the Proceedings of the Conference of Deputy Commissioners and Superintendents of Police held at Chandigarh on 2—4 December, 1964

(copy enclosed) and to say that the recommendations of the Conference made therein have been approved by Government. I am to request that all the District Officers working under you may be instructed to take necessary action on the lines of the recommendations of the Conference for the proper and full implementation of Government policies in districts.

2. The receipt of this communication may kindly be acknowledged.

Extracts taken from the Proceedings of the Conference of Deputy Commissioners and Superintendents of Police held at Chandigarh on 2-4 December, 1964.

Item No. 12.—PROPER AND FULL IMPLEMENTATION OF GOVERNMENT POLICIES IN DISTRICTS PARTICULARLY AT THE LOWER LEVEL—ASSESSMENT THEREOF.

The District Officers, it is felt, are fully aware of their responsibility for implementing the development schemes particularly and Government policies generally. At the lower levels, however, there is apathy or lack of sense of responsibility for which the service conditions and various other factors are responsible. Nevertheless, it is thought that the District Officers can, with necessary zeal and drive, make their subordinates also function.

HOME DEPARTMENT

GENERAL SERVICES

Notification

The 20th July, 1965

No. G.S.R. 160/Const./Art. 309/65.—In exercise of the powers conferred by the proviso 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 :—

1. *Short title, commencement and application.*—(1) These rules may be called the Punjab Government National Emergency (Concession) Rules, 1965.

(2) They shall come into force at once.

(3) They shall apply to all classes of services and posts in connection with the affairs of the State of Punjab except Medical and Health services.

2. *Definition.*—For the purposes of these rules, the expression 'military service' means enrolled or commissioned service in any of the three wings of the Indian Armed Forces (including service as a warrant officer) rendered by a person during the period of operation of the Proclamation of Emergency made by the President under Article 352 of the Constitution on the 26th October, 1962, or such other service as may hereafter be declared as military service for the purposes of these rules. Any period of military training followed by military service shall also be reckoned as military service.

3. *Maximum age-limit and minimum qualification.*—(1) The maximum age-limit prescribed for appointment to any service or post shall be relaxed in favour of a person who has rendered military service to the extent of his military service, provided he produces a certificate from the competent authority that he had rendered continuous military service for a period of not less than six months and was discharged because of demobilisation or reduction not more than three years prior to the date of his registration at an employment exchange or the date of his application for employment under the Government.

(2) A person who has become disabled while in military service shall also be entitled to exclude from his age the period from the date he was disabled up to the date of his application for appointment to any service or post under the Government or till the end of the present emergency, whichever is shorter.

(3) In case a person who has rendered military service does not possess the minimum qualifications prescribed for any service or post, he shall be deemed to possess these qualifications if the appointing authority certifies that such a person has acquired by experience or otherwise qualifications equivalent to those prescribed for that service or post.

4. *Increments, seniority and pension.*—Period of military service shall count for increments, seniority and pension as under :—

- (i) *Increments.*—The period spent by a person on military service, after attaining the minimum age prescribed for appointment to any service or post, to which he is appointed, shall count for increments. Where no such minimum age is prescribed the minimum age shall be as laid down in rules 3.9, 3.10 and 3.11 of the Punjab Civil Services Rules, Volume II. This concession shall, however, be admissible only on first appointment.

- (ii) *Seniority*.—The period of military service mentioned in clause (i) shall be taken into consideration for the purpose of determining the seniority of a person who has rendered military service.
- (iii) *Pension*.—The period of military service mentioned in clause (i) shall count towards pension only in the case of appointments to permanent services or posts under the Government subject to the following conditions—
- (1) the person concerned should not have earned a pension under military rules in respect of the military service in question;
 - (2) any bonus or gratuity paid in respect of military service by the defence authorities shall have to be refunded to the State Government;
 - (3) the period, if any, between the date of discharge from military service and the date of appointment to any service or post under the Government shall count for pension, provided such period does not exceed one year. Any period exceeding one year but not exceeding three years may also be allowed to count for pension in exceptional cases under the orders of the Government.

5. *Seniority, promotion, increment, pension and leave of Government employees*.—The period spent on military service by a Government employee shall count for seniority, promotion, increment, and pension in the service or post held by him immediately before his joining military service. A permanent Government employee who renders military service, shall earn leave during such service according to the leave rules applicable to him immediately before his joining military service. A temporary Government employee shall during military service, be governed by the military rules in all respects. The employee concerned shall be entitled to *pro forma* promotion in his parent departments under the 'next below' rule and also to seniority in higher posts to which he would otherwise have been entitled if he had not joined military service.

6. *Probation*.—The period spent by a Government employee on military service in any rank shall be treated as period spent on deputation on a corresponding post for being counted towards the period of probation fixed under the service rules applicable to that employee.

7. *Promotion*.—The *pro forma* promotion of a Government employee in military service shall be made in his parent

department on the basis of seniority-cum-merit. In case it is necessary for him to pass any departmental qualifying test for a particular promotion, increment, he shall stand exempted from passing such a test for the period he remains on military service and for such period thereafter as would, normally, have been allowed to him to pass such a test but for his joining military service :

Provided that if a similar qualifying test has been passed by him while in military service he shall be exempted altogether from passing the said test.

8. *Temporary Government employee.*—A temporary Government employee, who after return from military service, is appointed to the service or post from which he proceeded on military service or is appointed to a service or post with equivalent or similar grades, shall be treated in the same manner as a permanent Government employee in respect of pay, seniority and pension, irrespective of whether or not the post on which he was working at the time of his joining military service continue to exist during the period of his military service. A temporary Government employee who does not return to the same post or to post with an equivalent or similar grade shall be treated as if he did not hold any post under the Government prior to his joining military service.

9. *Effect of joining military service before announcement of result of any competitive examination or Government service.*—If a person is successful in a competitive examination for any service or post under the Government but joins military service before the result of such examination is announced, he shall be considered as having been seconded for military service with effect from the date of such appointment.

GYAN SINGH KAHLON,

(No. 7055-IGSI-65,
dated 20th July, 1965).

Chief Secretary to Government,
Punjab.

Copy of circular letter No. 4295-4GS(II)-65/27841, dated the 9th August, 1965, from the Chief Secretary to Government, Punjab addressed to all Heads of Departments etc., etc.

Subject:—Procedure for accounting for short leave.

I am directed to address you on the subject noted above and to say that in the absence of any specific instructions

regarding accounting for short leave which may range from half an hour to more than 2 or 3 hours, different procedures are being adopted in the Government offices in the State. In order to maintain uniformity in all the departments of Government it has been decided that in future the following procedure should be adopted in all the departments of Punjab Government:—

- (1) Short leave for two hours or less should be treated as one third day's casual leave.
- (2) Short leave for more than two hours should be considered as half day's casual leave, up to three and a half hours and as full day's casual leave if it exceeds three and a half hours.
- (3) The account of short leave should be adjusted in the casual leave account maintained in the Branch/Office.

2. These instructions may be brought to the notice of all concerned for information and guidance and the receipt of this letter may please be acknowledged.

Copy of letter No. 5692-IGS-II-65/27838, dated the 9th August, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject:—Training of Clerks—Initial recruitment of Clerks on apprenticeship basis.

I am directed to invite a reference to Punjab Government letter No. 8069-10GS-64/11668, dated the 6th April, 1965, on the subject noted above and to clarify further that the persons who were previously appointed as Clerks, Typists, Steno-typists, Storekeepers, Librarians, in the scale of Rs 60 - 4—80/5—175 through the Employment Exchanges and had worked as such for two months before their re-appointment on such clerical posts after 1st August, 1961, through the Subordinate Services Selection Board should also be treated as exempted from the operation of the apprenticeship instructions.

2. This issues with the concurrence of the Finance Department,—*vide* their U.O. No. 7366-FGI-65, dated 26th July, 1965.

3. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 7814-ASI-65/27821, dated 10th August, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject:—Writing of confidential reports on Class IV Government employees.

I am directed to say that the question regarding the maintenance of confidential personal files on the work of Class IV Government employees in the State has been engaging the attention of Government for some time past. At present, no confidential reports are recorded on the work of Class IV employees with the result that there is no satisfactory system for the purpose of judging the relative merit of these employees at the time of their promotion etc. It has been considered that the maintenance of regular confidential personal files of this class of Government employees would prove a useful record, which may be utilized for purposes of promotion and confirmation as well as for purposes of general discipline. In view of these considerations, it has been decided that annual confidential reports should hereafter be written in respect of all regular class IV Government employees in the State and their personal files be maintained, as in the case of other classes of Government employees. A sample form of confidential report, which may be used in this connection is enclosed.

2. The receipt of this letter may please be acknowledged.

Confidential Report on the work and conduct of Class IV staff for the year.

1. Name
2. Post held
3. Date of birth
4. Scale of pay
5. Educational qualifications
6. Branch to which/Officer to whom attached
7. Can he read and write Punjabi/Hindi/English

8. Observations on :—

- (i) Intelligence
- (ii) Amenability to discipline
- (iii) Honesty and Integrity
- (iv) Punctuality
- (v) Devotion to duty

9. Is he fit for promotion to the grade of Jamadar/ Daftry/Record Lifter etc.

10. Are you prepared to retain him under you ?

11. Any other remarks.

Signature of Reporting Officer.

Copy of letter No. 4455-IGSII-65/26145, dated the 12th August, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :— Resignation from service.

It has been observed by Government that Government officials after giving notice to resign from Government service apply for leave with a view to consuming as much leave as possible before leaving service. Government take a serious view of this trend and are, thereof the opinion that in order to curb this tendency no official should be granted leave during the course of the period of the notice for resigning his service. In case, however, such a Government servant avails of leave during the notice period, it would be deemed to have been extended by the days he remains on leave or would be considered to have fallen short of the days of such leave. In such cases the pay along with allowances may be recovered from the person concerned for the period which falls short of the prescribed notice period. These instructions should please be followed strictly in future.

Copy of Punjab Government Circular letter No. 5912-IGS-II-65, dated 20th August, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :—Promotion of Steno-typists and Stenographers to higher posts on clerical side.

I am directed to invite a reference to Punjab Government Notification No. G.S.R. 10-Const-Art. 309/61, dated the 26th December, 1961, wherein detailed rules regarding the promotion of Steno-typists and Stenographers to higher posts on clerical side were laid down and to say that enquiries have been received from different quarters as to how many chances should be given to a steno-typist or Stenographer for qualifying the Assistant's grade test. I am to say that this issue has been considered in detail and it has been decided that the instructions contained in clause (g) of Punjab Government letter No. 4119-GII-58/71202, dated the 5th September, 1958, and letter No. 1035-IGS(I)-65/5416, dated the 8th February, 1965, are also applicable to Steno-typists and Stenographers *mutatis mutandis*.

2. These instructions may please be brought to the notice of all concerned and their receipt acknowledged.

Copy of Punjab Government Circular letter No. 8493-DSGS(I)-65/31233, dated 15th September, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :—Celebration of marriage—Permission for.

I am directed to invite a reference to Punjab Government Circular letter No. 16935-GS-60/1295, dated the 23rd January, 1961, on the subject noted above and to say that Government have reconsidered the whole question and have decided that in future, the practice of obtaining prior permission of the appointing authority by an officer who proposes to celebrate the marriage of his son or daughter or other relation at the place of his posting may be discontinued. The officers, will, however, bear in mind that contents of para 3 of the letter referred to above.

2. The receipt of this letter may kindly be acknowledged

Copy of Punjab Government Circular letter No. 5622-IGSII-65/32342, dated 22nd September, 1965 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject :—Filling up of Vacancies of Clerks in Class 'A' Offices of the Punjab Government.

I am directed to address you on the subject noted above and to state that it has been represented by the ministerial staff of the various Sub-offices of the Punjab Government that 50 per cent of the posts of clerks in class 'A' offices should be filled by making appointments from amongst clerks who are working in Sub-offices and are duly selected by the Subordinate Services Selection Board, without holding further test and irrespective of the fact whether they pass the Matriculation Examination in the 1st Division or not. The Government have considered the representation and observe that appointment to posts are normally made by the following three methods —

- (i) by direct appointment;
- (ii) by transfer of persons working in other offices of the State Government; and
- (iii) by promotion.

The Clerks working in the Sub-offices are, therefore, already eligible for appointment to 'A' Class Offices by transfer. As regards the condition of 1st or 2nd Division it is observed that the qualifications normally prescribed in the Service Rules pertain to direct recruits and not to persons who are appointed by promotion or by transfer. With the experience and the background that such Clerks would have acquired in Sub-office it is believed they would prove useful. The Government have, therefore, decided to accept the proposal of the ministerial staff of the Sub-offices that they should be eligible for appointment in Class 1 Offices irrespective of the Division in which they have passed the Metriculation Examination, i. e., their academic qualification may be mere Matriculation but they should have clerical experience in the Sub-offices for atleast two years.

2. As for the reservation of 50% posts of Clerks in 'A' Class Offices for appointment by transfer from Sub-offices the Government are of the view that free flow of fresh blood should be allowed to infuse in the services and as such are not in favour of laying down any

restrictions on the Government Departments and it is left to the individual Offices to draw upon this class of officials, as and when necessary.

Copy of Punjab Government Circular letter No.8372-3GS(II)-6 5/34785, dated 19th October, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :—Confirmation of Government Servants.

I am directed to address you on the subject noted above and to say that it has been brought to the notice of Government that whenever decisions for the conversion of temporary posts/ Departments into permanent ones are taken, no action is sometimes taken to confirm the officials concerned against these posts. It is essential that officials are confirmed as soon as permanent posts become available. I am, therefore, request you to ensure that in future immediate steps are taken in this respect so that un-necessary hardship is not caused to the officials concerned.

2. These instructions may be brought to the notice of the all Government Servants concerned under your control for information and strict compliance.

Copy of Circular Letter No. 8482-DSGS1-65/34106, dated the 19th October, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :—Submission of representations and advance copies thereof by Government servants in respect of matters connected with their condition of service.

I am directed to say that in para I of Punjab Government, Circular letter No. 9872-5GS-62/29821, dated the 28th August, 1962, on the subject cited above, it was, inter alia, mentioned that there were no specific instructions to govern the representations and petitions submitted by Government Servants in cases which were not covered by the Punishment and Appeals. It has now been brought to the notice of this department that there are specific instructions of the Government for making representations/appeals against non-selection for a selection post, adverse remarks in confidential reports and fixation of inter se seniority with effect from 1st November, 1956, as a result of intergration of the Pepsu and the Punjab State services, which are some of the matters connected with the conditions of service for which no provision has been

made in the punishment and Appeal Rules. In this context, a question has arisen whether the instructions dated 28th August, 1962, referred to above, supersede all such instructions on the subject. In this respect, I am to clarify that the instructions dated 28th August, 1962 are applicable only to representation and petitions by Government employees in respect of matters connected with their conditions of service such as posting and transfer, probation, confirmation, seniority, fixation of pay, leave etc. for which no specific right of appeal/representation has been provided, in the relevant Service Rules/Government instructions. Therefore, these instructions do not supersede the instructions contained in Punjab Government Circular letter No. 9129-G-56/3962, dated the 17th September, 1956, No. 2334-ASI-60/15708, dated the 3rd May, 1960 and the instructions issued by the various Administrative Departments for inviting appeals of Government employees against the fixation of inter-se-seniority with effect from 1st November, 1956 as a result of integration of the Pepsu and the Punjab State services.

2. These instructions may be brought to the notice of all Government employees under your administrative control for future guidance.

Copy of Punjab Government Circular letter No. 7957-IGSI-65/35111, dated 20th October, 1965 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject :— Determination of seniority of the Government employees who are recruited by transfer from other Department.

I am directed to invite a reference to Punjab Government Circular No. 946-4GS-62/8282, dated the 16th March, 1962 stating that the seniority of the candidates recruited by the Subordinate Services Selection Board, should be determined with reference to the date of issue of the Board's recommendation. It has, however come to the notice of Government that in some Departments these instructions have also been made applicable to determine seniority of candidates recruited by transfer from other Government departments. To set at rest the doubts entertained by certain Departments and to elucidate the position it is clarified that the instructions under reference apply only to the candidates who are recruited by the S.S.S. Board. In the case of the candidates appointed by the Departments themselves by transfer from other departments of course with the approval of the Board, seniority

shall be determined in accordance with the provisions contained in the relevant Service Rules and the date of approval by the Board will have no effect on them.

2. This clarification may please be brought to the notice of all concerned for information and guidance.

Copy of Punjab Government Circular letter No. 7868-IGS-65 dated 23rd November, 1965 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject :—Resignation from Service by temporary Government servants—Giving of one month's notice or refund of one month's emoluments in lieu thereof.

I am directed to address you on the subject noted above and to state that it has come to the notice of Government that there is a tendency among the officials who are temporarily employed in Government Departments to abruptly resign the service as soon as they find some better jobs. After submitting their resignations they do not attend office and go on applying for leave till their resignations are accepted. Before their resignations are accepted by the competent authority they are required to deposit one month's pay with allowances as required under the terms of their appointment and to fulfil certain other conditions e.g. production of "No Demand" certificate from the Capital Project Authorities, furnishing a surety of a permanent employee who should undertake the responsibility of depositing all the dues found outstanding against them at a later date etc. etc. It has been observed that some times the Government Servants concerned take a considerable time in completing these formalities with the result that their resignations are accepted long after the actual date of tendering the resignations. A question has been raised whether the recovery of one month's emoluments in such cases should be effected at the rate of pay and allowances a Government servant draws at the time of submitting the resignation or at the rate he would have drawn had he been in service at the time of acceptance of his resignation. After a careful consideration it has been decided by Government that the recovery in such cases should be effected from a Government servant at either of the rates indicated above whichever is higher.

2. These instructions may kindly be brought to the notice of all concerned for information and guidance,

Copy of letter No. 10250-ASI-65/40176, dated 15th December, 1965, from Sirdar Gyan Singh Kahlon, ICS, Chief Secretary to Government, Punjab, to All Heads of Departments, etc., etc.

Subject :—Confidential reports-time limit for making representations against adverse remarks.

I am directed to invite a reference to paragraph 12 of the Punjab Government instructions contained in circular letter No. 2334-ASI-60/15708, dated the 3rd May, 1960 as amended, —*vide* Punjab Government letter No. 5515-ASI-61/25297, dated the 11th July, 1961 which reads as follows :—

“Time limit for filing representation against the adverse remarks and the authorities to whom the representations are to be addressed.

(i) As stated above, Government do not encourage representations against adverse remarks. But if a representation is made, it should not be entertained unless it is received within three months from the date of the letter communicating adverse remarks to the officer/official concerned. Government wish to make it clear that this time-limit should be followed rigidly and that time-barred representations should be rejected. It is dangerous to allow officers to go on putting up representations whenever they think the situation is favourable to them and post facto attempts to clean up personal files must be resisted.

(ii) The representation against adverse remarks may be addressed direct to the authority conveying the adverse remarks.”

As is clear from the above mentioned instructions this time limit of three months for making representations against adverse remarks is required to be followed strictly. Accordingly, if an officer wants to represent against adverse remarks, he must do so within this prescribed time-limit and time-barred representations should be rejected straightway.

2. Instances have, however, come to the notice of Government where certain officers, who wanted to represent

against adverse remarks, could not do so because they were unable to lay hands on the relevant record in order to prepare their representations. The matter has been considered by Government and it has been felt that in such cases the officer/official concerned should promptly intimate to the authority conveying the adverse remarks that he would be making a detailed representation after examining the relevant record. As far as possible, the detailed representation should also be sent within the prescribed time limit of three months, but where this is not practicable owing to the circumstances beyond an officer's control and the authority dealing with the representation is satisfied about it, the representation may be entertained and dealt with as if it had been received within the prescribed time limit of three months.

2. I am to request that these instructions may be brought to the notice of all concerned for information and compliance.

Copy of Circular letter No. 7653-6GSI-65/40644, dated 18th December, 1965 from the Chief Secretary to Government Punjab to all Heads of Departments, etc., etc.

Subject :—Government employees indulging political matters.

No. 8904-
CMP-65
dated 10th
July, 1965.

I am directed to invite a reference to para 2 the communication noted in the margin from the Chief Minister, Punjab to your address impressing upon all government employees that they should not involve themselves in politics directly. This is also required by rule 4 of the All India Services (Conduct) Rules, 1954 and rule 22 of the Punjab Government Servants Conduct Rules, 1955. It has further been emphasized that in implementing the decisions of Government the welfare of the public in general has to be kept in mind and not the interests of any particular group or political party and that rules, laws and regulations, should be administered without any discrimination or bias. It has also been desired that all Government employees should conduct themselves in such a way that they leave no scope for any

feeling that they are aligned with any political party, group or person or that privately or informally they take interest in a particular section.

2. I am directed to inform you that Government shall take a serious view of any violation of these instructions, and to request that any instance that may come to your notice should be brought to the personal notice of the Chief Secretary to Government, Punjab through the Administrative Secretary concerned, for appropriate action.

Copy of letter No. 10935-IGSI-65/41155, dated the 27th December, 1965, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject :—Concessions to the Government Employees of the Punjab Government who learn Chinese, Tibetan and Lahauli and Spitian Languages.

I am directed to refer to Punjab Government letter No. 7176-1OGS-64/1773, dated the 20th January, 1965, on the subject noted above and to state that it has come to the notice of Government that all the courses mentioned in the letter under reference are not available with the teaching institutions namely the Punjab University Chandigarh and the Punjabi University, Patiala. Only the following Courses are being conducted at present—

- | | |
|--------------------------------------|---|
| (i) Punjab University
Chandigarh. | A certificate course in
Tibetan Language. |
| (ii) Punjabi University,
Patiala | A certificate course in Tib-
etan and Chinese languages. |

As such in supersession of their previous instructions Government have decided that those Government employees who secure a certificate in Chinese/Tibetan Languages from the Punjab or Punjabi University will be awarded a prize of Rs. 500/ for each of these examinations.

2. The other provisos contained in the instructions under reference will, however, apply mutatis mutandis.

3. These instructions will be applicable retrospectively with effect from the date of issue of the original instructions.

4. This issues with the concurrence of the Finance Department,—vide U.O. No. 10262-7FRJ 65, dated the 8th December, 1965.

Copy of Letter No. 10874-IGSI-65/1653, dated 8-2-1966 from the Chief Secretary to Government, Punjab, to all Heads of Department, etc., etc.

Subject : Premature promotions to higher selection posts—starting salary.

I am directed to invite your attention to the instructions contained in Punjab Government circular letter No. 4175-7GS-61/13942, dated the 17th/20th April, 1961 on the subject cited above, which, in accordance with the contents of para 4 of the circular, would be applicable only to superior posts e.g. those of district level or Deputy Secretary level and above, and not to ordinary ministerial posts and the like, it has been decided that these instructions shall hereinafter be applicable to such posts as are listed in the schedule appended to the Punjab Services (Appointment by Promotion) Rules, 1962, as amended from time to time, in respect of promotion to which minimum experience in terms of years of service on a lower post has been laid down in the departmental rules governing such promotion.

2. In such cases, the relevant departmental service rules should be suitably amended to give statutory force to these instructions and till such time as this is done, the written consent of the officer proposed to be promoted prematurely to receive a particular pay, to be fixed in accordance with the formula contained in the circular under reference, should be obtained before hand and a stipulation also laid down in the promotion order, which should not be passed in his favour if he is unwilling to give such consent.

Copy of Punjab Government Circular letter No. 584-IGS(I)-66/2807, dated 8-2-1966 from the Chief Secretary to Government, Punjab to all Heads of Departments etc. etc.

Subject :—Procedure to be followed in cases where the turn of an officer, whose conduct is the subject of an enquiry comes up for promotion to a higher post.

I am directed to invite your attention to the instructions contained in the General Administration Department circular

No. 1497-4GS-62/4059, dated Chandigarh the 13th February, 1962 on the subject cited above and to say that in accordance with para 2(a) (iv) of this circular, if the promotion of an employee has been withheld because of an enquiry about complaints against him and if on the completion of the enquiry he is exonerated of all the charges, he should be given promotion with respective effect (i.e.) with effect from the date on which he was due for promotion, by reverting the junior most promoted employee and/or by creating a temporary post for the relevant period, in consultation with the Finance Department, as may be warranted by the circumstances of the case. It appears that the reference to the creation of temporary posts has been interpreted by the departments, in some cases, to mean that so long as an enquiry is being held into complaints against a particular employee, his junior in his cadre or the Service may be promoted against all available substantive vacancies, and a supernumerary post may be got created to provide for the employee under enquiries, if he is ultimately exonerated. I am directed to clarify by that the intention behind the issue of these instructions was to safeguard the interests of the employees, without at the same time incurring unnecessary financial liability. Thus, whereas every officiating vacancy may have to be filled immediately after it has arisen in the interest of administration, there is no such compelling necessity in the case of substantive vacancies and these should invariably be kept reserved for the employees, against whom enquiries are in progress, and a final decision taken on the completion of the enquiry. Of course, only one substantive vacancy need be reserved for each employee under enquiry and subsequent vacancies may and should be filled up with his juniors, if they are otherwise fit, without waiting for the result of the enquiry.

2. I am to request you that these instructions may kindly be brought to the notice of all concerned for strict compliance.

Copy of Punjab Government Circular letter No. 298-3GSI-66/2190, dated 16-2-1966 from the Chief Secretary to Government Punjab to all Heads of Departments etc. etc.

Subject :- Speedy disposal of cases of Government servants under suspension.

In continuation of Punjab Government Letter No. 3624-GS-61/14607, dated 21-4-1961, on the subject noted above I am directed to state that according to para 2 (c) (III) of

these instructions, the whole process of investigation and inquiry against a Government employee is required to be completed within six months (excluding any period during which proceedings are stopped owing to a reference to a court of Law). An extension of the period by another three months can be allowed by the Minister-in-charge. If extension beyond nine months is needed, full facts and justification is required to be placed before the Council of Ministers for approval.

2. It has been brought to the notice of Government that the Departments generally do not mention in the memorandum for the Council of Ministers the circumstances in which they were not able to complete the enquiry within the prescribed period and also do not specify the period for which extension beyond nine months was required. Unless this information is embodied in the Memorandum for the Council of Ministers, the intention of Government to ensure that no avoidable delay occurs in such cases is defeated. I am accordingly to request that the reasons for which it has not been possible for the Department to complete the inquiry should invariably be given in the Memorandum for the Council of Ministers and the period for which extension is required should also be specified therein.

Copy of Circular letter No. 278-3GSI-66/3062, dated the 16th February, 1966 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :—Government Servants Conduct Rules, 1955—
Clarification of Rule 10 regarding movable
and immovable property.

I am directed to invite a reference to rule 10 of the Punjab Government Servant (Conduct) Rules, 1955, regarding control over movable and immovable property held or acquired by a Government employee and to state that a question has arisen whether a Government employee is required to make a declaration of movable and immovable property held or acquired by him or by any member of his family, as a member of a Joint Hindu Family. The matter has been considered by Government in consultation with the Legal Remembrancer and it is observed that as a member of the Joint Hindu Family, a Government employee has some interest in the ancestral property and, therefore, under rule 10 of the Government Servants

(Conduct) Rules he is bound to send information regarding his interest and the interest of the members of his family in such property. It is immaterial that the extent of his interest cannot be ascertained until the partition actually takes place.

2. It is accordingly to be brought to the notice of all Government employees that they should in future also indicate in the annual property return, details of the movable or immovable property held or acquired by them as members of the Joint Hindu Family.

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Copy of Punjab Government Circular letter No. 510-5GSII-66/4597 dated 8-3-1966 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject :—Question of admissibility of age and other concessions to persons holding Government posts on ad hoc basis.

I am directed to say that it has been brought to the notice of the Government by the Punjab Public Service Commission and the Subordinate Services Selection Board that in the requisitions received by them from the Departments for recruitment from the open Market, the usual provision regarding the relaxability/non-applicability of the upper age limit in the case of Government employees does not distinguish between the permanent and temporary Government employees working on a regular basis on the one hand and the employees appointed by the Departments on temporary adhoc basis, pending the appointment of candidates recommended by the Commission/ the Board, on the other. The question whether the adhoc appointees should be treated at par with other Government employees in the matter of upper age limit has been carefully considered by Government and it has been decided that the adhoc appointees should not be made eligible for this concession as otherwise persons above the prescribed age can, by securing adhoc appointments, circumvent the condition regarding upper age limit. I am, accordingly, to request that while placing requisitions with the Commission/ the Board for recruitment to posts in your department, this decision of the Government may be kept in view.

Copy of Circular letter No. 1607-4GSII-66/ , dated the 2nd April, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Grant of special casual leave to Government servants who undergo sterilization operation under the 'Family Planning Scheme'.

I am directed to invite attention to Punjab Government Circular letter No. 2202-GII-60/8429, dated the 24th March, 1960, on the subject noted above under which Government employees who undergo sterilization operation under the Family Planning Scheme are entitled to special casual leave not exceeding six working days. Cases have been brought to the notice of Government wherein the initial operation not having been successful, the employees had to be operated for the second time. Government have decided that in such cases another six days should be allowed as special casual leave for re-sterilization.

Copy of circular letter No. 3498-ASI-66, dated 2nd April, 1966, from the Chief Secretary to Government, Punjab to the All Heads of Departments, etc. etc.

Subject.—Confidential reports—consolidated instructions regarding IInd amendment of 1963—overall assessment.

I am directed to invite a reference to paragraph 3 of the Punjab Government letter No. 126-ASI-64/2377, dated the 17th January, 1964, in which the following addition was made at the end of paragraph 10 of the consolidated instructions contained in Punjab Government circular letter No. 2334-ASI-60/15108, dated 3rd May, 1960 :—

"To facilitate this task grading should be done by the reporting officers. A column for overall assessment should be provided in the form so that the year's work is assessed and graded in the recognised categories namely 'A plus' (outstanding) 'A' (very good); 'B' plus (Good); 'B' (Average); and 'C' (below average)."

It has come to the notice of the Government that column for overall assessment has not been provided by some of the Departments in their confidential report forms with the

result that the overall assessment of the officers is not indicated by the reporting authorities at the time of recording annual confidential reports. It has further been noticed that even where this column for overall assessment has been provided in the report forms, the reporting authorities do not indicate the overall assessment of the officers reported upon. This necessitates the return of confidential reports to the reporting authorities for indicating the overall assessment. As a result, the confidential reports are delayed considerably and various matters, which have to be decided on the basis of those confidential reports, have also to be kept pending. In order to avoid such eventualities, I am to request that the column for overall assessment should be provided in the form of confidential reports, where it has not already been provided, and the grading of an officer should be indicated in the said column invariably.

2. I am to request that these instructions be brought to the notice of all concerned for information and strict compliance.

Copy of Punjab Government Circular letter No. 88-4GSI-66/9554, dated 21st April, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject. — Concessions to civilian employees and others who join military service during the Emergency.

I am directed to invite your attention to Punjab Government circular letter No. 7477-4GS-63/24400, dated the 8th July, 1963 on the subject noted above, and point out that since its issue a number of further instructions have been sent to you. It has, therefore, been considered desirable to issue a consolidated circular embodying all the existing instructions on the subject as also the provision of the Punjab National Emergency (Concession) Rules, 1965.

2. **Definition.**—For the purposes of these instructions the expression 'Military service' means, as given in rule 2 of the Punjab National Emergency (Concession) Rules, 1965, enrolled or commissioned service in any of the three wings of the Indian Armed Forces (including service as a warrant officer) rendered by a person during the period of operation of the Proclamation of Emergency made by the

President under Article 352 of the Constitution of India on the 26th October, 1962, or such other service as may hereafter be declared specifically as military service for the purpose of these instructions. Any period of military training followed by military service shall also be reckoned as military service.

No. 860-
7GS-63/2576,
dated the
19th January,
1963.

3. *Relieving of civilian employees joining the Armed forces.*—(i) In relaxation of the existing instructions persons selected for the Armed Forces shall be relieved immediately without any requirement of giving one month's notice or depositing of one month's pay in lieu thereof.

No. 13257-
4GS-63/
34397, dated
16th September,
1963.

(ii) A candidate, who having been given a stipend after entering into an agreement that he would on the completion of his training or on passing the prescribed test or examination and on demand by the Government serve under them for a prescribed period, leaves the training/service in the course of his training/service, is discharged or dismissed from training/service for misconduct, is required to pay a specified amount of damages to the Government. However, if such a candidate is selected for military service he shall be relieved for joining such service, without being required to refund any money or pay any damages in terms of the agreement.

No. 14312-
4GS-63/
35932, dated
23rd September,
1963.

(iii) Government employees who have executed bonds requiring them to serve Government for a certain period of time shall on being selected for Military service, be released forthwith notwithstanding the bonds entered into by them and further, military service shall be taken to count towards the satisfaction of the bonds, which shall be regarded as discharged as soon as military service equal to the remaining period of the bond has been completed.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

4. *Treatment of transit period in the case of Civil Government Employees permitted to take up Military Service.*—(i) In the case of civil Government employees, who are permitted to take up military service, the period between the date of their release from civil posts and the date on which they report themselves for training/duty to the military authorities shall be treated as duty in their civil posts, during which they should be entitled to civil rates of pay and allowance.

(ii) The transit period will not be treated as duty if the Government employees avails himself of the leave during

the period and he will be allowed to draw only the civil leave salary of this period. The transit period shall not in any case exceed the joining time admissible under the rules applicable to the civil Government employee concerned.

(iii) The disbursement of pay and allowances to the persons concerned for such period will be made by the Defence authorities and necessary debits in respect thereof will be raised subsequently against the civil department concerned.

(iv) Similarly, at the time of release of the persons concerned from military service, the period between the date of their release and the date of which they report for duty in their parent civil department shall be treated as duty in civil posts to which they may be appointed on such reversion and they will be allowed to draw pay and allowances of those posts during that period.

5. *Period of Military training—How it is to be treated.*—No. 7477-4GS-63/24400, dated 8th July, 1963.
 (i) The successful period of military training followed by military service will be reckoned as approved military service for all purposes.

(ii) If any State Government employee who is a candidate for Emergency Commission withdraws, except for reasons beyond his control, from the training or fails to accept Commission when offered on the completion of the training, he will be liable to refund the cost of tuition, food and clothing and pay and allowances, as may be decided upon by the Government of India. Besides, in the case of permanent State Government employee the entire period of absence from the civil employment on this account shall be treated as leave without pay and in the case of a temporary State Government employees he shall not be taken back in civil employment.

(iii) During the period of military training the State Government employees will continue to receive pay and allowances of the posts which they were holding before being released for such training irrespective of whether or not a lien is retained on that post. In addition they will be entitled to benefits of increments and promotion which may become due during this period.

6. *Maximum age-limit and minimum qualifications.*—(i) According to rule 3 of the Punjab Government National Emergency (Concessions) Rules, 1965; (a) The maximum age-limit prescribed for appointment to any service or post shall be

relaxed in favour of a person who has rendered military service to the extent of his military service, provided he produces a certificate from the competent authority that he had rendered continuous military service for a period of not less than six months and was discharged because of demobilisation or reduction not more than three years prior to the date of his registration at an employment exchange of the date of his application for employment under the Government.

(ii) A person who has become disabled while in military service shall also be entitled to exclude from his age the period from the date he was disabled up to the date of his application for appointment to any service or post under the Government or till the end of the present emergency, which ever is shorter.

(iii) In case a person who has rendered military service does not possess the minimum qualifications prescribed for any service or post, he shall be deemed to possess these qualifications if the appointing authority certifies that such a person has acquired by experience or otherwise qualifications equivalent to those prescribed for that service or post.

No. 9364-
4GS-65/
34804, dated
19th October,
1965.

(iv) Whenever it is felt that retired defence personnel would prove useful, army experience should be prescribed as a special qualification while sending requisition to the Punjab Public Service Commission or the Subordinate Services Selection Board.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

7. *Pay and Allowances.*—(i) The State Government employees who are permitted to join Military service will be entitled to draw during the military service, the civil rates of pay and allowances admissible to them from time to time, or military rates of pay and allowances, whichever are higher. In the case of those joining as J.C.Os./Other Ranks, however, the civil rates of pay and allowances which would have been admissible to them from time to time, will be reduced by Rs 25 per mensem on account of free rations.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

(ii) Comparable civil posts will automatically stand created in the respective departments for such periods for which a part or whole of the expenditure on pay and allowances is borne by the State Government in respect of State Government employees who are on military service or under military training.

(iii) Payment of salaries, etc., to Civilian Government employees who have joined the army during the present emergency shall be made through Money Order at Government expense in relaxation of Rule 2.24 of P. F. R. Volume. 1.

No. 4322-4GS-64/2984, dated 29th April, 1964

(iv) Civil Government employees who on reversion from Military service are promoted to higher posts in their parent department/office with retrospective effect from earlier dates will be eligible for the difference between the civil pay and allowances and the military pay and allowances, where the former are higher, as a result of such promotion and also for the arrears of pay and allowances for the period intervening between their reversion from military service and actual promotion in their parent department/office provided that all the conditions precedent to the grant of benefit under the next below rule are fulfilled to the extent necessary.

No. 8848-4GS1-65/32592, dated 6th October, 1965.

8. *Reservation of posts.*—(1) As from 25th February, 1963, the date of the issue of the original instructions, no direct recruitment on a substantive basis, will be made to any service/post, except the engineering and the medical services, under the Punjab Government except with the sanction of the Government and for special reasons to be recorded by the Administrative Department concerned. This restriction will cover all substantive posts becoming available during the period from the 25th February, 1963 to the 5th April, 1964 as also 20 per cent of the permanent vacancies becoming available from the 6th April, 1964, except in the engineering and medical services in which case the reservation would be to the extent of 50 per cent. Recruitment made on temporary basis during this period will not entitle any employee to being made permanent in preference to those who have joined military service. Recruitment to the Punjab Civil Services will not, however, be affected.

No. 1922-II-4GS-63/7798, dated 25th Feb., 1963.
No. 7477-4GS-63/24400, dated 8th July, 1963.
No. 9651-4GS1-65/34691, dated 19th Oct., 1965.

(2) Government employees who join military service during the present emergency should on their return be absorbed in posts for which they possess the necessary qualifications. If the vacancies which have either been reserved for them or have not been filled on a substantive basis, are not sufficient to absorb them the requisite number of suitable additional posts should be created for that purpose.

No. 3068-4GS1-64/10930, dated 6th April, 1964.

9. *Counting of Military service for seniority, promotion, increment, leave and pension.*—The period spent on approved military service shall count for seniority, promotion, increment,

No. 7477-4GS-63/24400, dated 8th July, 1963.

leave (subject to the procedure in paragraph 12) and pension in the civil appointment. The employees concerned will be entitled to *pro forma* promotion in their parent departments under the 'next below' rule and also to seniority in higher posts to which they would otherwise have been entitled if they had not proceeded on military service.

No. 8848-
4GSI-65/
3259, dated
6th Oct.,
1965.
No. 8848-
4GSI-65/
41890, dated
3rd January,
1966.

10. *Promotion.*—(i) Where promotion is to be made off the basis of seniority-cum-fitness or selection on merit, the case of a civil Government employees should be considered in his turn. For this purpose unless the military authorities have specifically, intimated anything against the civilian employee, it should be presumed that they have nothing adverse to report.

(ii) This procedure will also apply to cases where passing of any departmental examination(s) is a condition precedent to promotion to the grade concerned and a civil Government employee had passed such examination(s) before proceeding on military service.

(iii) In the cases referred to at (i) and (ii) above, if the decision to promote a civil Government employee in his turn cannot be taken up at the appropriate time and an assessment of his performance after reversion to the parent department/office is considered necessary for the purpose, he should be allowed *pro forma* promotion on reversion from military service. If he is adjudged fit for promotion within one year of such reversion, then he should be promoted to the grade concerned from the date he would have been so promoted in his turn had he not proceeded on military service. To provide for such promotion, a sufficient number of persons promoted to that grade should be kept on an officiating basis if necessary, so that they could be reverted in the event of promotion of the persons returning from military service.

(iv) In cases where the passing of any departmental examination (s) is a condition precedent for a particular promotion/increment, a civil Government employee who had not already passed such examination(s) before taking up military service, should stand exempted from passing such a test for the period of the Military Service and for such period thereafter as would normally have been allowed to him to pass such as test but for proceeding on military service provided that if a similar test has been passed by him while on military service, he will be exempted altogether from passing such a test.

(v) In cases where civil Government employees are eligible for promotion in their parent department/office through competitive examinations, which are limited to department candidates only, a civil Government employee who was eligible to take such an examination while away on military service should be allowed on his reversion to the parent department/office as many chances to compete at such an examination as would have been available to him but for his joining military service and given the necessary age and length of service relaxations for this purpose.

If he competes successfully at the first/second/third, etc., available opportunities he should be deemed to have passed the examination at the first/second/third, etc., occasion he would have appeared had he not joined military service, should be assigned rank at the bottom of the corresponding Select List and should be promoted retrospectively with effect from the date from which he would have been promoted on the basis of such rank.

For the purpose of reckoning available opportunity an examination notified within three months from the date of joining the civil post by the Government employee after return from military service may be ignored unless he actually appears at it.

Where the names of two or more Civil Government employees are so added to the same Select List, their *inter se* ranking will be in the order of their merit at the competitive examination if they are selected for inclusion in the Select List on the result of the same competitive examination. If, however, names of two or more civil, Government employees are added to the same Select List on the basis of different examinations, their *inter se* ranking will be determined by the Government in consultation with the Punjab Public Service Commission.

Note.— Where promotion is to be made with the approval of the Punjab Public Service Commission under the relevant rules, it would be obtained before a civil Government employee who is covered by these orders, is promoted.

11. *Probation and confirmation.*— (i) Temporary/officiating civil Government employees would be eligible for confirmation in their civil posts, while they are away on military service.

No. 8848-
4GSI-65/
dated 6th
Oct., 1965.

No. 10357-
4GSI-63/
1377, dated
27th Jan.,
1966.

(ii) In cases where passing of any departmental examination(s) is not a condition precedent to confirmation in the civil post, a civil Government employee should be considered for confirmation in his turn. For this purpose, unless the military authorities have specifically intimated anything against the civilian employee it should be presumed that they have nothing adverse to report.

(iii) Where the decision to confirm a civil Government employee in his turn, during his absence on military service, cannot be taken at the appropriate time and an assessment of his performance after his reversion to the parent department/office is considered necessary for the purpose, a permanent vacancy in the grade concerned should be kept reserved for him. On reversion from military service, if he is adjudged fit for confirmation, within one year from such reversion, then he should be confirmed in that vacancy from the date he would have been so confirmed in his turn, if he had not proceeded on military service.

(iv) The procedure set out at (ii) and (iii) above will also apply to cases where passing of any departmental examination(s) is a condition precedent to confirmation and the Government employee concerned had already passed such examination(s) before joining military service.

(v) In cases where passing of any departmental examination (s) is a condition precedent to confirmation, a civil Government employee, who had not already passed the prescribed examination (s) before taking up military service should not be confirmed in the civil post while he is away on military service. In order to safeguard his interest, a permanent vacancy in the grade concerned should be kept reserved for him on reversion from military service he should be required to pass the prescribed examination(s) for this purpose he should be allowed to take as many chances as he might have missed because of joining military service. If he passes the examination(s) within those chances and he is otherwise eligible, and is considered fit for confirmation then he should be confirmed in the civil post from the date he would have been so confirmed if he had passed the examination(s) in corresponding chance but for his taking up military services.

(vi) The above procedure will apply also to persons recruited on probation against permanent civil posts or who are appointed to officiate in higher posts 'on trial' and are

permitted to take up military service during their probationary/ 'trial' period.

Note.—Where confirmation is to be made with the approval of the Punjab Public Service Commission under the relevant rules, it should be obtained before a civil Government employee who is covered by these orders is confirmed.

(vii) The period of military service in any rank will be treated as period spent on deputation on a corresponding post for being counted towards the period of probation fixed under the departmental service rules.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

12. *Leave and leave salary.*—Permanent State Government employees who are permitted to take up military service during the present Emergency, will be allowed to earn leave during the military service according to the civil leave rules applicable to them at the time of their transfer to military service. Temporary State Government employees will during military service be governed by the military rules in all respects. This would be subject to the following conditions :—

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

- (1) The permanent civil Government servants, who remain subject to the civil leave rules will be granted leave during the period of their military service under the leave rules of the Armed Forces. The leave so granted will also be subject to the conditions and limits laid down in the leave rules of the Armed Forces.
- (2) The balance of leave in the civil leave account at the time of their transfer to military service will be frozen.
- (3) (i) The leave actually taken during military service will be adjusted in the civil leave account only at the end of military service and in the manner indicated below :—
 - (a) Annual leave against earned leave ;
 - (b) Sick leave on full pay as commuted leave against half pay leave ;
 - (c) Furlough on half pay/sick leave on half pay against half pay leave.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

- (ii) The amount of leave actually taken by such persons while in military service shall be deducted from their civil leave accounts. Any case of excess consumption of leave during Military service shall be condoned but if the leave taken during military service is less than the leave earned during that service according to the civil leave rules the balance will be credited to their civil leave accounts.
 - (iii) Accordingly, the leave at credit in the frozen leave account will not be operated on for any purpose during military service.
 - (iv) The balance of leave earned during military service remaining at the credit of a Government servant on the date of his reversion after adjustment of leave availed of during that service as at sub-para (i) above, will be credited to his frozen leave account to the extent that the total of leave at credit in the frozen leave account together with the balance of leave added under this clause does not exceed the limits upto which leave can be accumulated under the leave rules applicable to the Government servant.
 - (v) As the Civil Government servants will be granted leave under the leave rules of Armed Forces during the period of military service they will not be granted special disability leave under the civil leave rules.
- (4) (i) A permanent civil Government servant who takes leave during the period of Military service, will be entitled to leave salary under the leave rules of the Armed Forces. If a Government servant is in receipt of Civil rates of pay the leave salary under the leave rules of the Armed Forces will be calculated with reference to the civil pay only.
- (ii) The leave salary in respect of the leave availed of during military service will be paid by the Defence authorities. The leave salary in respect of the leave earned during military service will, if such leave is availed of after reversion to the civil department, be the liability of the civil department concerned.
- (5) The leave accounts of temporary Government servants who will be governed fully by the leave rules of the Armed Forces during the period

of military service, will also be frozen. They will neither earn any leave under the civil leave rules during the period of military service nor will they be allowed any pecuniary benefit in respect of the leave at their credit on the date of transfer to military service. The leave at their credit in the frozen leave account will, however, be carried forward and made available to them on their reversion to the civil departments.

- (6) Quasi-permanent Government servants will be treated on par with temporary Government servants in the matter of leave on their transfer to military service.

The leave salary will not be paid by the Defence Department in respect of the Civil Government servants transferred to military service during the present emergency, but leave salary in respect of leave actually taken while in military service will be paid from Defence Estimates. Similarly, pensionary charges of the Civil Government servants need not also be allocated between the civil and defence departments and the liability for pension of the Government employees in question relating to the period of military service during the present emergency will be borne by the Civil Department.

No. 8498-
4GS-64/
31056, dated
8th September,
1964.

13. *Lien*.—(1) State Government employees who are permitted to join military service during the Emergency will be seconded for military duty. Liens will be retained on the posts held substantively.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

(2) If a person is successful in a competitive test for a service/post, but has already taken up military service before the result is announced, his appointment will be made to the service/post concerned and he will be considered as having been seconded for military duty, with effect from the date of such appointment.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

14. *Provident Fund*.—State Government employees who proceed on military duty will retain their right of liability, as the case may be, of subscribing in accordance with the rules of the Fund concerned, to any Provident Fund of which they are members. In case, however, a State Government employee was not a subscriber to any Provident Fund before transfer to military duty, he will be called upon to become a member of the D.S.O.P./A.F.P.P. Fund after completion of one year's

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

continuous service from the date of his appointment on the civil side.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

15. *Accommodation.*—State Government employees who are permitted to join military service will be allowed to retain, for their families, the Government residential accommodation allotted to them on payment of rent at 10 per cent of their pay on civil posts.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

16. *Temporary Government Employees.*—Temporary State Government employees, who after release from military service are absorbed in the post from which they proceeded on military service or are appointed to posts with equivalent or similar grades, will be treated in the same manner as permanent State Government employees in respect of pay, seniority and pension on their return, irrespective of whether or not the post on which they were working at the time of their joining the military service continued to remain in existence during the period of their military service. Temporary State Government employees who do not return to the same post or to a post in an equivalent or similar grade shall be treated as if he did not hold any post under the Government prior to his joining military service.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

17. *Concessions admissible to the Family members of serving, disabled or killed military Personnel.*—The families of all State Government employees on military service will be entitled to medical facilities on the same footing as families of officers who continue in comparable civil posts.

No. 19982-
3GS-62/
43960, dated
27th Decem-
ber, 1962.

In relaxation of the instructions on the subject the maximum age for entry into Government service in the case of the wives of serving military personnel shall be 45 years provided they are otherwise eligible for the posts in question.

No. 15717-
4GS-63/
47723, dated
31st Decem-
ber, 1963.

The maximum age for entry into Government service in the case of widows of military personnel who are killed and in the case of wives of those who are disabled while in military service shall be 45 years; provided they are otherwise eligible for the posts in question.

No. 7477-
4GS-63/
24400, dated
8th July,
1963.

Widows of deceased servicemen and wives of those who become disabled will be considered sympathetically for civil employment; provided they fulfil the minimum qualifications prescribed for the service/post applied for by them.

Children of deceased/disabled servicemen will be considered sympathetically for civil employment if they fulfil the qualifications of the service/post applied for by them.

18. *Special provision for Engineering and Medical Students.*—With a view to encouraging engineering students to volunteer for Short Service Regular Commissions, it has been decided that pre-final and final year students of the Engineering Colleges in the Punjab shall be appointed as Temporary Assistant Engineers in the relevant branches of the State Public Works Department from the dates of the grant of Provisional Short Service Regular Commissions to them, and they should be deemed to have been seconded to military duty from the said dates. Special posts should be created for this purpose if sufficient vacancies are not available for the appointment of such persons as Temporary Assistant Engineers within the sanctioned cadres of the various branches of the Department. Where such candidates have been appointed against the vacancies within the cadre, the Administrative Department will be competent to create a comparable number of posts for making purely temporary appointments against them. On their release from military service, these persons will be absorbed in the posts on which they were originally appointed and the officials temporarily appointed against these posts will be liable to reversion or discharge.

NO. 3068-
4G. S. I-
64/10932,
dated 6th
April,
1964

In case the Provisional Short Service Regular Commission is terminated for reasons of (i) failure to qualify at the degree or diploma examination; (ii) lack of medical fitness and (iii) failure to join the pre-Commission training at the Indian Military Academy or to complete it successfully, the appointment as Temporary Assistant Engineer will be liable to termination from the date of the termination of the Provisional Short Service Regular Commission and no benefit will be allowed for the period that their lien with the State Government was retained. Moreover, in the event of the extension of the Provisional Short Service Regular Commission for any period without pay, the civil rates of pay and allowances in the post of Temporary Assistant Engineers will not be admissible.

According to the existing service rules of the P.S.E. Class II, a candidate is eligible for appointment as Temporary Assistant Engineer only if he possesses a degree in civil, mechanical or electrical engineering, but this qualification will

be deemed to have been relaxed in favour of persons appointed as Temporary Assistant Engineers on the grant of Provisional Short Service Regular Commission. In order however to ensure that the persons who have already joined the armed forces in the corps of Engineers, Signals and Electrical and Mechanical Engineers after obtaining degrees from engineering colleges in the State are not placed at a dis-advantage *vis-a-vis* pre-final and final year students such persons, on their release from military service shall be absorbed against the reserved vacancies in the engineering service in the relevant branches of the State Public Works Department and should have priority absorption over the persons who joined while still pre-final and final year students.

The concessions contained in this paragraph will also apply *mutatis mutandis* to medical students of the medical institutions in Punjab.

No. 7477-
4GS-63/
24400,
dated 8th
July, 1963.

19. *Ex-servicemen and members of the Territorial Army.*—(a) The maximum age-limits prescribed for civil employment under the Punjab State will be relaxed in their favour and the period of their approved military service will be excluded in counting their age for this purpose provided that :—

- (i) they produce a certificate from the military authorities that they had continuous military service for a period not less than six months and were discharged because of demobilisation/reduction not more than three years prior to the date of their registration at an Employment Exchange of the date of application for employment under the State Government; and
- (ii) they fulfil the qualifications other than those in respect of age prescribed for the service/post applied for by them, save that if the competent authority certifies that a person who has rendered approved military service has acquired by experience or otherwise qualifications equivalent to those prescribed for the service/post, it may in his case relax the minimum qualifications prescribed for such post.

(b) The period of approved military service will count for increments, seniority and pension in the civil employment as under :—

- (i) *Increments*.—The period a person has spent on approved military service after he attained the minimum age for entry prescribed for the service/post to which he is appointed will count for increments in the post to which he is appointed if such appointment is on an incremental scale. Where no age is prescribed the minimum age will be as laid down in rules 3.9, 3.10 and 3.11 of the Punjab Civil Service Rules, Volume II.

This concession will, however, be admissible on first appointment and not on subsequent appointments which might follow resignation, etc., from the first appointment. In the case, however, of a person who joins a second or subsequent post on transfer and who has not already availed of the concession, the concession will be admissible but only such benefit will be allowed to him as would have been admissible to him in the post to which he was appointed first.

- (ii) *Seniority*.—An ex-serviceman who is appointed to a civil service will be assigned a place in the cadre of such service which will be fixed with due regard to his age and the period allowed to be deducted under b(i) above and will, as nearly as may be, correspond with the place which he would have been assigned if the Emergency had not intervened and he had qualified in the normal way.

- (iii) *Pension*.—Approved military service will count towards pension only in the case of appointment to a permanent civil post and subject to the following conditions :—

- (1) the ex-serviceman concerned should not have earned a pension under the military rules in respect of the service in question ;
- (2) in the case of the service/posts in respect of which a minimum age is fixed for recruitment, military service rendered below that age will not be allowed to count for pension ;

- (3) the bonus or gratuity paid in respect of military service by the defence authorities will have to be refunded to the State Government; and
- (4) the break between the military service and the civil service will be condoned provided the break does not exceed one year. Breaks exceeding one year and not exceeding three years may also be condoned in exceptional cases under the orders of the Government.

No. 7477-
4GS-63/
24400,
dated 8th
July,
1963.

20. *Disabled Ex-servicemen and families of those killed in Action.*—(a) In addition to 19(a), ex-servicemen who become disabled while in military service will also be entitled to exclude from their age the period, from the time they were disabled up to the date of their application for appointment or until the end of the Emergency, whichever is earlier.

No. 16963-
4GS-63/
47725,
dated 31st
December,
1963.

(b) Disabled ex-servicemen are entitled to all the concessions which are admissible to ex-servicemen in the matter of relaxation of the minimum qualifications prescribed for a service or post and in other respects as set out above. Preference will be given to ex-servicemen on account of their experience and training while in military service. The standards of physical fitness in the case of disabled ex-servicemen in respect of posts in which the disability will not interfere in the discharge of the duties of the posts will be relaxed.

No. 7477-
4GS-63/
24400,
dated 8th
July,
1963.

21. The concessions contained in the foregoing paragraphs will not have the effect of reducing in extent the following concessions but where the two sets of concessions operate in the same respect, the higher of the two will be admissible :—

- (i) the concessions given to ex-servicemen and their families by the Government of India ;
- (ii) the concessions given to students, who join military service, by the Education Department and/or the Universities concerned ; and
- (iii) the concessions which may be allowed by different Departments to their employees proceeding on military service.

22. The procedure for adjustment of pay and provident fund on civil Government servants who are permitted to take

up military service during the present emergency will be as under :—

- (i) The Defence authorities will while communicating the final selection to a Civil Government servant, indicate the name and address of the Military Unit/formation to which details of pay and allowances, etc., of the Civil Government servants should be communicated by the Civil Departments.
- (ii) As soon as the Civil Government servant is struck off the civil posts, his Administrative Officer (in the case of Non-Gazetted personnel) or the Accounts Officer (in the case of the Gazetted personnel), shall forward his last pay certificate and Gazette Notification or Office Order or Pt. II Order to the head of the Establishment to which the individual is expected to report for training/service. In the case of the personnel selected for grant of Emergency Commission, the Last Pay Certificate, has to be forwarded to the Commandant of the Officers' Training School and in case of personnel selected for J.C.Os/ORs' appointments it has to be forwarded to the Pay and Accounts Officer (Other Ranks) concerned through the Commandant of the Training Centre/Unit. Character Rolls or Service Book of the individuals are not to be forwarded to the Military Departments.

The civil employer or the Accounts Officer (in the case of Gazetted personnel) concerned will endorse on the last pay certificate that the provisions of the Government of India, Office Memorandum No. 1/4/63/D (Pay/services), dated the 20th March, 1963 have been extended to their personnel.

No. 11028-
4GSI-65/
41429, dated
1st January,
1966.

- (iii) In the case of personnel selected for Emergency Commission, the Commandants of the training Centres will pay during the training period, to the civil Government servants net civil pay and allowances as are indicated in the Last Pay Certificates. They will make a further deduction of Rs. 25 from the pay and allowance on account of food expenses. Such payments during the training period will be a charge on the Civil services Estimates, reduced by the amount

of any training allowance admissible under the Defence Rules, Credits for the amounts deducted from pay on account of Provident Fund, advances, etc., noted on Last Pay Certificate would, however be afforded to the Civil Accountant-General concerned. After the completion of training and on grant of Commissions, these documents of the individuals concerned will be forwarded to the Controller of Defence Accounts (Officers). From the date of grant of the Commission, the officer will start drawing military pay and allowance or civil pay and allowances, whichever are higher. The Controller of Defence Accounts (Officers) will raise debits against the Civil Accountant-General for the excess of civil pay and allowances over military pay and allowance and afford credits to him for the recoveries made on account of Provident Fund advances, etc., as noted on Last Pay Certificate.

- (iv) In the case of J.C.Os./O.Rs. etc., the commandants of the Training Centre/Units shall pay to the civil Government servants either the civil pay and allowances reduced by Rs 25 or the military pay and allowances, whichever are higher. In case the reduced civil pay and allowances are higher, debit for the difference shall be raised against the Civil Accountant-General by the C.D.A. (O.Rs.) who shall also afford credits to him for the recoveries made on account of Provident Fund advances, etc., as noted on Last Pay Certificate.

No. 11028-
4GSI-65/
41429, dated
1st January,
1966.

Note.—Payment of civil pay and allowances made to the civil Government servants under sub-para (iii) or (iv) above will be recovered monthly or quarterly, as and when the payments are made. The debits will be passed on by the C.D.A.(O) or C.D.A. (O.Rs.) as the case may be to the Civil Accountant-General concerned duly supported also by statement showing the details of payment made and recoveries effected during the pre-commission training period and the excess (if any) of civil pay and allowances over military pay and allowances/credits for the net amounts due/payable on account of Provident Fund, etc.

- (v) For purposes of determining whether civil pay and allowances are higher than military pay and

and allowances, the following elements shall be taken into account from Civil and Military Pay Code:—

Military Pay Code

Civil Pay Code

For J.C.Os/O.Rs.
etc.

For Officers

As far as State Government employees who proceed on military duty are concerned pay and allowances will include all types of pays mentioned in rule 2.44 of the Punjab Civil Services Rules, Volume I, Part I (including special pay on tenure posts)

Pay including Rank Pay, Badge Pay, G.S. Pay, Good Conduct Pay, length of service increments, special pay and dearness allowance

Pay including Acting rank pay F.N.A., S.D.A and Dearness Allowance

- (vi) All local and compensatory allowances shall be regulated in accordance with the provisions of the Military Pay Code applicable at the place of posting. Hazard pay, high altitude allowances, field area concession and other benefits peculiar to military service shall be payable separately in accordance with military rules.
- (vii) The Civil Administrative Officer in the case of the non-Gazetted personnel and Civil Accounts Officer in the case of the Gazetted personnel, shall communicate to the Controller of Defence Accounts (Officers) in the case of personnel selected for Emergency Commissions and to the Commandants of Regimental Centres in the case of personnel selected for J.C.O./O.Rs., appointments, all office orders and administrative decisions including those relating

to *pro forma* promotion under the 'Next below Rule' which might have a bearing on the pay and allowances of the individuals. All increments in the civil scales for these personnel shall continue to be granted as a matter of course, unless a report from the military authorities is received indicating any punishments having the effect of stoppage of increments or pay and allowances. The crossing of the efficiency bar in the civil scale will not be allowed as a matter of course but on the basis of the up-to-date record of service.

- (viii) The civil Government servant will continue as member of the Provident Fund to which he was subscribing before taking over military duties. Contribution to the fund will be deducted by the Military authorities and credits for recoveries made will be afforded by the civil accounts authorities concerned for adjustment in their books. (In the case of class IV Government servants an intimation in respect of the credits will also have to be sent to the parent office). In case any Government servant was not a subscriber of any Provident Fund before transfer to Military duty, he shall be called upon to become a member of the D.S.O.P/A.F.P.P. Fund after completion of one year's continuous service from the date of his appointment on the civil side.

No. 11028-
4GSI-65/
41429, dated
1st January,
1966.

23. Procedure for making entries regarding pay, allowances, etc., in the service books and leave accounts of Civilian Government employees permitted to take up military service during the present emergency would be as follows:—

(1) *Entries in service books regarding pay and allowances drawn in military service.*—In accordance with para 22(vii) where Government employees are entitled to draw civil rates of pay and allowances during military service, the entry regarding the grant of increments including crossing of efficiency bar shall be made by the civil authorities at appropriate time indicating that sanction to the crossing of efficiency bar has been given where such efficiency bar is involved. Where Government servants are allowed military rates of pay and allowances the entries shall be made by the civil authorities after obtaining necessary information from the military authorities.

(2) *Entries regarding leave availed of during military service.*—As temporary and quasi-permanent Government employees will be fully covered by the military leave rules during the military service and will not earn any leave under the civil leave rules, the question of making any entry in their civil leave account/service book does not arise. In the case of permanent Government employees who earn leave under the civil leave rules during their military service and are allowed to carry forward the unavailed of leave on their reversion to civil Department, the entries in their civil leave account/service book shall be made by the civil authorities after their reversion to the civil appointment.

(3) *Recording of the certificate of verification of service in the service books.*—As the record of service of officers permitted to take up military service during the present emergency will be kept by the military authorities, in one form or the other and also their pay and allowances will be disbursed by them, there is no need of recording certificates of verification of service in the service books by the civil authorities concerned in respect of the period of military service. The necessary verification for this period will be done by the military authorities. On reversion of such officers to the civil appointments, a suitable note of this verification having been done by the military authorities should, however, be recorded by the civil authorities in the service book of the officer on the basis of the facts supplied by the military authorities.

Copy of letter No. 2407-4GSI-66/9736, dated the 22nd/25th April, 1966, from the Chief Secretary to Government, Punjab to the address of all Heads of Departments, etc., etc.

Subject.—Re-employment of ex-servicemen in civil Government service.

I am directed to refer to Punjab Government letter No. 3068-4GSI-64/10930, dated the 6th April, 1964 as modified vide Punjab Government letter No. 9651-4GSI(I)-65/34691, dated the 19th October, 1965 which lays down that 50 per cent of the permanent vacancies in the Engineering and Medical services, which are filled by direct recruitment and 20 per cent of the permanent vacancies becoming available in the remaining services, except the Provincial Civil Service, will remain reserved for civilian employees and others who joined military service during the emergency. A suggestion was made that a

certain percentage of posts should also be reserved for the ex-servicemen not covered by these instructions considering their training and experience in the armed forces and their suitability for such posts, since the reservation already made covers cases of only those persons who joined military service during the present emergency and not those who were already in the service of the Army at the time of the proclamation of the emergency. The matter has been considered by Government and it has been decided to give second preference to such personnel for absorption in civil Government Service. The reserved vacancies will, therefore, be offered first to civilian employees and others who have joined military service during the present emergency and whatever vacancies remain unfilled will be offered to ex-servicemen who are other-wise fit and suitable for employment.

Copy of letter No. 2417-5GS-II-66/16248, dated the 4th May, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

***Subject.*—Employment of handicapped persons in the Public Service.**

I am directed to invite a reference to Punjab Government Circular letter No. 7833-7GS-60/33698, dated the 21st September, 1960 on the subject cited above, and to say that the question of grant of age concession for entry into Government service to the physically handicapped persons has been engaging the attention of the Government for some time past. After careful consideration of the matter, it has been decided that the physically handicapped persons, viz. deaf, dumb, blind and orthopaedically handicapped persons may be given the age concession of 10 years over and above the existing upper age limit for direct recruitment in respect of the jobs given in the enclosed list.

2. I am further to state that the physically handicapped persons mentioned above may be considered for employment against the categories of posts given in the enclosed list provided they are not otherwise unqualified and unfit to discharge the duties of the posts, against which they can be suitably

employed. The physically handicapped persons recommended by the Employment Exchanges or the Special Employment Exchange, Chandigarh, where otherwise found suitable, may be given preference in employment.

List of jobs for physically-handicapped persons

BLIND

1. Weaving
2. Toy making
3. Basket making
4. Cane work
5. Nawar making
6. Hand spinning (Charkha work)
7. Hand Pump Operators
8. Musical Instrument

DEAF

1. Bench Fitting
2. Electricians
3. Wiremen.
4. Carpentry.
5. Blacksmithy.
6. Moulding.
7. Tin & Copper Smithing.
8. Toy making.
9. Shoe making.
10. Watch making.

DUMB

1. Cane work.
2. Poultry Farming.
3. Bangle making.
4. Bee Keeping.
5. Dairy Farming.
6. Book-binding.
7. Composing.
8. Leather work.
9. Tailoring and cutting

ORTHOPAEDIC

1. Teachers.
2. Ministerial jobs (Clerks, Stenographers, Office Assistants etc.),
3. Class IV jobs (Daftry, Peons, etc. Proficiencying in Teach. Trades.
4. Carpenter.
5. Fitters.
6. Painters.
7. Tailors and Mechanics.
8. Decorators.

Copy of Punjab Government Circular letter No. 2180-4GSI-66, dated 10th May, 1966, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

I am directed to refer to Punjab Government letter No. 9369-G-51/1881, dated the 12th February, 1952, which lays down the instructions for the submission and receipt of memorials and petitions from persons who are, or have been in the Civil service of the Punjab State. Under para 2(I) of these instructions a Government employee is competent to file a memorial to the Governor in respect of matters arising out of such employment. The question whether a Memorial against adverse remarks in the Confidential reports of Government employees is admissible or not has been considered at length and it has now been decided that no memorial lies against adverse remarks communicated to the employee on the basis of his confidential report. Accordingly para 2(I) of the memorial instructions may be amended to read as follows :-

"These instructions shall apply to memorials addressed to the Governor of Punjab or the State Government by persons who are or have been in the Civil service of the Punjab State in respect of matters arising out of such employment ; or in respect of the termination of such employment and who are or were subject to the rule making power of the Governor". However these instructions will not apply to representations made against adverse remarks, communicated on the basis of annual confidential reports.

Copy of letter No. 3681-ASI-66, dated 13th May, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments in the State.

Subject.— Confidential reports on the work of Liaison Officers of Departments posted at Delhi.

I am directed to invite a reference to Punjab Government letter No. 2206-ASI-66/5854 dated the 17th March, 1966 wherein the procedure for writing annual confidential report on the work of the officers of the various departments who are posted as Liaison Officers at Delhi was conveyed to you.

2. The matter has been considered further and it has been decided that the confidential report on the work of a Liaison Officer shall be initiated by the head of the Department concerned. Thereafter the Agent to Government, Punjab at Delhi will add his remarks and send the report to the Administrative Secretary concerned. If the Administrative Secretary has a different opinion from the one given by the Agent to Government, Punjab the report will be put up to the Minister-in-charge for his final remarks.

3. I am to request that these instructions may be followed strictly in the matter of confidential reports on the work of the Liaison Officers posted at Delhi.

Copy of Punjab Government Circular letter No. 2416-5GSII-66/13080, dated 23rd May, 1966 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject.— Recruitment through the Subordinate Services Selection Board.

I am directed to say that in modification of orders contained in sub-para (i) of Punjab Government letter No. 1212-G-54/5973, dated the 13th February 1954 on the subject noted above it has been decided that the appointing authorities will be competent to fill both permanent and temporary posts for a period not exceeding six months pending reference to the Subordinate Services Selection Board.

Copy of letter No. 2293-4GSII-66/15013, dated 7th June, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments in the Punjab etc. etc.

Subject :— Revised system of working hours.

I am directed to invite a reference to Punjab Government letter No. 10343-GII-59/24150, dated the 16th December, 1959, with which the discrimination that existed previously in regard to the grant of casual leave to Government employees having less than two years service was eliminated. Such employees are now entitled to the same amount of casual leave as is admissible to employees having less than 10 years service. It was clarified,—*vide* Punjab Government letter No. 7365-GS-60/30449, dated the 29th August, 1960 that no restriction should be imposed even in the case of employees who are appointed purely on temporary basis for a period not exceeding three months, or for a period not exceeding six months against regular vacancies and they may be granted casual leave in full provided they are in dire need of it and Government work is not allowed to suffer. This question has again been considered by Government carefully and it has been decided that casual leave to such employees should be admissible as under :—

- (i) To employees who after having been appointed on *ad hoc* basis have been in Government employment for a period up to one month
- (ii) To employees who after having been appointed on *ad hoc* basis have been in Government employment for a period of more than one month but not exceeding two months .. One day
- (iii) To employees who after having been appointed on *ad hoc* basis have been in Government employment for a period of more than two months but not exceeding three months .. two days
- (iv) To employees who after having been appointed on *ad hoc* basis have been in Government employment for a period of more than three months but not exceeding four months .. three days

- (v) To employees who after having been appointed on *ad hoc* basis have been in Government employment for a period of more than four months but not exceeding five months ... four days
- (vi) To employees who after having been appointed on *ad hoc* basis have been in Government employment for a period of more than five months but not exceeding six months . five days

Copy of Circular letter No. 3590-4GSI-66/17115, dated the 17th June, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject :—Concessions to civilian Government employees and others who join military service during the present Emergency.

I am directed to refer to the Punjab Government letter No. 88-4GSI-66/9554, dated the 25th April, 1966 on the subject noted above and to say that it has been decided to substitute paragraph 5(ii) thereof as follows:—

'If any of the State Government employees, who are candidates for Emergency Commissions, withdraws, except for reasons beyond his control, from the training or fails to accept the Commission when offered on the completion of the training, he will be liable to refund the cost of tuition, food and clothing and pay and allowances, as may be decided upon by the Government of India. However, the period of absence from duty of civilian employees who opted for the grant of Emergency Commission, but were reverted back to their parent department without completing the training or who were holding liens on their civil appointments and were sent back as a result of voluntary resignation or withdrawal will be treated as under :

- (a) Leave with full or average pay, as the case may be, to the extent admissible in their civil posts, will be granted by their parent Departments for the period of their absence viz. from the date

of their departure from the training establishment concerned to the date of their reporting back to the civil department concerned.

- (b) In cases where the period of absence given in para (a) above is not covered by the leave due ; the same or the balance of the period, as applicable will be treated as Special Leave with full pay and allowances to be paid from the Defence Services Estimates.

These orders will have effect from the 14th January, 1963 and will cover cases arising up to and on the 26th November, 1965 only.

Copy of letter No. 3502-IGSII-66/16434, dated the 22nd June, 1966, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.— Rules relating to the powers of the State Government to dispense with or relax the requirements of any rule regulating conditions of service of Government employees for dealing with any case in a just and equitable manner.

I am directed to invite a reference to para 2 of Punjab Government letter No. 2122-DSGS-63/38118, dated the 27th November, 1964, on the subject noted above, in which you were advised that a general rule as indicated in the said para may be provided for relaxation of rules in the relevant service rules till the publication of General Service Rules. The question of powers of State Government for the relaxation of rules has been again considered in consultation with the Legal Remembrancer, Punjab, and the Government of India and it has been decided that instead of the phraseology already circulated, the following phraseology should be adopted :—

“Where the 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 provisions of these rules with respect to any class or category of persons.”

Copy of letter No. 3578-2GSI-66/15840, dated 24th June, 1966, from the Chief Secretary to Govt., Punjab, to all Heads of Departments, etc.

Subject.—Cut in pension of the Government employees who are retired compulsorily from service under rule 5.32 of the Punjab Civil Service Rules, Vol. II.

I am directed to invite a reference to Punjab Government letter No. 11029-G-54/67098, dated the 8th December, 1954 and No. 12693-G-54/37937, dated the 30th June, 1955 on the subject cited above and to say the Government have now been advised by their Legal Remembrancer that where a Govt. employee is retired compulsorily under rule 5.32 of the Punjab Civil Services Rules, Vol. II, no cut in pension should be imposed. The instructions under reference may, therefore, be considered to have been modified to this extent,

2. These instructions may please be brought to the notice of all concerned.

[Published in the *Punjab Government Gazette, Legislative Supplement Ordinary*, dated the 15th July, 1966 and circulated among all Heads of Departments etc.,—*vide* No. 5050-3GSI-66/22742, dated 29th August 1966, No. 2609-SII(3)-71, dated 6th May, 1971, and, No. 7178-2SII-76/33718, dated 6th August, 1976.]

PUNJAB GOVERNMENT

HOME DEPARTMENT

(GAZETTE)

NOTIFICATION

(Rules)

The 5th July, 1966

No. G.S.R. 143/Const./Art. 309 and 318/66.—In exercise of the powers conferred by the proviso to article 309 and clause (b) of article 318 read with clause (3) of article 187 of the Constitution of India, the Governor of Punjab,

after consultation with the Chairman of the Punjab Vidhan Parishad and the Speaker of the Punjab Vidhan Sabha in so far as such consultation is necessary under the aforesaid provisions, is pleased to make the following rules, namely :—

THE GOVERNMENT EMPLOYEES (CONDUCT) RULES, 1966

1. *Short title, commencement and application.*—(1) These rules may be called the Government Employees (Conduct) Rules, 1966.

(2) They shall come into force at once.

(3) They shall apply to all persons appointed to Civil Services and posts in connection with the affairs of the State:

Provided that nothing in these rules shall apply to—

(a) members of the All India Services who are subject to the All India Services (Conduct) Rules, 1954 ; and

(b) holders of any post in respect of which the Governor may, by general or special order, declare that these rules do not apply.

(c) employees of the Punjab State when on deputation to another State Government or Central Government. During the period of deputation they shall be governed by the corresponding rules of the borrowing Government.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) 'the Government' means the Government of the State of Punjab ;

(b) 'Government employee' means any person appointed to any civil service or post in connection with the affairs of the State of Punjab.

Notification
No. G.S.R.
65/Const./
Art. 309 and
318/Amd(5),
76, dated 19th
May, 1976.

Notification
No. G.S.R.
63/Const./
Art. 309 and
318/Amd. (ii)-
169, dated the
1st August,
1969.

Explanation.—A Government employee whose services are placed at the disposal of a company, corporation, organisation or a local authority by the Government, shall for the purposes of these rules, be deemed to be a Government employee serving under the Government notwithstanding that his salary is drawn from sources other than from the Consolidated Fund of the State.

(c) "members of family" in relation to a Government employee includes—

(i) the wife or the husband, as the case may be, of the Government employee, whether residing with the Government employee or not but does not include a wife or husband, as the case may be separated from the Government employee, by a decree or order of a competent court ;

(ii) son or daughter or step-son or step-daughter of the Government employee and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the Government employee or of whose custody the Government employee has been deprived by or under any law ;

(iii) any other person related, whether by blood or marriage to the Government employee or to the Government employee's wife or husband and wholly dependent on the Government employee.

(d) 'prescribed authority' means —

(a) (i) the Government in the case of Government employee holding any Class I post, except, where any lower authority is specified by the Government for any purpose ;

Notification
No. G. S. R.
63/Const./
Art. 309 and
318/Amd.
(II) 69, dated
1st August,
1969.

(ii) Head of Department, in the case of a Government employee holding any Class II post ;

(iii) Head of office in the case of Government employee holding any Class III or Class IV post ;

- (iv) The Chairman of the Punjab Legislative Council in the case of the Secretary of the said Council and the Secretary in the case of all other employees of the Legislative Council ;
- (v) The Speaker of the Punjab Vidhan Sabha in the case of the Secretary of the said Sabha and the Secretary in the case of all other employees of the Vidhan Sabha ;
- (b) In respect of the Government employee on foreign services, the parent department on the cadre of which such Government employee is borne or the department to which he is administratively subordinate as member of that cadre.

Explanation.—Foreign service for the purpose of this sub-rule means service in which a Government employee receives his substantive pay with the sanction of Government from any source other than the revenues of the Union or a State Government.

3. *General.*—(1) Every Government employee shall at all times—

- (i) maintain absolute integrity ;
- (ii) maintain devotion to duty ; and
- (iii) do nothing which is unbecoming of a Government employee.

(2) (i) Every Government employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all Government employees for the time being under his control and authority :

(ii) No Government employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the direction in writing, wherever practicable, and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the direction as soon thereafter as possible.

Explanation I.—Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a Government employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

Explanation II.—Without prejudice to the provisions contained in this rule no action will be initiated against any Government Employee for not carrying out oral instructions of his official superior in individual cases, relating especially to postings and transfers, giving of loans, permits, or quotas and similar other matters.

Notification
No. G.S.R.
86-Const.-
Art. 309 and
318/68-
Amd. (1),
dated 30th
September,
1968.

4. *Employment of near relatives of Government employees in company or firm enjoying Government patronage.*—(1) No Government employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm.

Notification.
No. G.S.R.
73/Const.-
Art. 309 and
318/Amd.
(6)/76, date
9th June,
1976.

(2) (i) No Class I Officer shall, except with the previous sanction of the Government, permit his son, daughter or other dependent to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Government :

Provided that where the acceptance of the employment cannot await prior permission of the Government or is otherwise considered urgent, the matter shall be reported to the Government and the employment may be accepted provisionally subject to the permission of the Government.

(ii) A Government employee shall as soon as he becomes aware of the acceptance by a member of his family of an employment in any company or firm intimate such acceptance to the prescribed authority and shall also intimate whether he has or has had any official dealings with that company or firm :

Provided that no such intimation shall be necessary in the case of a Class I Officer if he has already obtained the sanction of, or sent a report to, the Government under clause (i).

(3) No Government employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the Government employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

5. *Taking part in politics and elections.*—(1) No Government employee shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every Government employee to endeavour to prevent any member of his family from taking part in subscribing in aid of or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established and where a Government employee is unable to prevent a member of his family from taking part in or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Government.

(3) If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Government thereon shall be final.

(4) No Government employee shall canvass or otherwise canvass, interfere with, or use his influence in connection with or take part in an election to any legislature or local authority:

Provided that—

- (i) a Government employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted :

- (ii) a Government employee shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation.—The display by a Government employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. *Joining of Associations by Government employees*.—No Government employee shall join, or continue to be a member of, an association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

7. *Demonstration and Strikes*.—No Government employee shall—

- (i) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence, or

- (ii) resort to or in any way abet any form of strike or coercion or physical duress in connection with matter pertaining to his service or the service of any other Government employee.

Notification
No. G.S.R.
65/Const./
Art. 309 and
318/Amd.
(5)/76, dated
19th May,
1976.

8. *Connection with Press or Radio*.—(1) No Government employees shall except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication.

Notification
No. G.S.R-
63/Const./
Art. 309 and
318/Amd.
(2)/69, dated
1st August,
1969.

(2) No Government employee shall, except with the previous sanction of the Government or of the prescribed authority or except in the bona fide discharge of his duties :—

- (a) publish a book himself or through a publisher, or contribute an article to a book or compilation of articles ; or
- (b) participate in a radio broadcast or contribute an article or write a letter to a newspaper or periodical either in his own name or anonymously or pseudonymously or in the name of any other person :

Provided that no such sanction shall be required —

- (i) if such publication is through a publisher and is a purely literary, artistic or scientific character ; or
- (ii) if such contribution, broadcast or writing is of a purely literary, artistic or scientific character.
- (c) employees of the Punjab State when on deputation to another State Government or Central Government. During the period of deputation they shall be governed by the corresponding rules of the borrowing Government.

9. *Criticism of Government.*— No Government employee shall, in any radio broadcast or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance take any statement of fact or opinion—

- (i) which has the effect of any adverse criticism of any current recent policy or action of the Government of India, Government of Punjab or any other State Government ;
- (ii) which is capable of embarrassing the relations between the Government of Punjab and the Government of India or the Government of any other State in India ; or
- (iii) which is capable of embarrassing the relations between the Government of India or the Government of Punjab and the Government of any foreign State :

Provided that nothing in this rule shall apply to any statements made or views expressed by a Government employee

in his official capacity or in the due performance of the duties assigned to him.

10. *Evidence before Committee or any other authority.*—(1) Save as provided in sub-rule (3), no Government employee shall, except with the previous sanction of the Government, give evidence in connection with any enquiry conducted by any person, Committee or authority.

(2) Where any sanction has been accorded under sub-rule (1) no Government employee giving such evidence shall criticise the policy or any action of the Government of India, Government of Punjab or any other State Government.

(3) Nothing in this rule shall apply to—

(a) evidence given at an enquiry before an authority appointed by the Government, Parliament or a State Legislature ; or

(b) evidence given in any judicial enquiry ; or

(c) evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

11. *Unauthorised Communication of information.*—No Government employee shall, except in accordance with any general or special order of the Government or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or information to any Government employee or any other person to whom he is not authorised to communicate such document or information.

Explanation.—Quotation by a Government employee (in his representations to the Head of office or Head of Department or Governor) of or from any letter, circular or office memorandum, or from the notes on any file, to which he is not authorised to have access, or which he is not authorised to keep in his personal custody or for personal purposes, shall amount to unauthorised communication of information within the meaning of this rule.

12. *Subscriptions.*—No Government employee shall, except with the previous sanction of the Government or of the prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of any funds or other

collections in cash or in kind in pursuance of any object whatsoever.

Notification
No. G.S.R.
73/Const./
An. 309 and
318/Amd.
(6)/76, dated
9th June,
1976.

13. *Gifts*.—(1) Save as otherwise provided in these rules, no Government employee shall accept or permit any member of his family or any other person acting on his behalf to accept, any gift.

Explanation.—The expression “gift” shall include free transport, boarding, lodging, or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with the Government.

Note (I).—A casual meal, gift or other social hospitality shall not be deemed to be a gift.

Note (II).—A Government employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealing with him or from industrial or commercial firms, organisations, etc.

(2) On occasions, such as weddings, anniversaries, funerals or religious functions, when the making of a gift is in conformity with the prevailing religious or social practice, a Government employee may accept gifts from his near relatives but he shall make a report to the Government if the value of any such gift exceeds—

- (i) Rs. 500.00 in the case of a Government employee holding any Class I or Class II post ;
- (ii) Rs. 250.00 in the case of a Government employee holding any Class III post ; and
- (iii) Rs. 100.00 in the case of a Government employee holding any Class IV post.

(3) On such occasions as are specified in sub-rule (2), a Government employee may accept gifts from his personal friends having no official dealing with him, but he shall make a report to the Government if the value of any such gift exceeds—

- (i) Rs. 200.00 in case of a Government employee holding any Class I or Class II post ;
- (ii) Rs. 100.00 in the case of a Government employee holding any Class III post ; and

- (iii) Rs. 50.00 in the case of a Government employee holding any Class IV post.

(4) In any other case, a Government employee shall not accept or permit any member of his family or any other person acting on his behalf to accept, any gift without the sanction of the Government, if the value thereof exceeds—

Notification
No. G.S.R.
73/Const./
Art. 309 and
318/Amd.
(6)/76, dated
9th June,
1976.

- (i) Rs. 75.00 in the case of a Government employee holding any Class I or Class II post ; and

- (ii) Rs. 25.00 in the case of a Government employee holding any Class III or Class IV post.

13-A. *Prohibition to give, take or demand dowry.*—No Government employee shall—

- (i) give or take or abet the giving or taking of dowry ; or
- (ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation.—For the purposes of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961)

14. *Public demonstration in honour of Government employees.*—No Government employee shall, except with the previous sanction of the Government receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or in the honour of any other Government employee :

Provided that nothing in this rule shall apply to—

- (1) a farewell entertainment of a substantially private and informal character held in honour of a Government employee or any other Government employee on the occasion of his retirement or transfer of any person who has recently quit the service of any Government ; or
- (2) the acceptance of simple and inexpensive entertainment arranged by public bodies or institutions.

Note.—Exercise of pressure or influence of any sort on any Government employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character, and the collection of subscriptions from Class III or Class IV employees under any circumstances for the entertainment of any Government employee not belonging to Class III or Class IV, is forbidden.

Notification
No. G.S.R.
65/Const./
A rt. 309 and
318/Amd.
(5)/76, dated
19th May,
1976.

15. *Private Trade or employment.*—(1) No Government employee shall except with the previous sanction of Government, engage directly or indirectly in any trade or business or negotiate for or undertake any other employment :

Provided that a Government employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition that his official duties do not thereby suffer ; but he shall not undertake, or shall discontinue such work if so directed by the Government.

Explanation.—Canvassing by a Government employee in support of the business of insurance agency, commission agency, etc., owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-rule.

(2) Every Government employee shall report to the Government if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(3) No Government employee shall, without the previous sanction of the Government, except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (I of 1956) or any other law for the time being in force or any co-operative society for commercial purposes :

Provided that a Government employee may take part in the registration, promotion or management of a co-operative society substantially for the benefit of Government employees registered under the Co-operative Societies Act, 1961, or any other law for the time being in force, or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860), or any corresponding law in force.

(4) No Government employee may accept any fee for any work done by him for any public body or any private person without the sanction of the prescribed authority.

16. *Investment, lending and borrowing.*—(1) No Government employee shall speculate in any stock, share or other investment.

Explanation.—Frequent purchase or sale or both of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

(2) No Government employee shall make, or permit any member of his family or any person acting on his behalf to make any investment which is likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2), the decision of the Government thereon shall be final.

(4) (i) No Government employee shall, save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf :—

Notification
No. G.S.R.-
65/Const./
Art. 309 and
318/Amd.
(5)/76, dated
19th May,
1976.

(a) lend or borrow or deposit money, as a principal or an agent, to, or from, or with, any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings, or otherwise place himself under any pecuniary obligation to such person or firm or private Limited Company, or

(b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid :

Provided that a Government employee may give to, or accept from, a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bona fide tradesman or make an advance of pay to his private employee.

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by a Government employee with the previous sanction of the Government.

(ii) When a Government employee is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule (4), he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

17. *Insolvency and habitual indebtedness.*—A Government employee shall so manage his private affairs as to avoid habitual indebtedness, or insolvency. A Government employee against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the Government.

Note.—The burden of proving that the insolvency or indebtedness was the result of circumstances which with the exercise of ordinary diligence the Government employee could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the Government employee.

18. *Movable, Immovable and valuable property.*—(1) Every Government employee shall on his first appointment to any service or post and thereafter at such intervals as may be specified by the Government, submit a return of his assets and liabilities, in such form as may be prescribed by the Government, giving the full particulars regarding—

- (a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person ;
- (b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired or held by him ;
- (c) other movable property inherited by him or similarly owned, acquired or held by him ;
- (d) debits and other liabilities incurred by him directly or indirectly.

Note I.—Sub-rule (1) shall not ordinarily apply to Class IV employees, but the Government may direct that it shall apply to any such Government employees or class of such Government employees.

Note II.—In all returns, the value of items of movable property worth less than Rs. 1,000.00 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc., need not be included in such return.

Note III.—Every Government employee who is in service on the date of the commencement of these rules shall submit a return under this sub-rule on or before such date as may be specified by the Government after such commencement.

(2) No Government employee shall except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family :

Provided that the previous sanction of the prescribed authority shall be obtained by the Government employee if any such transaction is—

- (i) with a person having official dealings with the Government employee ; or
- (ii) otherwise than through a regular or reputed dealer.

(3) Where a Government employee enters into a transaction in respect of movable property either in his own name or in the name of a member of his family, he shall, within one month from the date of such transaction report the same to the prescribed authority, if the value of such property exceeds Rs. 1,000.00 in the case of a Government employee holding any Class I or Class II post or Rs. 500.00 in the case of a Government employee holding any Class III or Class IV post :

Notification
No. G.S.R.
65/Const./Art.
309 and 318/
Amd. (5)/75,
dated 19th
May, 1976.

Provided that the previous sanction of the prescribed authority shall be obtained if any such transaction is—

- (i) with a person having official dealings with the Government employee ; or
- (ii) otherwise than through a regular or reputed dealer.

(4) The Government or the prescribed authority may at any time, by general or special order, require a Government employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him on his behalf or by any member of his family may be specified in the order. Such statement shall, if so required by the Government or by the prescribed authority, include the details of the means by which, or the source from which, such property was acquired.

(5) The Government may exempt any category of Government employee belonging to Class III or Class IV from any of the provisions of this rule except sub-rule (4). No such exemption shall, however, be made without the concurrence of the Chief Secretary to Government, Punjab, in Services Department.

Notification
No. G.S.R.
65/Const./Art.
309 and 318/
Amd. (5)/75/
dated 19th
May, 1976.

Explanation I.— For the purpose of this rule—

(1) the expression "movable property" includes—

- (i) jewellery, insurance policies, the annual premia of which exceed Rs. 1,000 or one-sixth of the total annual emolument received from Government whichever is less, shares, securities and debentures ;
- (ii) loans advanced by such Government employee whether secured or not ; and
- (iii) motor cars, motor cycles, horses, or any other means of conveyance ; and
- (iv) refrigerators, radios, radiograms, and television sets.

Notification
No. G.S.R.
65/const./Art.
309, and 318/
Amd. (5)/75,
dated 19th
May, 1976.

Notification
No. G.S.R.
65/Const./
Art. 309 and
318/Amd.(5)/
76, dated
19.5.1976

Notification
G.S.R.Const.
Art. 309 and
318/Amd.(5)/
76, dated
19.5.1976

Explanation II.—For the purpose of this rule, “lease” means, except where it is obtained from or granted to a person having official dealings with the Government employee, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

18 A. *Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners etc.*—Notwithstanding anything containing in sub-rule (2) of rule 18, no Government employee shall except with the previous sanction of the prescribed authority—

- (a) acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India ;
- (b) dispose of by sale, mortgage, gift, or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family ;
- (c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern -
 - (i) for the acquisition, by purchase, mortgage, lease, gift or otherwise either in his own name or in the name of any member of his family of any immovable property ;
 - (ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

19. (1) *Vindication of acts and Character of Government employees.*—No Government employee shall, except with the previous sanction of the Government have recourse to any court or to the press for vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.

(2) Nothing in this rule shall be deemed to prohibit a Government employee from vindicating his private character or any act done by him in his private capacity and where any

action for vindicating his private character or any act done by him in private capacity is taken, the Government employee shall submit a report to the prescribed authority regarding such action.

20. *Canvassing of non-official or other influence.*—No Government employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under the Government.

21. *Restriction regarding marriage.*—(1) No Government Employee shall enter into or contract, a marriage with a person having a spouse living ; and

Notification
No. G.S.R.
65/Const./
Art. 309 and
318/Amd.
(5)/76, dated
19.5.76

(2) No Government Employee having a spouse living, shall enter into or contract, a marriage with any person :

Provided that the Government may permit a Government employee to enter into, or contract, any such marriage as is referred to in clause (1) or clause (2), if it is satisfied that :—

- (a) such marriage is permissible under the personal law applicable to such Government employee and the other party to the marriage ; and
- (b) there are other grounds for so doing”.

Notification
No. G.S.R.
92/Const./
Art 309 and
118/Amd (3)
/0, dated
25.8.1970

(3) A government employee who has married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the Government.

Notification
No. G.S.R.
65/Const./
Art. 309 and
318/Amd.(5)/
76, dated
19.5.1976

22. *Consumption of intoxicating drinks and drugs.*—A Government employee shall—

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being ;
- (b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duty at any time is not affected in any way by the influence of such drink or drug ;
- (bb) refrain from consuming any intoxicating drink or drug in a public place ; and
- (c) not appear in a public place in a state of intoxication ;

Notification
No. G.S.R.
65/Const./
Art. 309 and
318/Amd, (5)/
76, dated
1976

Notification
No. G.S.R.
92/Const./Art.
309 and 318/
Amd. (4) 70,
dated 21.9.76

Notification
No. G.S.R.
65/Const./
Art. 309 and
318/Amd. (5)
76, dated
19.5.1976

Notification
No. G.S.R.
65/Const./
Art. 309 and
318 Amd. (5)
76, dated
19.5.1976

(d) not use any intoxicating drink or drug to excess.

Explanation.—For the purpose of this rule, 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to have access, whether on payment or otherwise.

23. *Interpretation.*—If any question arises relating to the interpretation of these rules, it shall be referred to the Chief Secretary to Government, Punjab (in Services Department) whose decision thereon shall be final.

24. *Delegation of powers.*—The Government may, by general or special order, direct that any power exercisable by it or any head of the department under these rules (except the powers under rule 23 and this rule) shall subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. *Repealed and saving.*—Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the Government employees to whom these rules apply are hereby repealed ;

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

GYAN SINGH KAHLON,
Chief Secretary to Government, Punjab.

Copy of Punjab Government Circular letter No. 3674-3GSI-66/1944, dated 5-8-1966, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Cases involving Moral Turpitude.

According to rule 7.6 of the Punjab C.S.R., Volume I, Part I, a Government employee against whom a criminal charge or a proceeding for arrest for debt is pending should be placed under suspension by the issue of specific orders to this effect during periods when he is not actually detained in custody or imprisoned (e.g. while released on bail), if the charge made against him is connected with his position as a Government employee or is likely to embarrass him in the discharge of his duties as such or involves moral turpitude.

2. The term moral turpitude has not been defined anywhere. Some departments have approached this Organisation

to elucidate as to which cases could possibly be considered as involving moral turpitude. The Legal Remembrancer, Punjab who was consulted in the matter had given the following advice :—

The expression "moral turpitude" has not been defined in the rules or anywhere else but it generally implies an act of baseness, vileness or depravity in the private and social duties which a man owes to his fellow men or to society in general, contrary to the accepted and customary rule of right and duty between man and man (Bovier's Law Dictionary).

In AIR. 1957 Punjab 97, it was observed by the Hon'ble Judge that the term "moral turpitude" is a rather vague one and it may have different meaning in different contexts but it has generally been taken to mean a conduct contrary to Justice, honesty, modesty or good morals. In view of this definition an offence under section 324 I.P.C. does involve "moral turpitude".

Copy of Circular letter No. 5173-IGSII-66/24953, dated the 19th September, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments etc. etc.

Subject.— Training of clerks—Initial recruitment of clerks on apprenticeship basis.

I am directed to invite a reference to Punjab Government letter No. 5692-IGSII-66/27838, dated the 9th August, 1965 and to clarify further that the persons who were previously appointed as clerks, typists, Steno typists, Storekeepers and Librarians in the scale of Rs. 60—4—80/5—120/5—175 through the Subordinate Services Selection Board/Employment Exchanges and had worked as such for two months and were subsequently re-appointed after 1st August, 1961 on such clerical posts through the Employment Exchanges and whose appointments were later on regularised by the Subordinate Services Selection Board should also be treated as exempted from the operation of the apprenticeship scheme.

2. This issues with the concurrence of the Finance Department,— vide their U.O. advice No. 8150-FGI 66, dated the 26th August, 1966.

Copy of Punjab Government Circular letter No. 4544-4GSI-66/27171, dated 11th October, 1966 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Concession to civilian employees and others who join military service during the Emergency.

I am directed to refer to Punjab Government letter No. 88-4GSI-66/9554, dated the 21st April, 1966, on the subject noted above and to say that it has been decided to substitute paragraph 8 thereof as follows :—

“As from the 25th February, 1963, the date of issue of the original instructions, 20 per cent of the substantive posts becoming available, except in the Engineering and Medical Services in which case the reservation is to the extent of 50 per cent, shall be reserved for civilian Government employees and others who have joined military service during the present Emergency. The reserved vacancies shall not, however, be carried forward for a period more than four years. Recruitment made on temporary basis against these posts will not entitle any employee to being made permanent in preference to those who have joined military service. Recruitment to the Punjab Civil Service will not, however, be affected. Government employees who join military service during the present Emergency should on their return be absorbed in the posts for which they possess necessary qualifications”

Copy of letter No. 5165-5GS-66/27092, dated the 20th, October, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Personnel data of Government employees—Collection of.

I am directed to say that it has been decided that all future entrants to Government service except the class IV employees, on their first appointment should furnish information in respect of their close relations in the enclosed *pro forma* which should be added to the Confidential Personal file of the employee concerned and any change in the particulars given in the *pro forma* should be furnished by the official concerned at the end of each year to the Administrative Department/Head of Department/Head of Office, as the case may be. The Department concerned should incorporate the information in the confidential personal file of the employees

concerned and keep it up to date. The term close relation includes wife, son, daughter, parents, brothers and sisters.

2. The receipt of this letter may please be acknowledged.

Form to be filled by Government Employees on first Appointment

1. Close relations who are national of or are domiciled in other countries
- | Name | Nationality | Present address | Place of birth | Occupation |
|--------------------|-------------|-----------------|----------------|------------|
| (i) Father | | | | |
| (ii) Mother | | | | |
| (iii) Wife/Husband | | | | |
| (iv) Son(s) | | | | |
| (v) Daughter(s) | | | | |
| (vi) Brother(s) | | | | |
| (vii) Sister(s) | | | | |

2. Close relations resident in India, who are of non-India origin
- | Name | Nationality | Present address | Place of birth | Occupation |
|--------------------|-------------|-----------------|----------------|------------|
| (i) Father | | | | |
| (ii) Mother | | | | |
| (iii) Wife/Husband | | | | |
| (iv) Son(s) | | | | |
| (v) Daughter(s) | | | | |
| (vi) Brother(s) | | | | |
| (vii) Sister(s) | | | | |

If in Public Service, give full particulars regarding designation of the post held, name of department/office, etc., where employed and the date of such employment.

I certify that the foregoing information is correct and complete to the best of my knowledge and belief.

Signature.

Designation.

Dated.

Note.—1. Suppression of information in this form will be considered a major departmental offence for which the punishment may extend to dismissal from service.

2. Subsequent changes, if any, in the above data should be reported to the Head of Office/Department at the end of the each year ;

Copy of letter No. 5824-3GSI-66, dated the 20th October, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Approaching ministers and other officers.

I am directed to invite your attention to Rule 20 of the Punjab Government Employees (Conduct) Rules, 1966 which forbids Government employees from approaching members of the Punjab State Legislature or of the Parliament with a view to having their personal grievances, connected with their conditions of service, redressed through them. As this tendency on the part of subordinate officers to approach members of the Legislature as also the Ministers was on the increase the provisions of the rules were specifically brought to the notice of the Government employees enjoining at the same time that cases of breach of these instructions would be suitably dealt with. Again in May, 1956 attention of the Government employees was drawn to paragraph 37 of the Punjab Government Consolidated Circular No. 5 which *inter alia* lays down that subordinate officers should always address higher authorities/Government through their superiors and that anybody violating the provision would be liable to disciplinary action. These instructions were reiterated in November, 1962.

2. These instructions also did not have the desired effect and the Government employees continued to approach the Ministers and higher officers through the members of the legislature and other non-officials for the redress of their grievances. This necessitated the reiteration of the Government instructions once again in November, 1963. The Government employees were told that strict disciplinary action would be taken against those guilty of default in this regard.

3. In March, 1965, it was brought to the notice of Government that some Departmental Heads had been too harsh to and had even tried to victimize officers/officials who had approached ministers for the redress of their grievances whereas no such adverse notice was taken in cases where Government officers/officials might have seen higher officers over the head of their immediate departmental superiors. As a result of this it was decided that the orders of ministers in such cases should be appropriately carried out and no action should be taken against any official for approaching a minister without the permission of the minister concerned.

4. The matter has been examined further with reference to the relevant provisions in the various conduct rules which generally prohibit Government employees from bringing in any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service. In a democratic set-up, where the impartiality of the services and the detachment from any kind of political influences has to be consciously fostered, the need for this rule and for its strict enforcement cannot be overemphasised. Regular procedures have been prescribed in the various service rules for the redress of grievances, and Government employees are expected not to utilize methods, other than those available in the service rules for this purpose. It has, therefore, been decided that no outside influence of any kind must be brought in by the Government employees for the redress of their official grievances. The instructions contained in Punjab Government letter No. 5394-DSGS(I)-65, dated the 6th July, 1965, may, therefore, be deemed to have been modified to this extent and it may be brought to the notice of all concerned that any violation of the Punjab Government Employees Conduct Rules will be strictly dealt with.

5. As already pointed out in Punjab Government letter No. 4174-P-54/17154, dated the 28th, July, 1954 also Government employees seeking intervention of the Ministers should be allowed to see them through the Administrative Secretary of the concerned department. The Administrative Secretaries should freely grant this permission but where they have reasons to refuse permission they should record their reasons and send these to their respective Ministers.

Copy of Punjab Government Circular letter No. 5825-SII(4)-66/897, dated the 23rd November, 1966 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc.

Subject.— Grant of priority to the migrants from Burma and Cylon for absorption in posts under Government.

I am directed to address you on the subject cited above and to say that the question of grant of concessions in employment to repatriates from Burma and Cylon of Indian origin on the basis of those granted by the Government of India, has been under the consideration of State Government for

some time past and after careful consideration of the matter, it has been decided that the repatriates from Burma and Ceylon who have migrated to India on or after 1st June, 1963 and 1st November, 1964, respectively should be accorded priority III for employment through the Employment Exchanges under the State Government. It has further been decided that migrants from East Pakistan and repatriates from Burma and Ceylon wherever included in the same priority should be ranked in a common list according to the date of registration.

2. While registering their names with the Employment Exchanges the repatriates from Ceylon will have to produce certificate from High Commissioner for India in Ceylon that they are repatriates from Ceylon. As regards the repatriates from Burma, they should produce the identity certificate issued to them by the Embassy of India, Rangoon. In cases of repatriates from Ceylon who belong to Punjab State, a further certificate in this regard from the District Magistrate concerned will have to be produced before the Employment Exchange.

3. The maximum age limit for entry into Government service (i.e. for employment Class III and IV posts, recruitment which is made normally through the Employment Exchange), in the case of repatriates from Burma and Ceylon referred to above is hereby relaxed up to 45 years, with a further relaxation up to 5 years in the case of persons belonging to Scheduled Castes and Scheduled Tribes.

Copy of Punjab Government Circular letter No. 944-SII(6)-66/1518, dated the 20th January, 1967 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Associations of Government servants with the activities of R.S.S.S./Jamaat-e-Islami.

I am directed to forward a copy of the Government of India, Ministry of Home Affairs letter No. 3/10(S)/66-Estt(B), dated the 30th November, 1966, together with a copy of their office Memorandum bearing the same number and date, and to State that this clarification will apply *mutatis mutandis* to this State Government employees. Their participation in the activities of the Rashtriya Swayam Sewak Sangh and the Jamaat-e-Islami would be against the provisions of Sub-rule 1 of Rule 5 of the Punjab Government's Employees (Conduct)

Rules, 1966 and will render them liable to disciplinary action. These instructions may kindly be brought to the notice of all the Government employees working under you for strict compliance.

3/10(S)/66-Estt(B)

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

To

The Chief Secretaries of all States Governments,
New Delhi-11, the 30th November, 1966,

9th Agrahayana, 1888.

Subject.— Association of Government servants with the activities of R.S.S.S./Jamaat-e-Islami.

I am directed to enclose for the information of the State Government a copy of the circular issued to all Ministries/and Departments of the Government of India clarifying the views of the Central Government with regard to the association of Government servants with the activities of the Rashtriya Swayam Sewak Sangh and the Jamaat-e-Islami. The State Government may like to consider the advisability of issuing similar instructions because it would appear that some doubts exist about this matter.

Authorised for issue.

Yours faithfully,

CHANAN SINGH,
Section Officer.

Mrs. M. R. SHROOF,
Deputy Secretary to the Government of India.

No. 3/10(S)/66-Estt(B)

GOVERNMENT OF INDIA
Ministry of Home Affairs

New Delhi-II, the 30th November, 1966,
9th Agrahayana, 1888.

OFFICE MEMORANDUM

Subject.— Association of Government servants with the activities of R.S.S.S./Jamaat-e-Islami.

The undersigned is directed to invite the attention of the Ministry of Finance etc. to the provisions of Sub-rule

(1) of Rule 5 of the Central Civil Services (Conduct) Rules, 1964 under which no Government servant shall be a member of or be otherwise associated with any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner any political movement or activity.

2. As certain doubts have been raised about Government's policy with respect to the membership of and participation in the activities of the Rashtriya Swayam Sewak Sangh and the Jamaat-e-Islami by Government servants, it is clarified that Government have always held the activities of these two organisations to be of such a nature that participation in them by Government servants would attract the provision of sub-rule (1) of rule 5 of the Central Civil Services (Conduct) Rules, 1964. Any Government servant, who is a member of or is otherwise associated with the aforesaid organisations or with their activities is liable to disciplinary action.

3. The Ministry of Finance, etc., are requested to bring the above position to the notice of Government employees working in or under them.

Authorised for issue.

R. M. SHROOF,
Deputy Secretary to the Government
of India.

CHANAN SINGH,
Section Officer.

To

1. All Ministries/Departments of the Government of India (with usual number of spare copies) Secretary Private Secretary to President, Comptroller and Auditor General of India, Supreme Court, Planning Commission, Planning Commission (PEC), Prime Minister's Secretariat Raj/Lok Sabha Secretariat D.G.E.&T.

Copy of Punjab Government Circular letter No. 727-SII (4)-67/4841, dated 17th February, 1967 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Grant of re-employment/extension in service to Government employees on or after their attaining the age of superannuation—Refusal of leave preparatory to retirement.

INTRODUCTION

The existing instructions on the subject cited above are scattered over a large number of circular letters and it has been

considered desirable to consolidate these instructions, indicating clearly the policy of the Government in this regard and procedure to be adopted for the processing of these cases. Further, the age of compulsory retirement has been raised from 55 to 58, subject to certain conditions, since 1962 and based on the experience gained during the last three years, or so, it has been considered desirable to revise the system of delegations, so that overcentralisation in the processing of these cases is avoided. It has also been noted that no standard set of terms and conditions have been prescribed on which re-employment is to be made, in the absence of which cases are being dealt with on an *ad hoc* basis. Some uniformity is proposed to be introduced in this regard also.

RE-EMPLOYMENT

2. Rule 7.17 of the Punjab Civil Service Rules, Volume II, provides that a Government employee who is in receipt of superannuation or retiring pension shall not be re-employed or continued to be employed in service paid from the Government revenues or from the Local Fund except on public ground and in a purely temporary capacity with the sanction of the competent authority.

3. The following conditions must be fulfilled before the competent authority sanctions re-employment to a Government employee on or after his attaining the age of superannuation:—

- (i) No employee shall be offered re-employment beyond the date of his superannuation except when it is clearly on overriding grounds of public interest and where it is evident that other employees in service are not ripe enough to take up the appointment. However exceptional the calibre of the retiring employee may be and however meritorious his services, these by themselves shall not constitute sufficient grounds for offering him re-employment. Re-employment shall not, therefore, be considered a reward for outstanding merit.
- (ii) When the post on which the retiring employee is proposed to be re-employed his one to which recruitment is to be made through the Punjab Public Service Commission, a non-availability certificate

to the effect that persons with suitable qualifications and experience are not available in the open market or that it has not been possible for the Commission to arrange a substitute with the requisite qualifications and/or experience should be obtained from the Commission. With a view to ensuring that bona fide efforts are made to find a suitable substitute for the person due to retire, the Commission shall be approached at least four months before the vacancy is scheduled to occur.

- (iii) If the post on which the retiring employee is proposed to be re-employed is one the recruitment to which is beyond the purview of the Commission the authority competent to make such recruitment shall record a non-availability certificate to the same effect as mentioned under(ii) above indicating clearly the efforts made to secure the services of a substitute.
- (iv) The age of the employee proposed to be re-employed must be below 60 years except in the case of Patwaris who may be re-employed up to the age of 70 years. Doctors may also be re-employed up to the age of 65 years.
- (v) The employee proposed to be re-employed shall have a satisfactory record of service. In particular he should have had a good reputation for integrity and honesty. For this purpose, his character roll and personal file shall be carefully scrutinised and all other relevant information that may be available shall be taken into account.
- (vi) The employee proposed to be re-employed shall be physically and mentally fit. For this purpose he shall furnish a medical certificate from a Civil Surgeon.
- (vii) The proposed re-employed shall not adversely affect the interests of other competent employees of comparable seniority in the Department concerned.
- (viii) No particular employee shall be singled out for preferential treatment in the matter of re-employment. When a Department is facing a shortage of experienced hands and there is no alternative but

to resort to re-employment, every one who attains the age of superannuation, except those who are physically or mentally unfit or possess a bad service record, shall be considered for re-employment. A policy of 'pick-and choose' shall be avoided.

4. The competent authority, *before* sanctioning re-employment in a particular case shall satisfy itself about the fulfilment of the conditions mentioned in the foregoing paragraph and shall also record a certificate to this effect in the order of sanction. The reasons for resorting to re-employment shall also be reduced to writing as required by rule 3.26 of the Punjab Civil Services Rules, Volume I, Part I.

TERMS AND CONDITIONS OF RE-EMPLOYMENT

5. The re-employment of Government employees on or after their attaining the age of superannuation shall be governed by the following terms and conditions which shall be duly incorporated in the order sanctioning the re-employment—

- (i) The pay of the person proposed to be re-employed shall be determined in accordance with the provisions of Chapter VII of the Punjab Civil Services Rules, Volume II, as amended from time to time.
- (ii) His annual increments, if appointed on a graded scale shall be regulated in accordance with the instructions of Government contained in letter No. 1013-FRII-60/2142, dated the 11th March, 1960 and letter No. 11126(1)-FRII-60/292, dated the 20th January, 1961.
- (iii) His period of re-employment shall be purely temporary and shall not count for pension or gratuity.
- (iv) His service prior to superannuation shall be taken into account for assessing the length of service for determining the amount of casual leave due to him, under the instructions contained in paragraph 13 of the Punjab Government Circular No. 4376-GII-59/2767, dated the 28th May, 1959. As regards earned leave, he shall be treated as a temporary Government employee and his length of service shall count from the date of his re-employment.

- (v) He and the members of his family shall be entitled to free medical treatment and attendance under the Punjab Services (Medical Attendance) Rules, 1940, as amended from time to time, read with Punjab Government letter No. 5160-4HBIV-63/25207, dated the 25th July, 1963.
- (vi) He shall be governed by the provisions of the Punjab Government Servants Conduct Rules, 1966, as amended from time to time.
- (vii) His services shall be terminable by the competent authority:
 - (a) without previous notice, if it is satisfied that he is unfit, by reasons of ill health, to discharge his duties satisfactorily and is likely to continue to be so for a considerable period.
 - (b) without previous notice, if he is found guilty of any insubordination, intemperance or any other misconduct, or non-compliance of any of the provisions or rules pertaining to his service.
 - (c) after serving a one month's notice in writing, at any time during the period of re-employment, or by the payment of the salary and allowances for one month or for the period by which the notice period falls short of one month as the case may be, in lieu thereof. The Government employee shall also be entitled to seek discharge from service after serving Government with a one month's notice in writing, or by the payment of salary and allowances as mentioned above.
- (viii) In all matters not specifically mentioned above, he shall be governed by the rules, instructions and orders of Government in force as are applicable to other Government employees of the State.
- (ix) The period of re-employment shall not exceed one year at a time.

DELEGATION ORDER

6. In cases in which the conditions mentioned in paragraph 3 are satisfied and it is proposed to offer the terms and conditions mentioned in paragraph 5, the authority competent to sanction re-employment shall be as follows :

<i>Class of employees</i>	<i>Competent Authority</i>
Class I	The Administrative Department concerned in consultation with the Services Department
Class II	The Administrative Department concerned
Class III and Class IV	The appointing authority.

7. In cases in which the conditions mentioned in paragraph 3 are not satisfied and/or it is proposed to offer terms and conditions other than those mentioned in paragraph 5, the competent authority shall be the Administrative Department concerned in consultation with the Services Department ; provided that where it is proposed to relax any or all of the conditions mentioned in 3(i), (ii), (iii), (iv) and (v), the Finance Department shall also be consulted.

EXTENSION IN SERVICE

8. No employee shall be considered for extension in service, unless his case satisfies all the conditions mentioned in paragraph 3 and in addition the employment after the age of superannuation is to be in a post borne on the cadre on which the employee is borne. Subject to actual requirements, extension in service may not be granted for more than one year at a time. The authority competent to sanction the extension in service of any employee shall be the Administrative Department concerned, in consultation with the Services Department and the Finance Department.

TIMELY REFERENCE OF CASES

9. All cases which require consultations with the Services Department shall be referred to them by the Administrative Department, at least two months prior to the date of superannuation of the employee concerned ; provided that, if the case needs consultation with the Finance Department also,

it shall be referred to the Services Department at least three months before the crucial date. In the latter category of cases consultation with the Finance Department will be done by the Services Department. Suitable time Schedules for the referral of cases to the Administrative Departments by the subordinate authorities shall be prescribed by the former by standing instructions.

REGULARISATION OF PERIOD OF OVERSTAY

10. The authority competent to regularise the overstay in service of an employee as extension in service or re-employment shall be the Administrative Department in consultation with the Services Department; provided that the Finance Department shall also be consulted if the case is one on which they would have been consulted had the case been decided in advance. While referring such cases to the Services Department for regularisation, the Administrative Department concerned shall indicate clearly the circumstances leading to the commission of irregularity, the steps taken to ensure the prevention of the recurrence of such an irregularity and the disciplinary action taken against the employees responsible for the irregularity. Proposals for regularisation without these particulars will not be entertained by the Services Department and the plea that the taking of these steps is likely to delay the finalization of the pension case of the employee who overstayed in service and may thus cause him hardship, will not be accepted.

REFUSAL OF LEAVE PREPARATORY TO RETIREMENT

11. According to the provisions contained in Rule 8.21 of the Punjab Civil Services Rules, Volume I, Part I, leave at the credit of a Government employee shall lapse on the date of compulsory retirement; provided that if in sufficient time before that date he has :—

- (i) formally applied for leave due as preparatory to retirement and been refused it, or
- (ii) ascertained in writing from the sanctioning authority that such leave if applied for would not be granted ;

in either case the ground of refusal being the requirements of public service, then the Government employee may be granted,

after the date of retirement, the amount of leave refused, subject to a maximum of four months or 120 days, depending on the rules which govern the sanction of leave to him.

12. The authority competent to refuse leave preparatory to retirement shall be the Administrative Department concerned, in consultation with the Services Department and the Finance Department.

13. Any employee due for superannuation, who proposes to avail himself of leave preparatory to retirement shall intimate, in writing, his intention to do so, to the Head of his Department, through the proper Channel, with an advance copy to his Administrative Department. This advance copy shall reach the Administrative Department at least four months before the date on which he proposes to proceed on leave or four months from the date from which ordinarily the leave preparatory to retirement would commence in his case. The period of lapse, if any, shall be deducted from the maximum amount of leave which can be granted after retirement, i.e., 120 days. Of the four months thus available to the Government for dealing with the case, the Administrative Department may utilize up to one month for consulting the subordinate authorities, as necessary, for taking a decision whether or not to refuse the leave applied for, and if the latter, to what extent. The time schedule to be observed by the different levels of the administrative hierarchy within the Department shall be laid down by the Administrative Departments, by standing instructions. Any case in which the Administrative Department propose to refuse the leave applied for shall, with full justification for the proposal, be referred to the Services Department, not later than one month from the receipt of the advance copy of the leave application in the Administrative Department. Any case in which this time schedule has not been observed will not be entertained by the Services Department.

QUARTERLY STATEMENTS

14. With a view to ensuring that the question of selection of a successor to a retiring employee is taken up well in time, so that proposals for re-employment, extension in service or refusal of leave preparatory to retirement are made only in genuine cases, it has been decided that in all Departments quarterly statements shall be prepared showing the necessary particulars of the retiring employees. These statements shall be prepared

nine months before the commencement of the quarter to which they relate, as in the schedule shown below :—

<i>Period to be covered</i>	<i>Date by which the statement shall be prepared</i>
January to March (of the following year)	1st April
April to June (of the following year) ..	1st July
July to September (of the following year)	1st October
October to December ..	1st January

15. The appointing authorities shall keep a close watch on the progress of the case of each retiree to ensure that the question of appointing his substitute is settled well in advance of the date of his retirement or the date of his proceeding on leave preparatory to retirement as the case may be. The statements in respect of employees [whose substitutes are to be appointed by Government shall be submitted to the Administrative Department concerned within a fortnight of the dates specified in the preceding paragraph.

16 Any instructions on the subjects dealt with in the preceding paragraphs, as are inconsistent with those contained in this circular shall, to the extent of such inconsistency, be deemed to have been superseded by this circular. In particular, any orders of delegation in this regard passed earlier by Government as are not covered by the present instructions shall be deemed to have been withdrawn forthwith. These instructions shall come into force immediately and may be brought to the notice of all concerned for strict compliance in future.

Copy of Punjab Government Circular letter No. 1064-SII(6)-67/7055, dated the 13th March, 1967 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject—Issue of Pay-slips to "Probationers" and persons placed "On Probation"

I am directed to forward herewith a copy of letter No. GAD/I/Genl-36/1082, dated the 30th May, 1966 from Shri D.S. Malhotra, Senior Deputy Accountant General, Punjab, Simla addressed to the Secretary to Government, Punjab, Finance Department, Chandigarh on the subject cited above and to say that as desired therein, formal orders regarding

the satisfactory completion of the probationary period, extension of the probationary period or discharge from the service, as the case may be, in respect of the officers appointed as "Probationers" or those appointed "On probation", may kindly be issued by the competent authority, well in time, to avoid any complications

Copy of letter No. GAD.I/Genl-36/1083, dated 30th May, 1966 from Shri D.S. Malhotra, Senior Deputy Accountant General Office of the Accountant General, Punjab, Simla to the Secretary to Government, Punjab, Finance Department.

Subject—Issue of Pay-slips to 'Probationers' and persons placed 'On Probation'

I am to invite a reference to the subject cited above and to state that in various departments of the State Government officers are appointed as "Probationers" or "On Probation" but generally formal orders regarding satisfactory completion of probation, extension of probation, or discharge as the case may be, are not issued in time after the fixed period of probation. In this connection, the Supreme Court have held the view that once appointed on probation, a Government servant continues in that status until he is confirmed or discharged. It follows, therefore, that except where specifically indicated otherwise, a person continues to be on probation even though a formal order extending his period of probation is not passed and that the mere expiry of the original or extended period of probation would not have the effect of automatic termination of service of the probationers. Accordingly "Probationers" and persons appointed "On Probation" shall be allowed Pay and Allowance even beyond the period of probation without insisting on or awaiting orders regarding the satisfactory completion of probation or extension of probation. The procedure followed in this office in this regard, is also in conformity with the decision of the Supreme Court. All the same it is suggested that formal orders regarding satisfactory completion of probation, extension of probation, discharge, as the case may be, should be issued by the authorities concerned well in time to avoid complication in any case.

2. The receipt of this letter may please be acknowledged.

Copy of letter No. 1915-SII(6)-67/19578, dated the 10th/11th July, 1967 from Sirdar Gyan Singh Kahlon, ICS, Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Approaching Ministers and other Officers.

I am directed to invite your attention to the Punjab Government letter No. 5824-3GSI/66, dated the 20th October, 1966, on the subject cited above, which lays down that no political or outside influence of any kind shall be brought by Government employees for the redress of their personal grievances connected with their conditions of service.

2. The matter has been further considered carefully by Government and it has been decided that no employee should approach the Chief Minister and other Ministers direct, or bring in any political or outside influence on them for the redress of his/her grievances. The Civil Services personnel are not expected and should not, utilize methods other than those available to them under the service Rules and Government instructions. They should, where they have to, represent their cases to the Chief Minister and other Ministers only after they have exhausted all the regular avenues of redress available to them at the appropriate lower levels and that too through proper channel.

3. You are requested to bring these instructions to the notice of all concerned for strict compliance.

Copy of Punjab Government Circular letter No. 3277-SI-67/20363, dated 19th July, 1967 from the Chief Secretary to Government, Punjab to all Heads of Departments etc. etc.

Subject.—Confidential reports—Action to be taken on representations received from State Government employees against communication of adverse remarks.

I am directed to invite your attention to paragraph 11 of the instructions contained in Punjab Government letter No. 2334-ASI-60/15708, dated the 3rd May, 1960, in which the procedure for dealing with representations against adverse remarks has been laid down. It has among other things been provided that where the remarks are not bonafide or are based

on a patent error of fact, a note should be recorded on the confidential report expunging the remarks, after obtaining the orders of the highest administrative authority and the officer concerned should be informed of the action taken. Further, in border line cases in which there may be some substance in the adverse remarks conveyed to the officer and also some justification for the representation made by the officer against the adverse remarks, the representation should be placed on the personal file of the officer concerned.

2. In this context, the Government of India have laid down a uniform procedure to be followed by the State Governments in dealing with representations received from Officers of the All India Services against communication of adverse remarks made in their confidential reports. After taking into consideration instructions of the Government of India and keeping in view the procedure prescribed in the existing instructions of the State Government, it has been decided that—

- (i) the representations or explanations against the adverse remarks should not be added to the confidential reports ;
- (ii) if it is felt by the highest administrative authority that the remarks should be toned down, he should make the necessary entry with proper attestation at the appropriate place of the report. Post entries should not be corrected.
- (iii) In the rare event of the competent authority coming to the conclusion that the adverse remark was inspired by malice or was based on a patent error of fact and, therefore, deserves expunction, he should score through the remark of paste it up or obliterate it otherwise and should state that he has done so and sign at the appropriate place indicating the date.

3. The existing instructions should be considered to have been modified to the extent indicated above.

Copy of Punjab Government Circular letter No. 6038-SII(6)-67/30057, dated 7th November, 1967 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject.—Removal of indiscipline in services—Recommendation No. 113 made by the Punjab Administrative Reforms Commission.

In addressing you on the subject noted above, I am directed to say that the Punjab Administrative Reforms Commission

for removal of indiscipline from services has recommended as follows :—

- (i) Good traditions and examples should be set by seniors.
- (ii) All forms of interference with delegated authorities should cease and disciplinary action should be taken by those on the spot against their subordinates; and
- (iii) Government instructions should be scrupulously observed by all, from the top to the lowest level.

These recommendations have been accepted by the Government and you are requested to take necessary action accordingly to implement them.

Copy of Punjab Government Circular letter No. 7721-SII(4)-67/30748, dated 8th November, 1967, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Training of Clerks—Initial recruitment of Clerks on apprenticeship basis.

I am directed to invite a reference to Punjab Government circular letter No. 1757-GSII-65/6393, dated the 3rd March, 1965, on the subject cited above and to say that on reconsideration Government have decided to abolish the 'Apprentice Clerks Scheme' with effect from the 1st August, 1961, the date on which it was introduced.

Copy of Punjab Government Circular letter No. 7955-SII(5)-67/31327, dated 18th November, 1967, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject.—Confidential reports.

I am directed to invite your attention to the instructions contained in explanatory note (i) below paragraph 3 and paragraph 10(d), read with explanatory note (ii) thereunder, of the consolidated circular No. 2334-ASI-60/15708, dated

the 3rd May, 1960, on confidential reports, as amended from time to time which read as below :—

1. Explanatory note (i) below paragraph 3

“Some reporting officers tend to make mention of very slight defects in a subordinate. Government is of the view that very slight defects should be brought to an officer's notice verbally in the way of advice and guidance and need not find mention in annual confidential report unless they are of a type which have been more than once brought to the subordinate's attention but which he nevertheless persists in. Likewise, remediable defects should also be pointed out during the year so that the official concerned may make an effort to improve and to remove those defects.”

2. Paragraph 10(d)

“The reporting officer should specifically state whether the defects reported have already been brought in any other communication to the notice of the officer concerned.”

3. Explanatory note (ii) below paragraph 10

“The reporting officer, while mentioning any defects in the report, should as far as possible also give indication of what efforts have been made by way of guidance, admonition, etc., to get the defects removed and with what results.”

It has been observed by Government that the instructions, mentioned above, are not being followed by some of the reporting authorities and they still make mention of very slight defects in the work of their subordinates without first bringing them to their notice either verbally or in writing by way of advice and guidance. As a result, when some adverse remarks are conveyed to them (the subordinates), they ask for their expunction on the ground that no such defects were ever brought to their notice by the reporting authority/authorities during the course of the year as required by the instructions of Government.

2. I am directed to point out that the object behind these instructions is to afford reasonable chance to the concerned employee to remove such minor remediable defects during the course of the year. If those are not brought to their notice in time the very object of these instructions is defeated.

3. In the circumstances, I am directed to impress upon you that the instructions of Government, referred to above, should be brought to the notice of all concerned again for being followed meticulously, in future. Further, as required under paragraph 10(d) of the instructions, the reporting officer should specifically state while writing annual confidential reports whether the defects reported have already been brought in any other communication to the notice of the officer(s) concerned or not. Any departure from these instructions will be taken serious note of by the Government, in future.

Copy of Circular letter No. 2468-SII(6)-67/32058, dated 29th November, 1967, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Implementation of the Recommendations of the Punjab Administrative Reforms Commission—Recommendation No. 16—Recognition of inefficiency as a ground for the imposition of major penalty.

I am directed to address you on the subject noted above and to say that the Punjab Administrative Reforms Commission has made its recommendation in this regard as follows :—

“Inefficiency should also be recognised as a ground for a major punishment.”

The relevant paragraph of the report of the Commission reads as under :—

“4.27. Officials can be punished for dishonesty, indiscipline or other forms of misconduct. Inefficiency, however, is not classified as misconduct and goes unpunished as such. In order to improve efficiency, there is need for curative measures not only at the commencement of the career, i.e., at the time of

recruitment, training, etc., but also later, after he has put in a number of years of service and has been found inefficient. If the work of an official generally does not conform to law and procedure or if he is chronically slow in disposal, the official is inefficient. If this goes on year after year without any improvement, the official is a burden on the public exchequer. Supervisory officials at each level should, therefore, make it their job to ensure that their inspections carefully scrutinise the work of an official on these two major points of efficiency. Disposal of work must both be correct and expeditious. It can be ascertained by looking at some individual items disposed of by him. We recommend that inefficiency should also be recognised as a ground for major punishments."

2. I am directed to say that the Government have accepted this recommendation, and would expect all the supervisory and disciplinary authorities to bear it in mind while dealing with the subordinate officials. The contents of this letter may, therefore, please be brought to the notice of all officers/officials under your control for necessary action and compliance.

3. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 4087-4SI-67/32084, dated 7th December, 1967, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Grant of special casual leave to Government servants who undergo sterilization operation under the "Family Planning Scheme."

I am directed to refer to Punjab Government letter No. 1607-4GSII-66, dated the 2nd April, 1966, on the subject cited above and to say that it has been decided by the Punjab Government that the following concessions may be extended to the female Government employees :—

- (i) 14 days special casual leave be granted to female Government employees undergoing tubectomy operation (in case of non-puerperal sterilization); and

- (ii) one day's non-debitable casual leave to female Government servant for the day of insertion of loop.

2. These orders will come into force from the date of issue and old cases need not be re-opened. This letter issues with the approval of the Finance Department,—*vide* U.O. No. 6479-FR-67, dated the 14th November, 1967.

Copy of Punjab Government Circular letter No. 4087-4SI-67/32085, dated 7th December, 1967 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject :—Grant of Special Casual Leave to the staff of Local Bodies, Corporations/undertakings who undergo sterilization operation under the "Family Planning Scheme."

I am directed to refer to Punjab Government letter No. 4078-4SI-67/32084, dated the 5th/7th December, 1967, on the subject cited above and to say that in order to eliminate discrimination, the following concessions, which are almost akin to the concessions extended by the Punjab Government to its employees may also be extended to the staff of the respective local bodies, corporations/undertakings:—

- (i) Special Casual leave not exceeding six working days to be granted to employees desirous of undergoing sterilization operation (vasectomy or salpingectomy) under the Family Planning Programme ; and
- (ii) special casual leave not exceeding fourteen days to a female servant who undergoes non-puerperal sterilization.

2. You are, therefore, requested to issue necessary instructions, so that the aforementioned concessions are also extended to the staff of the respective Local Bodies, Corporations/Undertakings. This letter issues with the approval of Finance Department,—*vide* U.O. No. 6479-FR-67, dated the 14th November, 1967.

Copy of Punjab Government Circular letter No. 8911-SII(6)-67/1675, dated 19th January, 1968, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject:—Approaching Ministers by Government Officers/employees.

I am directed to say that instructions have been issued by the Government from time to time on the subject noted above. The last Punjab Government circular letter No. 1915-SII(6)-67/19578, dated the 11th July, 1967 stated that no employee should approach the Chief Minister and other Ministers direct, or bring in political or outside influence on them for the redress of his/her grievances, and that the Civil Services personnel should represent their cases to the Chief Minister and other Ministers only after exhausting all the regular avenues of redress available to them under the Service Rules and Government instructions, through the proper channel.

2. In spite of the existing instructions, it has been observed for sometime a tendency among the Government officers/employees to enlist political support for redressing their grievances, whether genuine or otherwise. In several cases in the past political pressure has been brought to bear upon the Chief Minister in respect of Government officers/employees transfers, promotions, reinstatements etc. Too many instances of Government employees approaching the Minister are coming to light. This tendency on the part of the Government officers/employees smacks of serious indiscipline. Normal channels as provided in the Service Rules etc. are open to such employees to have their legitimate claims met and genuine grievances redressed. It is, therefore, reiterated that these employees should first exhaust all channels before they represent their cases to Ministers. Even in the case of representations to Ministers, these should be submitted through proper channel.

3. Interviews with the Ministers should also be sought by Government officers/employees in a regular way, i.e., by a written request to be addressed through the proper channel. Ordinarily permission sought for interview with the Heads of Departments, Administrative Secretaries and Ministers/Chief Minister should not be withheld,

4. At the same time, it is necessary on the part of the Heads of Departments and Administrative Secretaries to deal with personal cases of employees expeditiously. These cases should not be delayed unnecessarily at any stage as it is delay only which causes dissatisfaction and frustration among the employees.

5. I am to request you kindly to convey the instructions to Government employees, as contained in paragraphs 2—4 above, for strict compliance. It is also pointed out that non observance of these instructions will render Government employees to severe disciplinary action. The Heads of Departments and others are requested to enforce discipline strictly and to take note of the lapses in this respect for taking suitable action against the defaulters.

6. The receipt of this letter may please be acknowledged.

(Sd.)

Chief Secretary to Government, Punjab.

A copy is forwarded to the Principal Secretary to the Chief Minister, the Secretaries/Private Secretaries/Personal Assistants to the Chief Minister/Ministers/Ministers of State and the Deputy Ministers, for favour of bringing these instructions to the notice of the Ministers so that they can point out breaches of this type of the Secretaries for initiating disciplinary action against the defaulters.

(Sd.)

Section Officer Services. II

for Chief Secretary to Government, Punjab.

To

The Principal Secretary to the Chief Minister, the Secretaries the Private Secretaries/the P.As. to the Chief Minister/the Ministers/the Ministers of State/the Deputy Ministers and the Chief Parliamentary Secretary.

U.O. No. 8911-SII(6)-67. dated Chandigarh, the 19th January. 1968.

Copy of Punjab Government Circular letter No. 9365-SII-4(1)-67/1301, dated 24th January, 1968, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject.—References to the Punjab Public Service Commission. Defects in promotion cases.

I am directed to invite a reference to Punjab Government letter No. 16357-3GS-62/48001, dated the 24th November, 1962, and to say that the Punjab Public Service Commission have pointed out that the procedure detailed therein is still not being followed by most of the Departments and references received from them in promotion cases are found incomplete in the following respects :-

- (i) The *pro forma* prescribed for the purpose is not always sent duly completed with the proposals ;
- (ii) The files containing annual confidential reports sent with the proposals are very often not up to date. In some cases, the confidential reports have been found to be missing for a number of years and the Commission had to correspond with the departments concerned for long time in getting the Character Roll File completed.
- (iii) Even the complete record required for the disposal of a promotion case is not very often supplied to the Commission in the first instance. In many cases, the Commission have to remind the departments concerned again and again for the supply of the remaining portion of the record.

The Government take a serious view of this lapse on the Departments. I am to request that in future, complete information in all respects should be supplied to the Punjab Public Service Commission in the prescribed *pro forma*, while making references to them in such cases.

2. These instructions may please be brought to the notice of all concerned for strict compliance.

Copy of letter No. FI(II)-S-III(A)/67 from the Deputy Secretary to the Government of India, Ministry of Finance, Department of Expenditure, New Delhi, the 21st September, 1967, to the All Ministries of the Government of India, etc. etc.

OFFICE MEMORANDUM

Subject.—Withholding of increment at the Efficiency Bar in a time-scale.

The Undersigned is directed to say that a question has been raised as to the date from which a Government servant, whose case for crossing the efficiency bar has not been considered on account of the pendency of a disciplinary/vigilance case against him, should be considered for being allowed to cross the efficiency bar, after the enquiry is over. It has been decided, in consultation with the Ministry of Home Affairs, that if, after the conclusion of the proceedings, the Government servant is completely exonerated, he may be allowed to cross the efficiency bar with effect from the due date retrospectively unless the competent authority decides otherwise. If, however, the Government servant is not completely exonerated, his case for crossing the efficiency bar cannot be considered with retrospective effect from the due date. Such cases can be considered only with effect from the date, following the conclusion of the disciplinary/vigilance case, taking into account the outcome of the disciplinary/vigilance case.

2. In so far as persons serving in the Indian Audit Accounts Departments are concerned, these orders have been issued after consultation with the Comptroller & Auditor General.

PUNJAB GOVERNMENT

No. SII 4(I)-68/3187. dated Chandigarh. the 13th February, 1968.

A copy each is forwarded to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners and District and Sessions Judges in the Punjab and the Registrar, Punjab and Haryana High Court, Chandigarh, for information and necessary action, in continuation of the Punjab Government circular letter No. 4091-ASII-60/20836, dated the 8th June, 1960, regarding Efficiency Bars.

(Sd).

Section Officer, Services II,
for Chief Secretary to Government, Punjab.

A copy each is forwarded to the Financial Commissioners, and Administrative Secretaries to Government, Punjab, for information and necessary action, in continuation of Punjab Government U.O. endorsement No. 4091-ASII-60, dated the 8th June, 1960.

(Sd)

Section Officer, Services II,
for Chief Secretary to Government, Punjab.

To

The Financial Commissioners and All Administrative Secretaries to Government, Punjab.

U.O. No. SII4(I)-68, dated Chandigarh, the 13th February, 1968.

Copy of Circular letter No. 1490-SII-4(I)-68/5269, dated the 27th/28th February, 1968, from Shri H. B. Lall, I.A.S. Chief Secretary to Government, Punjab, addressed to All Heads of Departments in Punjab, etc. etc.

Subject.— Ensuring of fair treatment while considering departmental promotions.

I am directed to say that during the course of his contact with Government Officers, the Chief Minister has noticed an element of frustration among some of them who complained that they had not received fair deal in the past in the matter of promotions and that Officers with satisfactory record of service had been deprived of their due promotion, while on the other hand it was alleged that favouritism had been shown in some cases. Another disadvantage in which such Officers had been placed was that their conduct had been subjected to an enquiry on some complaints which although found false had been kept in view at the time of their promotion.

2. In order to remove the so-called frustration among the Government Officers and eliminate chances of favouritism in matter of promotion, it is impressed upon the Administrative Secretaries and Heads of Departments that Officers with clean record of service should not be deprived of their due promotion. Further, allegations and charges levelled against an Officer having not been substantiated on enquiry, should not in any

way stand against him at the time of promotion. It will be denial of justice to an Officer who has been exonerated of charges and allegations brought against him if he is deprived of his due promotion because of such un-founded complaints.

3. In this connection, attention is also invited to the following extract from the Government instructions issued,—*vide* letter No. 1497-4GS-62/4059, dated the 18th February, 1962 :—

(a) Complaints under consideration at the time of promotion:—

- (i) Where anonymous and unsigned complaints are received against an Officer on the eve of his promotion, they should be ignored.
- (ii) Promotion should not be with-held if no *prima facie* case has been established by the date the official/officer is due for promotion.
- (iii) Where it is suspected that an enquiry has been initiated mala fide because it is likely to affect the promotion of an officer, such an enquiry should be dropped and should not affect the promotion.
- (iv) Where a *prima facie* case has been established, i.e., on a preliminary investigation of the complaint, actionable material under rule 7 or 8 of the Punishment and Appeal Rules, or any other relevant punishment rules applicable to the official/officer concerned has been brought out and it is intended to take action against him under the above-mentioned rules, he should not be promoted. However, if on the completion of the enquiry he is found not guilty and is exonerated of all the charges, he should be given promotion with retrospective effect (i.e. the date from which he was due for promotion) and where there is no vacancy, a temporary post may be created for that period in consultation with Finance Department and the junior-most promoted officials should be reverted, if necessary.

4. I am directed to request you kindly to ensure fair treatment in the case of such officers while considering departmental promotion.

Copy of Circular letter No. 1543-SII-(1)-68/5724, dated the 1st March, 1968 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Training of Clerks—Initial recruitment of clerks on apprenticeship basis.

1 am directed to invite a reference to Punjab Government circular letter No. 7721 SII (4)-67/30748, dated the 8th November, 1967, in which it was decided to abolish the 'Apprentice Clerks Scheme' with effect the 1st August, 1961, and to clarify that the benefit of abolition of the 'Apprentice Clerks Scheme' would be allowed to those employees only as had been allocated to the new State of Punjab. The aforesaid letter shall be treated to have been amended to this extent.

2. As regards payment of regular pay during the apprenticeship period now abolished, it should appropriately be made by the departments where the officials are serving at present. So far as the persons who have left the service and are now no longer serving any Government are concerned, they can apply to the Punjab State and in their cases the payment can be made to them only if the successor States agree to bear the expenditure on this account. If they do not agree, then the matter will have to be referred to the Government of India for making other Governments bear the expenditure in respect of such employees.

3. This issues with the concurrence of the Finance Department obtained,—*vide* their U.O. No. 13500-7GS-67, dated the 22nd February, 1968.

Copy of circular letter No. 1154-SII(5)-68/5921, dated 5th March 1968 from the Chief Secretary to Government, Punjab to All Heads of Departments etc. etc.

Subject.—Concessions to persons who joined military service during the National Emergency—Reservation of vacancies in Punjab Government services.

I am directed to invite a reference to the instructions contained in paragraph 8 of the Punjab Government Consolidated Circular letter No. 88-4GSI-66/9554, dated the 21st April, 1966, as amended,—*vide* Circular letter No. 4544-4GSI-66/27271, dated the 10th/11th October, 1966, on the subject noted above, and to

say that permanent vacancies becoming available in the State services are essentially required to be reserved to the extent of 20% in the case of non technical services and 50% in the case of Medical and Engineering Services for appointment of candidates who joined military service during the National Emergency and who on being released from there are coming forward to join civil posts under the Punjab Government. The temporary appointments made against such reserved vacancies will terminate on the appointment of candidates with military service rendered during the National Emergency. Government are preparing rules to regulate the reservation of vacancies in the State services and appointment of personnel released from military service rendered during the National Emergency. I am directed to request that pending the finalization of the said Rules, the reserved vacancies may be offered only to candidates with military service rendered during the National Emergency, and in the event of no such suitable candidates becoming available from amongst the released armed Forces personnel with National Emergency service, the vacancies might be filled up, on temporary basis, merely as a stop gap arrangement. As already stated above, such temporary appointments shall terminate on suitable candidates, with military service rendered during the National Emergency, becoming available. I am directed to request that these instructions may be properly complied with.

Copy of Punjab Government Circular Letter No. 1484-SII-4(T)-68/6710, dated 12-3-1968 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject—Grant of re-employment/extension in service to Government employees on or after their attaining the age of superannuation—Refusal of leave preparatory to retirement.

I am directed to address you on the subject noted above and to say that fairly comprehensive instructions have already been issued, vide Punjab Government letter No. 727-SII-4-67/4841, dated the 17th February, 1967, regulating the grant of re-employment/extension in service to Government officers/officials. It has been observed that these instructions are not being followed meticulously and the laxity in the enforcement of these instructions has resulted in creating an impression that extension are being given liberally. Re-employment extension in service is to be granted under exceptional circumstances. The conditions under which this can

be granted have been detailed in the policy letter referred to above. While dealing with cases of re-employment/extension these instructions should be very strictly and rigidly followed. Proposals of this nature should be subjected to meticulous and rigid scrutiny and no re-employment or extension should be granted unless the conditions specified therein are fully satisfied.

2. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 2638-SII(6)-68/8839 dated, 4-4-1968 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject:-- Verification of Character and antecedents of candidates selected for appointment to civil posts under Government.

In forwarding herewith a copy of the Government of India Ministry of Home Affairs, secret letter No. 3/8(S)67-Ests(B), dated the 27th September, 1967, with enclosures on the subject cited above, I am directed to request that the clarification with regard to objectionable activities etc. which may render candidates being considered undesirable for appointment in civil posts under the Government may kindly be followed strictly and judiciously.

Copy of letter No. 3/8(S)/67-Ests. (B), dated New Delhi, the 27th September, 1967, from the Deputy Secretary to the Government of India, Ministry of Home Affairs, to the Chief Secretaries of all States (except Kerala and West Bengal)/Administrations in Union Territories.

Subject:-- Verification of character and antecedents of candidates selected for appointment to civil posts under Government of India--Instructions regarding.

Attention is invited to the Home Department, Government of India's letter No. 20/58/45-Ests(S), dated the 15th March, 1947 forwarding for the information of the State Government a copy of the Home Department O.M. No. 20/58/45-Ests(S), dated 7th February 1947 regarding the verification of character and antecedents of candidates for employment under the Central Government. As apprehensions have been expressed regarding the interpretation of the criteria laid down under para 2(b) of the O.M. of 7th February, 1947,

Government of India have amplified the earlier instructions so as to specify the objectionable activities, etc. which may render candidates being considered undesirable for appointment in civil posts under the Government of India. I enclose a copy of our O.M., dated 27th September, 1967 clarifying the policy of the Govt. of India on this point. I have to request that the State Government may advise the authorities concerned to verify the character and antecedents of the candidates with specific reference to the criteria referred to at (a) and (b) of para 1 of the O.M. in their report on the character and antecedents of the candidates.

2. It is also suggested that the State Government may consider adopting similar principals in regard to the verification of character and antecedents of candidates being considered for appointment of civil posts under the State Government.

3. The receipt of this letter may please be acknowledged and the decision of the State Governments in regard to adoption of this procedure both for candidates seeking employment under the Central Government and the State Government may please be conveyed at an early date.

Copy of Office Memorandum No. 3/8(S)/67-Ests.(B), dated New Delhi-11, 27th September, 1967, from the Deputy Secretary to the Government of India to All Ministries/Departments of Government of India, etc., etc., All Administrations/Governments in Union Territories etc., etc.

Subject.— Verification of character and antecedents of candidates selected for appointment to civil posts under the Government of India—Review of the procedure and revision of instructions regarding.

Attention is invited to the instructions contained in Home Department's O.M. No. 20/58/45 Ets.(S), dated 7th February, 1947, which lay down some of the principals behind the practice of verification of character and antecedents of candidates selected for appointment under the Government of India. Certain apprehensions have been expressed regarding the interpretation of the criteria laid down in para 2(b) of this O.M. and it has been represented that candidates might be discriminated against on the basis of their political opinions or affiliations. Government's policy has been that no person should be considered unfit for appointment solely because of his political opinions but care has to be taken not to employ persons

who are likely to be disloyal and to abuse the confidence placed in them by virtue of their appointment. Ordinarily, persons who are actively engaged in subversive activities including members of any organisation, the avowed object of which is to change the existing order of society by violent means should be considered unfit for appointment under Government. In amplification of this criterion it is hereby further clarified that an individual may be considered unsuitable for public employment only on the ground of his actual participation in an association with any objectionable activity or programme. Specifically, the following shall be as considered undesirable for employment in civil posts in the public services :—

- (a) those who are, or have been, members of, or associated with, any body or association declared unlawful after it was so declared or
- (b) those who have participated in, or associated with any activity or programme—
 - (i) aimed at the subversion of the Constitution.
 - (ii) aimed at the organised breach or defiance of the law involving violence.
 - (iii) prejudicial to the interests of the sovereignty, integrity of India or the security of the State, or
 - (iv) which promotes on grounds of religion, race, language, caste or community, feelings of enmity or hatred between different sections of the people.

Participation in such activities at any time after attaining the age of 21 years and within three years of date of enquiry should be considered as evidence that the person is still actively engaged in such activities unless in the interval there is positive evidence of a change of attitude.

The competent authorities who make enquiries into the character and antecedents of candidates are being requested to specially cover the above points in their report on the character and antecedents of candidates.

2. All Ministries are requested to bring the above instructions to the notice of all Heads of Departments/Offices under their control including the quasi-Government organisations, public undertakings, autonomous bodies, etc., where the scheme of verification has been extended and instruct all the appointing authorities to observe the above principles for the future. Cases decided in the past need not be reopened.

ਭਾਈ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 1081-ਸੇਵਾਵਾਂ II-68/9785, ਮਿਤੀ 8-4-1968
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਤੈਨਾਤੀਆਂ ਅਤੇ ਬਦਲੀਆਂ ਕਰਨ ਵੇਲੇ ਅਪਣਾਏ ਜਾਣ ਵਾਲੇ ਆਮ ਸਿਧਾਂਤ।

ਮੈਂਨੂੰ ਇਹ ਲਿਖਣ ਦਾ ਹੁਕਮ ਹੋਇਆ ਹੈ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਤੈਨਾਤੀਆਂ, ਬਦਲੀਆਂ ਅਤੇ ਮੱਧ ਕਾਲੀ ਬਦਲੀਆਂ ਨੂੰ ਨਿਯਮਬੱਧ ਕਰਨ ਸਬੰਧੀ 1950 ਤੋਂ ਲੈ ਕੇ ਸਰਕਾਰ ਸਮੇਂ ਸਮੇਂ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕਰਦੀ ਰਹੀ ਹੈ। ਵੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਮੰਤਰੀਆਂ ਦਾ ਬਹੁਤ ਸਾਰਾ ਸਮਾਂ ਅਜਿਹੇ ਲੋਕਾਂ ਨੂੰ ਮਿਲਣ ਵਿਚ ਹੀ ਜਾਂਦਾ ਹੈ ਜਿਨ੍ਹਾਂ ਦੀ ਬਦਲੀ ਸਬੰਧੀ ਕੋਈ ਸਮੱਸਿਆ ਹੁੰਦੀ ਹੈ। ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਸਰਕਾਰੀ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਕਰਕੇ ਸਿਆਸੀ ਦਬਾ ਪਾਉਂਦੇ ਹਨ, ਤਾਂ ਜੋ ਉਹ ਅਪਣੀ ਮਰਜ਼ੀ ਦੀਆਂ ਖਾਸ ਥਾਵਾਂ ਤੇ ਤੈਨਾਤੀ ਕਰਵਾ ਸਕਣ। ਇਸ ਲਈ ਸਰਕਾਰ ਨੇ ਇਸ ਸਮੱਸਿਆ ਤੇ ਗੰਭੀਰਤਾ ਨਾਲ ਵਿਚਾਰ ਕੀਤੀ ਹੈ ਅਤੇ ਮੌਜੂਦਾ ਹਦਾਇਤਾਂ ਦਾ ਜਾਇਜ਼ਾ ਲੈ ਕੇ ਨਿਮਨ ਗਾਈਡ ਲਾਈਨਾਂ/ਸਿਧਾਂਤ ਵਿਕਸਿਤ ਕੀਤੇ ਹਨ, ਜੋ ਕਿ ਰਾਜ ਵਿਚ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਬਦਲੀਆਂ ਅਤੇ ਤੈਨਾਤੀਆਂ ਸਬੰਧੀ ਲਾਗੂ ਹੋਣੇ ਚਾਹੀਦੇ ਹਨ:—

- (i) ਕਰਮਚਾਰੀਆਂ ਦੀ ਕਿਸੇ ਵੀ ਸ਼੍ਰੇਣੀ ਦੀਆਂ ਬਦਲੀਆਂ ਅਤੇ ਤੈਨਾਤੀਆਂ ਸਧਾਰਨ ਤੌਰ ਤੇ ਸਾਲ ਵਿਚ ਕੇਵਲ ਇਕ ਵਾਰੀ 15 ਮਾਰਚ ਤੋਂ 30 ਅਪਰੈਲ ਦੇ ਸਮੇਂ ਦੇ ਦੌਰਾਨ ਕੀਤੀਆਂ ਜਾਣੀਆਂ ਚਾਹੀਦੀਆਂ ਹਨ। ਸਬੰਧਤ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਕਿਸੇ ਸਮੇਂ ਧਿਆਨ ਨਾਲ ਸੋਚ ਵਿਚਾਰ ਕਰ ਲੈਣੀ ਚਾਹੀਦੀ ਹੈ ਕਿ ਅਜਿਹੇ ਪ੍ਰਬੰਧ ਸਾਰੇ ਸਾਲ ਲਈ ਕਾਇਮ ਰਹਿਣ, ਅਰਥਾਤ, ਇਸ ਸਮੇਂ ਦੇ ਦੌਰਾਨ ਛੇਤੀ ਤੋਂ ਛੇਤੀ ਜ਼ਰੂਰੀ ਬਦਲੀਆਂ ਕੀਤੀਆਂ ਜਾਣ।
- (ii) ਜੇਕਰ ਕਿਸੇ ਕਰਮਚਾਰੀ ਦੀ ਬਦਲੀ ਉਪਰੋਕਤ ਸਮੇਂ ਤੋਂ ਅਗੋਂ ਪਿਛੇ ਕੀਤੀ ਜਾਣੀ ਹੋਵੇ ਤਾਂ ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਨੂੰ ਅਜਿਹਾ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਅਪਣੇ ਤੋਂ ਅਗਲੇ ਵੱਡੇ ਅਧਿਕਾਰੀ ਦੀ ਪਰਵਾਨਗੀ ਲੈਣੀ ਚਾਹੀਦੀ ਹੈ।
- (iii) ਸਧਾਰਨ ਤੌਰ ਤੇ ਕਿਸੇ ਕਰਮਚਾਰੀ ਨੂੰ ਤਿੰਨ ਸਾਲਾਂ ਦੇ ਸਮੇਂ ਲਈ, ਜਾਂ ਜੇ ਕਾਰਜ ਕਾਲ ਨਿਸ਼ਚਿਤ ਹੋਵੇ, ਤਾਂ ਉਸ ਸਮੇਂ ਲਈ, ਇਕ ਕੰਮ ਤੇ ਰਖਿਆ ਜਾਵੇ। ਕਾਰਜ ਕਾਲ ਤੋਂ ਪਹਿਲਾਂ ਤਬਦੀਲੀ ਕੇਵਲ ਮਜ਼ਬੂਰੀ ਦੀ ਹਾਲਤ ਵਿਚ ਅਤੇ ਉਦੋਂ ਹੀ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ ਜਦੋਂ ਲੋਕ ਸੇਵਾ ਦੇ ਹਿਤ ਵਿਚ ਅਜਿਹਾ ਕਰਨਾ ਜ਼ਰੂਰੀ ਹੈ।

- (iv) ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਇਕ ਸ਼੍ਰੇਣੀ ਦੀਆਂ ਬਦਲੀਆਂ ਦਾ ਕੇਵਲ ਇਕੋ ਹੀ ਹੁਕਮ ਜਾਰੀ ਕਰੇਗਾ, ਬੰਨੇ ਬੰਨੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਵੱਖ ਵੱਖ ਹੁਕਮ ਨਾ ਕੀਤੇ ਜਾਣ। ਉਕਤ ਸਮੇਂ ਦੇ ਦੌਰਾਨ ਕੀਤੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਤੈਨਾਤੀਆਂ ਅਤੇ ਬਦਲੀਆਂ ਸਬੰਧੀ ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਆਪਣੇ ਅਧੀਨ ਦਫਤਰਾਂ ਪਾਸੋਂ ਤਜਵੀਜ਼ਾਂ ਮੰਗੇਗਾ। ਅਧੀਨ ਦਫਤਰ ਆਪਣੀਆਂ ਤਜਵੀਜ਼ਾਂ ਹਰੇਕ ਸਾਲ ਫਰਵਰੀ ਦੇ ਅੰਤ ਤੱਕ ਭੇਜ ਦੇਣਗੇ।
- (v) ਜੇ ਕੋਈ ਕਰਮਚਾਰੀ ਦੁਖਦਾਈ ਹਾਲਾਤ ਦੇ ਅਧਾਰ ਤੇ ਆਪਣੀ ਬਦਲੀ ਤਰਵਾਉਣਾ ਚਾਹੇ, ਤਾਂ ਉਸ ਨੂੰ ਯੋਗ ਪ੍ਰਣਾਲੀ ਰਾਹੀਂ ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਨੂੰ ਬਿਨੈਪੱਤਰ ਦੇਣਾ ਹੋਵੇਗਾ। ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਬਿਨੈ ਦੀ ਸਚਾਈ ਸਬੰਧੀ ਤਸੱਲੀ ਕਰ ਲੈਣ ਉਪਰੰਤ ਲੋਕ ਹਿਤ ਨੂੰ ਧਿਆਨ ਵਿਚ ਰੱਖਦਿਆਂ ਬਿਨੈ ਪੱਤਰ ਦਾ ਵੈਸਲਾ ਗੁਣ-ਅੰਗੂਣ ਦੇ ਅਧਾਰ ਤੇ ਕਰੇਗਾ।
- (vi) ਬਾਰ ਬਾਰ ਦੀਆਂ ਬਦਲੀਆਂ ਤੋਂ ਸੰਕੋਚ ਕੀਤੀ ਜਾਵੇ।

ਇਸਤਰੀ ਕਰਮਚਾਰੀ ਦੀ ਤੈਨਾਤੀ

- (vii) ਜਦੋਂ ਪਤੀ ਅਤੇ ਪਤਨੀ ਦੋਵੇਂ ਸਰਕਾਰੀ ਮੁਲਾਜ਼ਮਾਂ ਵਿਚ ਹੋਣ, ਤਾਂ ਕੋਸ਼ਿਸ਼ ਕੀਤੀ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ ਕਿ ਜਿਥੇ ਤੱਕ ਸੰਭਵ ਹੋ ਸਕੇ, ਦੋਨਾਂ ਨੂੰ ਇਕੋ ਥਾਂ ਰੱਖਿਆ ਜਾਵੇ।
- (viii) ਅਪਣੇ ਬਿਲਿਆਂ/ਤਸੀਲਾਂ/ਪਿੰਡਾਂ ਵਿਚ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਤੈਨਾਤ ਕਰਨ ਦੀਆਂ ਜੋ ਪਾਬੰਦੀਆਂ ਲਾਗੂ ਹਨ ਉਨ੍ਹਾਂ ਦੇ ਅਧੀਨ ਰਹਿੰਦਿਆਂ ਯਤਨ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ ਕਿ ਜਿਥੇ ਤੱਕ ਸੰਭਵ ਹੋਵੇ ਅਣਵਿਆਹੀਆਂ ਕੁੜੀਆਂ ਅਤੇ ਵਿਧਵਾ ਇਸਤਰੀਆਂ ਨੂੰ ਉਨ੍ਹਾਂ ਲਈ ਅਨੁਕੂਲ ਥਾਵਾਂ ਤੇ ਤੈਨਾਤ ਕੀਤਾ ਜਾਵੇ।

ਆਪਣੇ ਬਿਲਿਆਂ ਵਿਚ ਕਰਮਚਾਰੀਆਂ ਦੀ ਤੈਨਾਤੀ

- (ix) ਕਿਸੇ ਗਜ਼ਟਿਡ ਅਫਸਰ ਨੂੰ ਉਸ ਦੇ ਅਪਣੇ ਬਿਲੇ ਵਿਚ ਜਾਂ ਅਜਿਹੀ ਥਾਂ ਤੇ ਤੈਨਾਤ ਨਹੀਂ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ਜੋ ਉਸ ਦੇ ਜੱਦੀ ਪਿੰਡ/ਸ਼ਹਿਰ ਤੋਂ 25 ਮੀਲਾਂ ਨਾਲੋਂ ਨੇੜੇ ਹੋਵੇ, ਪਰ ਇਹ ਪਾਬੰਦੀ ਨਿਮਨ ਤੇ ਲਾਗੂ ਨਹੀਂ ਹੋਵੇਗੀ:—
- (i) ਸਕੱਤਰੇਤ ਵਿਚਲੀਆਂ ਆਸਾਮੀਆਂ
 - (ii) ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ
 - (iii) ਭਵੀਚਨਲ ਕਮਿਸ਼ਨਰ
 - (iv) ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਅਤੇ ਇਸ ਤਰ੍ਹਾਂ ਦੇ ਹੋਰ ਅਫਸਰ ਜਿਨ੍ਹਾਂ ਦਾ ਸਰਕਾਰੀ ਅਧਿਕਾਰ ਖੇਤਰ ਇਕ ਠਾਠੇ ਜ਼ਿਲ੍ਹੇ ਵਿਚ ਹੋਵੇ।
 - (v) ਉਪਰੋਕਤ (i), (iii) ਅਤੇ (iv) ਦੇ ਦਫਤਰਾਂ ਵਿਚਲੀਆਂ ਆਸਾਮੀਆਂ।

- (vi) ਸਿਖਿਆ ਵਿਭਾਗ ਵਿਚ ਪ੍ਰੋਫੈਸਰ ਅਤੇ ਸੀਨੀਅਰ ਲੈਕਚਰਾਰ
- (vii) ਪਛੜੇ ਇਲਾਕਿਆਂ ਵਿਚ ਲਗੇ ਡਾਕਟਰ
- (viii) ਰਾਜ ਦੇ ਮੈਡੀਕਲ ਕਾਲਜਾਂ ਵਿਚ ਤੰਨਾਤ ਡਾਕਟਰ

ਤਿੰਨ ਸਾਲਾ ਪਾਬੰਦੀ ਦਾ ਲਾਗੂ ਹੋਣਾ

- (x) ਜੇ ਕਿਸੇ ਖਾਸ ਇਲਾਕੇ ਵਿਚ ਕਿਸੇ ਕਰਮਚਾਰੀ ਨੇ ਹਰ ਪਾਸਿਓਂ ਕਾਮਯਾਬੀ ਦਾ ਸਿਹਰਾ ਪ੍ਰਾਪਤ ਕੀਤਾ ਹੋਵੇ ਅਤੇ ਉਸ ਇਲਾਕੇ ਵਿਚ ਉਸ ਦੀ ਸੇਵਾ ਜਨਤਾ ਲਈ ਬਹੁਤ ਲਾਹੇਵੰਦ ਸਾਬਤ ਹੋਈ ਹੋਵੇ, ਤਾਂ ਤਿੰਨ ਸਾਲ ਦਾ ਸਮਾਂ ਲੰਘ ਜਾਣ ਤੋਂ ਪਿਛੋਂ ਵੀ ਉਸ ਨੂੰ ਉਸੀ ਇਲਾਕੇ ਵਿਚ ਹੀ ਲਗਾ ਰਹਿਣ ਦਿਤਾ ਜਾਵੇ। ਇਸ ਤਰ੍ਹਾਂ ਤਿੰਨ ਸਾਲਾ ਸਿਧਾਂਤ ਉਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਸਬੰਧੀ ਵੀ ਲਾਗੂ ਨਾ ਕੀਤਾ ਜਾਵੇ, ਜਿਹੜੇ ਕਾਲਜਾਂ, ਸਕੂਲਾਂ ਅਤੇ ਲਿਬਰੇਰੀਆਂ ਵਿਚ ਕੰਮ ਕਰ ਰਹੇ ਹਨ, ਕਿਉਂਕਿ ਅਜਿਹੀਆਂ ਥਾਵਾਂ ਤੇ ਅਜਿਹੇ ਕਰਮਚਾਰੀਆਂ ਦਾ ਲਗੇ ਰਹਿਣਾ ਜਿਨ੍ਹਾਂ ਦਾ ਕੰਮ ਸਲਾਘਾ ਯੋਗ ਹੋਵੇ ਅਜਿਹੀਆਂ ਚੰਗੀਆਂ ਪਰੰਪਰਾਵਾਂ ਕਾਇਮ ਕਰਨ ਲਈ ਵਧੇਰੇ ਸਹਾਈ ਹੁੰਦਾ ਹੈ, ਜਿਹੜੀਆਂ ਨਰੋਈਆਂ ਅਤੇ ਅਜਿਹੀਆਂ ਸੰਸਥਾਵਾਂ ਦੀ ਕਾਮਯਾਬੀ ਦਾ ਰਾਹ ਹੁੰਦੀਆਂ ਹਨ।

ਭਾਵੇਂ ਤਿੰਨ ਸਾਲਾ ਵਾਲਾ ਨਿਯਮ ਆਮ ਪਾਲਣਾ ਲਈ ਹੋਵੇਗਾ ਤਾਂ ਜੋ ਅਫਸਰਾਂ ਨੂੰ ਫੀਲਡ ਅਤੇ ਸਕੱਤਰੇਤ ਵਿਚ ਵਾਰੀ ਵਾਰੀ ਸੇਵਾ ਕਰਨ ਦਾ ਅਫਸਰ ਪ੍ਰਾਪਤ ਹੋ ਸਕੇ, ਫਿਰ ਵੀ ਕਿਸੇ ਖਾਸ ਹਾਲਤ ਵਿਚ ਲੋਕ ਸੇਵਾ ਦੀ ਬਹੁਤਰ ਨੂੰ ਮੁੱਖ ਰੱਖਦਿਆਂ ਸਕੱਤਰ/ਡਿਪਟੀ/ਅਧੀਨ ਸਕੱਤਰ ਦੀ ਅਸਾਮੀ ਤੇ ਲਗੇ ਰਹਿਣ ਪਿਛੋਂ, ਕਿਸੇ ਉਸ ਅਫਸਰ ਨੂੰ ਜਿਸ ਨੇ ਇਕ ਵਿਭਾਗ ਵਿਚ ਅਪਣਾ ਕਾਰਜ ਕਾਲ ਸਮਾਪਤ ਕਰ ਲਿਆ ਹੋਵੇ ਕਿਸੇ ਦੂਸਰੇ ਵਿਭਾਗ ਵਿਚ ਸਕੱਤਰੇਤ ਵਿਚ ਵੀ ਤੰਨਾਤ ਕਰਨ ਦੀ ਲੋੜ ਪੈ ਸਕਦੀ ਹੈ। ਐਪਰ ਆਮ ਕਰਕੇ ਇਸ ਗਲ ਦਾ ਖਾਸ ਧਿਆਨ ਰੱਖਣਾ ਹੋਵੇਗਾ ਕਿ ਅਫਸਰਾਂ ਨੂੰ ਫੀਲਡ ਵਿਚ ਅਤੇ ਸਕੱਤਰੇਤ ਕੰਮ ਵਿਚ ਕਰਨ ਦਾ ਮੌਕਾ ਉਚਿਤ ਰੂਪ ਵਿਚ ਮਿਲਣਾ ਚਾਹੀਦਾ ਹੈ।

ਇੰਨਡੈਕਸ ਕਾਰਡ

- (xi) ਇਸ ਮੰਤਵ ਲਈ ਕਿ ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਇਕੋ ਨਜ਼ਰ ਵਿਚ ਇਹ ਜਾਣਕਾਰੀ ਪ੍ਰਾਪਤ ਕਰ ਲਵੇ ਕਿ ਕੌਂਸੀ ਕਰਮਚਾਰੀ ਕਿਸੇ ਇਕ ਥਾਂ ਤੇ ਕਿੰਨਾਂ ਚਿਰ ਲੱਗਾ ਰਿਹਾ ਹੈ, ਉਸ ਦੀ ਬਦਲੀ ਕੌਂਸੀ ਹੋਈ ਹੈ, ਉਹ ਪਿਛੜੇ ਇਲਾਕਿਆਂ ਵਿਚ ਫੀਲਡ ਆਦਿ ਵਿਚ ਕਿਹੜੀ ਕਿਹੜੀ ਥਾਂ ਤੇ ਲੱਗਾ ਰਿਹਾ ਹੈ ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਦੇ ਕੰਟਰੋਲ ਅਧੀਨ ਸਾਰੇ ਕਰਮਚਾਰੀਆਂ ਸਬੰਧੀ ਇੰਡੈਕਸ ਕਾਰਡ ਤਿਆਰ ਕਰਕੇ ਰਖਣੇ ਲਾਹੇਵੰਦ ਹੋਣਗੇ। ਖਾਸ ਕਰਕੇ ਇਹ ਕਾਰਡ ਸਿਖਿਆ ਵਿਭਾਗ ਅਤੇ ਪੁਲਿਸ ਵਿਭਾਗ ਵਿਚ ਵਧੇਰੇ ਲਾਹੇਵੰਦ ਸਿਧ ਹੋਣਗੇ, ਕਿਉਂਕਿ ਇਨ੍ਹਾਂ ਵਿਭਾਗਾਂ ਦੇ ਅਮਲੇ ਦੀ

ਗਿਣਤੀ ਬਹੁਤ ਜ਼ਿਆਦਾ ਹੈ। ਇਹ ਕਾਰਡ ਨਿਮਨ ਰੂਪ ਵਿਚ ਅਖਰਵਾਰ ਰੱਖੇ ਜਾਣਗੇ ਜਿਸ ਵਿਚ ਕਿਸੇ ਖਾਸ ਸੰਸਥਾ ਦੀਆਂ ਜਰੂਰਤਾਂ ਅਨੁਸਾਰ ਸੋਧ ਕੀਤੀ ਜਾ ਸਕੇਗੀ :—

- (i) ਨਾਂ।
- (ii) ਕਰਮਚਾਰੀਆਂ ਦਾ ਆਪਣਾ ਜ਼ਿਲ੍ਹਾ।
- (iii) ਉਹ ਜ਼ਿਲ੍ਹਾ ਜਿਸ ਵਿਚ ਉਸ ਦੀ ਜਾਇਦਾਦ ਹੈ।
- (iv) ਸੇਵਾ ਵਿਚ ਲਗਨ ਦੀ ਮਿਤੀ।
- (v) ਕੀ ਕਰਮਚਾਰੀ ਦੀ ਪਤਨੀ/ਪਤੀ ਵੀ ਸਰਕਾਰੀ ਸੇਵਾ ਵਿਚ ਹੈ, ਜੇ ਹੈ ਤਾਂ ਤੈਨਾਤੀ ਦੀ ਥਾਂ ਅਤੇ ਮਿਤੀ।

(ੳ)

(ਅ)

(ੲ)

ਆਸਾਮੀ	ਤੈਨਾਤੀ ਦੀ ਥਾਂ	ਤੈਨਾਤੀ ਦਾ ਸਮਾਂ	
		ਤੋਂ	ਤਕ

ਇਨ੍ਹਾਂ ਕਾਰਡਾਂ ਤੇ ਸਬੰਧਤ ਕਰਮਚਾਰੀਆਂ ਦੀ ਤੈਨਾਤੀ ਬਾਰੇ ਮਿਤੀ ਅੰਤ ਤੱਕ ਜਾਣਕਾਰੀ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ ਅਤੇ ਬਦਲੀ ਦਾ ਕੋਈ ਹੁਕਮ ਜਾਰੀ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਇਨ੍ਹਾਂ ਨੂੰ ਗਹੁ ਨਾਲ ਵੇਖਿਆ ਜਾਵੇ।

- (xii) ਖਰਚ ਵਿਚ ਉਚਿਤ ਕਢਾਇਤ ਕਰਨ ਅਤੇ ਪ੍ਰਬੰਧ ਵਿਚ ਨਿਕੇਤਰਤਾ ਨੂੰ ਯਕੀਨੀ ਬਣਾਉਣ ਵਾਸਤੇ ਵਿਭਾਗਾਂ ਤੇ ਜ਼ੋਰ ਦਿਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਜਿਨ੍ਹਾਂ ਚਿਰ ਪ੍ਰਬੰਧਕੀ ਚਿਤ ਇਹ ਮੰਗ ਨਾ ਕਰੇ ਉਨ੍ਹਾਂ ਚਿਰ ਬਦਲੀਆਂ ਕਰਨ ਤੋਂ ਸੰਕੋਚ ਕੀਤਾ ਜਾਵੇ।

ਚੋਣਾਂ ਸਬੰਧੀ ਡਿਊਟੀ

- (xiii) ਜਿਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਚੋਣਾਂ ਦੀ ਡਿਊਟੀ ਤੇ ਲਾਇਆ ਗਿਆ ਹੋਵੇ ਉਨ੍ਹਾਂ ਨੂੰ ਉਦੋਂ ਤਕ ਤਬਦੀਲ ਨਾ ਕੀਤਾ ਜਾਵੇ ਜਦੋਂ ਤਕ ਕਿ ਆਮ ਚੋਣ ਜਾਂ ਉਪ-ਚੋਣ ਮੁਕੰਮਲ ਨਾ ਹੋ ਜਾਵੇ।

ਸਿਵਲ ਰਖਿਆ ਕੰਮ

- (xiv) ਸਿਵਲ ਰਖਿਆ ਦੇ ਕੰਮ ਵਿਚ ਰੁਕਾਵਟ ਨਾ ਪਾਉਣ ਦੇ ਨਜ਼ਰੀਏ ਨਾਲ ਜਿਥੇ ਤੱਕ ਸੰਭਵ ਹੋਵੇ ਉਨ੍ਹਾਂ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀ ਬਦਲੀ ਕੀਤੀ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ ਜਿਨ੍ਹਾਂ ਨੇ ਸਿਵਲ ਰਖਿਆ ਦੀ ਚੰਗੀ ਅਮਲੀ ਸੂਝ ਪ੍ਰਾਪਤ ਕਰ ਲਈ ਹੋਵੇ ਬਹੁਤ ਹੀ ਜ਼ਰੂਰੀ ਬਦਲੀਆਂ ਦੀ ਸੂਰਤ ਵਿਚ ਸੰਬੰਧਤ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਨੂੰ ਇਤਲਾਹ ਭੇਜੀ ਜਾਵੇ ਤਾਂ ਜੋ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਤੁਰੰਤ ਹੋਰ ਪ੍ਰਬੰਧ ਕਰ ਸਕੇ।

ਵਿਧਾਨਕਾਰਾਂ ਦੇ ਕਹਿਣ ਤੇ ਤਬਦੀਲੀ

(XV) ਕਦੇ ਕਦੇ ਵਿਧਾਨਕਾਰ ਅਫਸਰਾਂ, ਖਾਸ ਕਰਕੇ ਆਪਣੇ ਹਲਕਿਆਂ ਵਿਚ ਤੋਨਾਤ ਅਫਸਰਾਂ ਦੀਆਂ ਤਬਦੀਲੀਆਂ ਤੇ ਅਸਰ ਪਾਉਂਦੇ ਹਨ ਅਤੇ ਕਈ ਵਾਰੀ ਸੁਤੰਤਰ ਵਿਚਾਰਾਂ ਅਨੁਸਾਰ ਕਰਤੱਵ ਕਰਨ ਤੇ ਚਾਹਵਾਨ ਅਫਸਰਾਂ ਦੀ ਰਾਏ ਬਦਲਣ ਦੀ ਕੋਸ਼ਿਸ਼ ਵੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ। ਇਸ ਸਬੰਧ ਵਿਚ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਜਦੋਂ ਕਿਸੇ ਵਿਧਾਨਕਾਰ ਵਲੋਂ ਜਾਂ ਉਸ ਦੇ ਕਹਿਣ ਤੇ ਤਜਵੀਜ਼ ਤੋਰੀ ਗਈ ਹੋਵੇ ਉਦੋਂ ਮੁੱਖ ਮੰਤਰੀ ਜਾਂ ਦੀ ਪਰਵਾਨਗੀ ਤੋਂ ਬਿਨਾਂ ਕਿਸੇ ਕਰਮਚਾਰੀ ਦੀ ਬਦਲੀ ਨਾ ਕੀਤੀ ਜਾਵੇ।

2. ਉਪਰੋਕਤ ਕੇਂਦਰ ਪੁਲਿਸ ਜਾਂ ਟਰਾਂਸਪੋਰਟ ਵਿਭਾਗ ਤੇ ਲਾਗੂ ਨਹੀਂ ਹੋਵੇਗੀ ਜਿਥੇ ਕਿ ਕਰਮਚਾਰੀ ਦੀ ਸੇਵਾ ਦੀਆਂ ਸ਼ਰਤਾਂ ਅਤੇ ਉਸ ਵਲੋਂ ਦਿੱਤੀ ਜਾਣ ਵਾਲੀ ਡਿਊਟੀ ਹੋਰ ਵਿਭਾਗਾਂ ਤੋਂ ਬਿਲਕੁਲ ਵਖਰੀ ਕਿਸਮ ਦੀ ਹੈ।

3. ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਸਖਤੀ ਨਾਲ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਇਹ ਹਦਾਇਤਾਂ ਸਾਰੇ ਸਬੰਧਤ ਅਧਿਕਾਰੀਆਂ ਦੇ ਨੋਟਿਸ ਵਿਚ ਲਿਆਂਦੀਆਂ ਜਾਣ। ਇਸ ਪੱਤਰ ਦੀ ਪ੍ਰਾਪਤੀ ਸੂਚਨਾ ਵੀ ਭੇਜੀ ਜਾਵੇ। ਅਨੁਲਗ I ਵਿਚ ਦਰਜ ਗ਼ਸਤੀ ਪੱਤਰਾਂ ਦੁਆਰਾ ਜਾਰੀ ਕੀਤੀਆਂ ਪਹਿਲੀਆਂ ਹਦਾਇਤਾਂ ਦਾ ਇਸ ਪੱਤਰ ਰਾਹੀਂ ਅਧਿਲੰਘਣ ਕੀਤਾ ਜਾਂਦਾ ਹੈ।

ਅਨੁਲਗ I

ਤੋਨਾਤੀਆਂ ਅਤੇ ਤਬਦੀਲੀਆਂ ਆਦਿ ਦੇ ਵਿਸ਼ੇ ਸਬੰਧੀ ਪਹਿਲਾਂ ਜਾਰੀ ਕੀਤੇ ਗ਼ਸਤੀ ਪੱਤਰਾਂ ਦੀ ਸੂਚੀ।

1. ਨੰ: 9562-ਜੀ-I-59/25389, ਮਿਤੀ 7 ਦਸੰਬਰ, 1959
2. ਨੰ: 10749-ਜੀ-53/406, ਮਿਤੀ 7 ਜਨਵਰੀ, 1954
3. ਨੰ: 3734-I-ਜੀ. ਐਸ-II-65/17762, ਮਿਤੀ 27 ਮਈ, 1965
4. ਨੰ: 2267-2-ਜੀ. ਐਸ.-61/8143, ਮਿਤੀ 10 ਮਾਰਚ, 1961
5. ਨੰ: 2781-ਜੀ-II-60/9295, ਮਿਤੀ 14 ਮਾਰਚ, 1960
6. ਨੰ: 3696-3-ਜੀ-ਐਸ.-II-65, ਮਿਤੀ 5 ਮਈ, 1965
7. ਨੰ: 7616-3-ਜੀ-ਐਸ-II-65/31081, ਮਿਤੀ ਸਤੰਬਰ, 1965
8. ਨੰ: 9128-ਜੀ-ਐਸ-62/23948, ਮਿਤੀ 24 ਜੁਲਾਈ, 1962
9. ਨੰ: 8508-ਜੀ-I-58/25184, ਮਿਤੀ 16 ਅਗਸਤ, 1958
10. ਨੰ: 10551-ਜੀ-I-59/2971, ਮਿਤੀ 27 ਜਨਵਰੀ, 1960
11. ਨੰ: 1641-3-ਜੀ-ਐਸ-II-65/12715, ਮਿਤੀ 21 ਅਪਰੈਲ, 1965
12. ਨੰ: 608-ਜੀ-II-58/5480, ਮਿਤੀ 21 ਫਰਵਰੀ, 1958
13. ਨੰ: 16858-ਜੀ.-II-57/4668, ਮਿਤੀ 15/29 ਫਰਵਰੀ, 1958
14. ਨੰ: 1365 2-ਜੀ-ਐਸ.-62/2725, ਮਿਤੀ 29 ਜਨਵਰੀ, 1962
15. ਨੰ: 834-ਐਸ.-II-(4) 67, ਮਿਤੀ 7 ਜਨਵਰੀ, 1967

16. ਨੰ: 10705-I-ਜੀ.ਐਸ.-63/28704, ਮਿਤੀ 8 ਜੁਲਾਈ, 1963

17. ਨੰ: ਡੀ.ਓ. ਪੱਤਰ ਨੰ: 5456 ਜੀ.ਐਸ. 60, ਮਿਤੀ 4/15 ਜੁਲਾਈ, 1960 ।

ਸ਼ਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 3968-ਸੇਵਾਵਾਂ 2-4(1)-68/15948, ਮਿਤੀ 6 ਜੂਨ, 1968
 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਾਰੇ ਦਫ਼ਤਰਾਂ ਵਿਚ ਪੰਜਾਬੀ ਦਾ ਪ੍ਰਚਲਣ ।

ਮੈਂਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਕੋਈ ਟਾਈਪਿਸਟ ਕਲਰਕ ਅਤੇ ਸਟੇਨੋਗਰਾਫਰ ਜਾਂ ਸਟੇਨੋਟਾਈਪਿਸਟ ਕਿਸੇ ਵੀ ਸਰਕਾਰੀ ਵਿਭਾਗ ਵਿਚ ਉਦੋਂ ਤੱਕ ਭਰਤੀ ਨਾ ਕੀਤਾ ਜਾਵੇ ਜਦੋਂ ਤਕ ਉਹ ਘੱਟੋ ਘੱਟ ਪੰਜਾਬੀ ਟਾਈਪ 30 ਸ਼ਬਦ ਪ੍ਰਤੀ ਮਿੰਟ ਅਤੇ ਪੰਜਾਬੀ ਸ਼ਾਰਟਹੈਂਡ 80 ਸ਼ਬਦ ਪ੍ਰਤੀ ਮਿੰਟ ਦੀ ਸਪੀਡ ਨਾਲ ਕੰਮ ਕਰਨ ਦੀ ਯੋਗਤਾ ਪ੍ਰਾਪਤ ਨਾ ਕਰ ਲਵੇ । ਹੋਰ ਇਹ ਕਿ ਅਗੇ ਤੋਂ ਰਾਜ ਸਰਕਾਰ ਅਧੀਨ ਅਜਿਹੀਆਂ ਅਸਾਮੀਆਂ ਤੇ ਕੋਵਲ ਉਹੀ ਉਮੀਦ-ਵਾਰ ਭਰਤੀ ਕੀਤੇ ਜਾਣ ਜੋ ਪੰਜਾਬੀ ਟਾਈਪ ਅਤੇ ਪੰਜਾਬੀ ਸਬੰਧੀ ਨਿਪੁਨਤਾ ਰਖਦੇ ਹੋਣ ।

2. ਹੋਰ ਇਹ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਜੇਕਰ ਕਦੇ ਛਾਟੀ ਕਰਨ ਦੀ ਲੋੜ ਪਵੇ ਤਾਂ, ਪਹਿਲਾਂ ਚਲੀ ਆ ਰਹੀ ਪ੍ਰਥਾ ਅਨੁਸਾਰ ਪੰਜਾਬੀ ਭਾਸ਼ਾ ਨਾ ਜਾਨਣ ਵਾਲੇ ਕਰਮਚਾਰੀ ਨੂੰ ਨੌਕਰੀ ਤੋਂ ਕੱਢਿਆ ਜਾਵੇ ਨਾਂ ਕਿ ਉਸ ਸੂਨੀਅਰ ਕਰਮਚਾਰੀ ਨੂੰ ਜੋ ਪੰਜਾਬੀ ਜਾਣਦਾ ਹੋਵੇ ।

SERVICES DEPARTMENT

Notification

The 17th June, 1968

No. G.S.R. 63/Const./Art. 309/68.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other power enabling him in this behalf, the Governor of Punjab hereby makes the following Rules regulating the reservation of vacancies in Punjab State Non-Technical Services for the Demobilised Emergency Commissioned Officers, Short Service Regular Commissioned Officers, Junior Commissioned Officers, Non-Commissioned Officers and other Ranks of the Armed Forces of the Indian Union (hereinafter called the Released Indian Armed Forces Personnel) and the recruitment of such officers/personnel on such vacancies namely.—

1. (1) These Rules may be called the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) Rules, 1968.

(2) These shall be deemed to have come into force with effect from the 1st day of November, 1966.

(3) These Rules shall apply to all Non-Technical posts in the Punjab State Services, except posts in the Punjab Civil Service (Executive and Judicial Branches).

2. 'Non Technical posts' mean all posts under the State Government other than the posts in the Medical and Engineering services.

3. (1) Twenty per cent of the non technical posts to be filled up through direct recruitment shall be reserved for being filled up by the Released Indian Armed Forces Personnel who joined service or were commissioned on or after the 1st day of November, 1962, and are released at any time thereafter.

(2) Where in any year any vacancies reserved for the Released Indian Armed Forces Personnel remain unfilled for want of suitable Released Armed Forces Personnel, such vacancies may be filled up temporarily from any other source in accordance with the recruitment rules for the time being in force for filling up vacancies which are not reserved.

(3) Where in any year, any vacancies reserved for the Released Armed Forces Personnel have been filled up temporarily in accordance with the provisions of sub rule (2) above, the number of vacancies so filled up shall be carried forward to the next succeeding year, provided that no such vacancies shall be carried forward for more than four years.

(4) Notwithstanding anything contained in these rules, the total number of vacancies reserved for Released Armed Forces Personnel and the Scheduled Castes, Scheduled Tribes and Backward Classes, in any service shall not exceed, in any year, 50 per cent of the total number of vacancies to be filled up in that service in that year.

4. (2) Vacancies reserved for the Released Indian Armed Forces Personnel shall be filled up on the basis of their record of military service and their performance at a written examination and viva voce test to be conducted by the Punjab Public Service Commission/Punjab Subordinate Services Selection Board, or any other recruiting authority.

(2) No Released Armed Forces Personnel shall be eligible to appear for an examination referred to in sub-rule (1) above, unless he :—

- (a) possesses the minimum educational qualifications prescribed for direct recruitment to the post on which he is to be appointed.
- (b) his age at the time of joining military service or training prior to the Commission, as the case may be, does not exceed the upper age limit prescribed for direct recruitment to such posts ; and
- (c) after release from the Armed Forces of the Union of India, he is found to be physically and mentally

fit in accordance with the provisions of the service rules applicable to such posts.

5. (1) Seniority and pay of the candidates who are appointed against the vacancies reserved under rule 3 and who—

Amended
vide Notifi-
cation No.
C.S.R. 46/
Conf./Art.
309/Amd- (1)
76, dated 3rd
May, 1976.

- (i) in the case of Emergency Commissioned Officers, are released according to a programme; or
- (ii) in the case of Short Service Commissioned Officers, are released on the expiry of the tenure of their service; or
- (iii) are invalidated owing to a disability attributable to or aggravated by military service,

shall be determined on the assumption that they joined the service or the post, as the case may be, under the State Government at the first opportunity they had after they joined the military service or training prior to the Commission."

(2) Seniority *inter se* of candidates who are appointed against the vacancies reserved under rule 3 and allotted to a particular year shall be determined on the basis of their dates of birth : the candidate older in age to be placed senior to the one younger in age :

Provided that in the case of candidates having the same date of birth, seniority shall be determined according to the merit list prepared by the recruiting authority on the basis of the result of the test or examination.

(3) All candidates appointed against the reserved vacancies under rule 3 shall rank below the candidates appointed by direct recruitment in the year to which the former candidates are allotted.

6. The provisions of these Rules shall have effect, notwithstanding anything to the contrary contained in any other rules.

Copy of Punjab Government Circular letter No. 5633-SII-4(1)-68/19563, dated 15th July, 1968 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.— Withholding and withdrawal of pension under rule 2.2 of Punjab Civil Services Rules Volume II.

According to proviso (I) of Rule 2.2(b) of the Punjab Civil Services Rules, Volume II, departmental proceedings, if instituted while the officer was in service, whether before his retire-

ment or during his re-employment shall, after the final retirement of the officer, be deemed to be a proceeding under this rule and shall be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in service. A question has been raised whether in the case of an officer whose case falls within the purview of the aforesaid proviso and proceedings against whom were instituted by an authority subordinate to the Governor of Punjab, order for withdrawal/withholding of pension can be passed by the subordinate authority on the conclusion of the proceedings, or that authority should refer the case to the Governor of Punjab for final orders. The matter has been considered and I am directed to clarify that the function of the Disciplinary Authority is only to reach a finding on the charges and to submit a report recording its findings to the Government. It is then for the Government to consider the findings and take a final decision under Rule 2.2(b) *ibid.* In case Government decides to take action under Rule 2.2(b) *ibid.*, in the light of the findings of the Disciplinary Authority, the Government will serve the person concerned with a show cause notice specifying the action proposed to be taken under Rule 2.2(b) of the Punjab G.S.R. Volume II and the person concerned will be required to submit his reply to the show cause notice within such time as may be specified by the Government. The Government will consider the reply and consult the Punjab Public Service Commission. If as a result of such consideration in consultation with the Commission, it is decided to pass an order under Rule 2.2(b) necessary orders will be issued in the name of the Governor of Punjab.

2. The procedure outlined in the preceding paragraph in regard to the issue of show cause notice will also apply to a case where the Governor of Punjab functions as the Disciplinary Authority.

3. The receipt of this communication may please be acknowledged.

Copy of letter No. 5958-SII-4(1)-68/20999, dated the 29th July, 1968 from the Chief Secretary to Government, Punjab to all Heads of Departments, Registrar, Punjab and Haryana High Court, etc. etc.

Subject.—Erroneous confirmation of Government employees—
Procedure for cancellation—Instructions regarding.

In supersession of the instructions contained in Punjab Government letter No. 10405-4GS-62/30948, dated the 24th September, 1962, on the subject noted above, I am directed

to say that on the analogy of instructions issued by the Government of India in the Ministry of Home Affairs, the Punjab Government have decided that the following procedure should be followed while cancelling orders relating to confirmation of Government employees which are later on found to be erroneous :—

- (1) Confirmation can be cancelled if the order of confirmation was clearly contrary to the statutory rules, and there is no power or discretion to relax the Rules.
- (2) if the order of confirmation was made when there was no substantive vacancy and the confirming authority had no power to create the post in which the officer was confirmed.
- (3) if the order of confirmation was made in error e.g. naming wrong person--mistake in identity

Orders of confirmation in the above mentioned cases are void *ab initio* and the officer does not acquire any right to hold by post in which the order purported to confirm him. Provisions of Article 311(2) of the Constitution are not, therefore, attracted and the procedure of "show cause notice" is not required to be followed before cancelling the order of confirmation.

2. If the order of confirmation was made in contravention of executive or administrative instructions, it cannot be set aside. Cancellation of confirmation in such cases would amount to reduction in rank without any fault on the part of the officer confirmed.

3. These instructions take effect from the date of issue.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 5730-ਸੇਵਾਵਾਂ-2-4(1)-68/20346, ਮਿਤੀ 5 ਅਗਸਤ, 1968
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: —ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਸਲਾਘਾ ਯੋਗ ਕੰਮ ਕਰਨ 'ਤੇ ਉਚਿਤ ਨਕਦ ਇਨਾਮ ਦੇਣੇ।

ਉਕਤ ਵਿਸ਼ੇ 'ਤੇ ਤੁਹਾਨੂੰ ਲਿਖਣ ਵਾਸਤੇ ਅਤੇ ਇਹ ਕਹਿਣ ਲਈ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਉਨ੍ਹਾਂ ਦੇ ਲਾਜ਼ਮੀ ਕੰਮ ਦੀ ਪੂਰਤਾ ਵਜੋਂ ਉਚਿਤ ਨਕਦ ਇਨਾਮ ਦੇਣ ਲਈ ਨੀਤੀ ਨਿਸ਼ਚਿਤ ਕਰਨ ਦਾ ਪ੍ਰਸ਼ਨ ਪਿਛਲੇ ਕੁਝ ਸਮੇਂ ਤੋਂ ਸਰਕਾਰ ਦੇ ਵਿਚਾਰ ਅਧੀਨ ਰਿਹਾ ਹੈ। ਪੰਜਾਬ

ਸਿਵਲ ਸੇਵਾ ਨਿਯਮਾਵਲੀ ਜਿਲਦ 1 ਭਾਗ 1 ਦੇ ਨਿਯਮ 5.55 ਅਤੇ 5.56 ਅਧੀਨ, ਕਿਸੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਨੂੰ ਉਸ ਦੁਆਰਾ ਕੀਤੇ ਗਏ ਕਿਸੇ ਅਜਿਹੇ ਕੰਮ ਲਈ ਜਿਹੜਾ ਕਦੇ ਕਦਾਈਂ ਅਤੇ ਵਰਫੇ ਨਾਲ ਹੁੰਦਾ ਹੋਵੇ ਅਤੇ ਜਾਂ ਤਾਂ ਐਨੀ ਮਿਹਨਤ ਵਾਲਾ ਹੋਵੇ ਜਾਂ ਅਜਿਹਾ ਲਾਜ਼ਮੀ ਹੋਵੇ ਕਿ ਵਿਸ਼ੇਸ਼ ਇਨਾਮ ਦੇਣਾ ਉਚਿਤ ਹੋਵੇ, ਮਿਹਨਤ ਦੇ ਤੌਰ ਤੇ ਮਾਨਅਰਥ ਦਿਤਾ ਜਾ ਸਕਦਾ ਹੈ। ਸਾਰੇ ਮਾਮਲੇ ਤੇ ਧਿਆਨ-ਪੂਰਬਕ ਵਿਚਾਰ ਕਰਨ ਪਿਛੋਂ ਅਤੇ ਇਕਸਾਰਤਾ ਨੂੰ ਮੁੱਖ ਰਖਦੇ ਹੋਏ ਸਰਕਾਰ ਨੇ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਹੈ ਕਿ ਜਦੋਂ ਕੋਈ ਵਿਸ਼ੇਸ਼ ਕੰਮ ਜਿਸਦੀ ਪ੍ਰਸ਼ੰਸਾ ਕਰਨ ਬਾਰੇ ਤਜਵੀਜ਼ ਕੀਤੀ ਜਾਵੇ, ਅਜਿਹੀ ਕਿਸਮ ਹੋਵੇ ਕਿ ਕੇਵਲ ਸਲਾਘਾ ਪੱਤਰ ਜਾਂ ਪ੍ਰਸ਼ੰਸਾ ਸਰਟੀਫੀਕੇਟ ਨਾਲ ਯੋਗ ਨਿਆਂ ਨਾਂ ਹੁੰਦਾ ਹੋਵੇ ਅਤੇ ਕੁਝ ਨਾਕਾਇਬ ਇਨਾਮ ਦੇਣਾ ਬਣਦਾ ਹੋਵੇ ਤਾਂ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ ਅਪਣੀਆਂ ਸਿਫਾਰਸ਼ਾਂ ਸੇਵਾਵਾਂ-2 ਸ਼ਾਖਾ ਪਾਸ ਅਫਸਰਾਂ ਦੀ ਕਮੇਟੀ ਜਿਸ ਵਿੱਚ ਮੁੱਖ ਸਕੱਤਰ ਦੇ ਵਿੱਤ ਕਮਿਸ਼ਨਰ, ਵਿਕਾਸ ਕਮਿਸ਼ਨਰ, ਕ੍ਰਾਂਤਿ ਕਮਿਸ਼ਨਰ ਵਿਤ ਮੰਤਰੀ ਅਤੇ ਕਮਿਸ਼ਨਰ ਵਿੱਤ ਤੇ ਯੋਜਨਾ ਵਿਭਾਗ ਸ਼ਾਮਲ ਹਨ ਦੁਆਰਾ ਵਿਚਾਰ ਕੀਤੇ ਜਾਣ ਲਈ ਭੇਜ ਦੇਣ ਜੋ ਕਿ ਅਪਣੀਆਂ ਸਿਫਾਰਸ਼ਾਂ ਮੰਤਰੀ ਮੰਡਲ ਦੀ ਉਪ ਕਮੇਟੀ ਪਾਸ ਭੇਜੇਗੀ ਜਿਸ ਵਿਚ ਮੁੱਖ ਮੰਤਰੀ, ਵਿਤ ਮੰਤਰੀ ਅਤੇ ਉਸ ਵਿਭਾਗ ਦਾ ਇਨਚਾਰਜ ਮੰਤਰੀ ਸ਼ਾਮਲ ਹੋਵੇਗਾ ਜਿਸ ਵਿਭਾਗ ਵਿਚ ਉਹ ਕਰਮਚਾਰੀ ਕੰਮ ਕਰਦਾ ਹੋਵੇ ਜਿਸ ਕਰਮਚਾਰੀ ਦਾ ਕੇਸ ਵਿਚਾਰ ਅਧੀਨ ਹੋਵੇ। ਜਦੋਂ ਕਿਸੇ ਅਜਿਹੇ ਵਿਭਾਗ ਜਿਹੜਾ ਕਮੇਟੀ ਦੇ ਕਿਸੇ ਮੈਂਬਰ ਦੇ ਚਾਰਜ ਅਧੀਨ ਨਾ ਹੋਵੇ ਦੇ ਕਰਮਚਾਰੀ ਦੇ ਕੇਸ ਤੇ ਵਿਚਾਰ ਕੀਤਾ ਜਾਵੇ ਤਾਂ ਸਬੰਧਤ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ ਨੂੰ ਵੀ ਮੈਂਬਰ ਦੇ ਤੌਰ ਤੇ ਸਹਿਯੋਗੀ ਬਣਾਇਆ ਜਾਵੇਗਾ ਪਰੰਤੂ ਸਕੱਤਰ ਨੂੰ ਇਸ ਗੱਲ ਦੀ ਖੁਲ੍ਹ ਹੋਵੇਗੀ ਕਿ ਉਹ ਕੇਸ ਦੇ ਵੇਰਵਿਆਂ ਸਬੰਧੀ ਅਪਣੀ ਸਹਾਇਤਾ ਵਾਸਤੇ ਸਬੰਧਤ ਵਿਭਾਗ ਮੁੱਖ ਅਧਿਕਾਰੀ ਜਾਂ ਕਿਸੇ ਹੋਰ ਅਫਸਰ ਨੂੰ ਆਪਣੇ ਨਾਲ ਲਿਆ ਸਕੇ। ਪਰ ਉਹ ਕਮੇਟੀ ਦਾ ਮੈਂਬਰ ਨਹੀਂ ਹੋਵੇਗਾ।

2. ਮੈਂ ਇਹ ਵੀ ਦਸਣਾ ਚਾਹੁੰਦਾ ਹਾਂ ਕਿ ਉਕਤ ਹਵਾਲਾ ਦਿਤੀ ਅਫਸਰਾਂ ਦੀ ਕਮੇਟੀ ਦੁਆਰਾ ਅਜਿਹੇ ਕੇਸਾਂ ਤੇ ਵਿਚਾਰ ਕੀਤੇ ਜਾਣ ਨੂੰ ਅਸਾਨ ਬਣਾਉਣ ਲਈ ਪ੍ਰਬੰਧਕੀ ਵਿਭਾਗ ਮੁਕੰਮਲ ਅਤੇ ਸਵੇਪੂਰਨ ਯਾਦ ਪੱਤਰ ਸਬੰਧਤ ਕਰਮਚਾਰੀ ਦੇ ਸੇਵਾ ਰਿਕਾਰਡ ਨਿਜੀ ਫਾਈਲ (ਫਾਇਲ) ਸਾਹਿਤ, ਦੇ ਸਾਰ ਅਤੇ ਅਜਿਹੇ ਹੋਰ ਦਸਤਾਵੇਜ਼ਾਂ, ਜਿਨ੍ਹਾਂ ਦਾ ਇਸ ਵਿਸ਼ੇ ਤੇ ਪ੍ਰਭਾਵ ਪੈਂਦਾ ਹੋਵੇ ਦੀਆਂ 15 ਕਾਪੀਆਂ ਭੇਜੇ।

3. ਇਹ ਪੱਤਰ ਵਿੱਤ ਵਿਭਾਗ ਦੀ ਸਲਾਹ ਉਨ੍ਹਾਂ ਦੀ ਗੈਰ ਸਰਕਾਰੀ ਸਲਾਹ ਨੰ: 5452-8 ਵਿ.ਵਿ.-68, ਮਿਤੀ 3/5 ਜੁਲਾਈ, 1968 ਨਾਲ ਜਾਰੀ ਕੀਤਾ ਜਾਂਦਾ ਹੈ।

4. ਪੰਜਾਬ ਸਰਕਾਰ ਦਾ ਪੱਤਰ ਨੰ: 4752-1 ਜੀ. ਐਸ.(1)-65/14567, ਮਿਤੀ 7 ਮਈ, 1965 ਨੂੰ ਮਨਸੂਖ ਹੋਇਆ ਸਮਝਿਆ ਜਾਵੇ।

5. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

Copy of Punjab Government Circular letter No. 5679-SII-4(I)-68/22577, dated 20th August, 1968 from the Chief Secretary to Government, Punjab to all Heads of Departments etc. etc.

Subject.—Grant of awards to Employees for suggestions emanating from them for improvement in office and administrative procedures, for maintenance of integrity in administration etc.—Introduction of 'Suggestions Scheme'.

I am directed to inform you that the question of grant of awards to employees for suggestions emanating from them for improvement in office and administrative procedures, for maintenance of integrity in administration etc. has been under consideration of Government. They have now decided to introduce the 'Suggestions Scheme' for the purpose the details of which are given below :—

'Suggestions Scheme'

(1) **Scope of the Scheme.**—The scheme shall cover all State Government employees, including the class IV employees. It shall extend to all categories of staff (Technical or non Technical), except (i) Officers belonging to All India Services (ii) P.C.S. (Executive and Judicial) (iii) Officers belonging to other Class I Service.

(2) **Suggestions and Services qualifying for awards.**—(a) Suggestions for improvement in organisation or job methods and procedures, as distinct from changes in policy, sometimes a lead might be given by the Departments themselves by indicating subjects or points on which suggestions would be specially welcome (This would be particularly suitable when new procedures are being planned or existing procedures revised. Suggestions could also be invited on specific aspects.)

(b) Suggestions for maintenance of integrity in administration shall also be eligible for awards, since they can help in improving the tone of administration.

(3) **Form of awards.**—(a) Award will be in any of the following forms :—

(i) Cash Awards.

(ii) Merit Certificates.

(iii) Entry of appreciation in character roll.

(b) Wherever improvements resulting from the suggestions are capable of being assessed in fairly precise monetary terms, the amount of the award in any particular case shall not normally exceed 5 per cent of the annual saving or Rs. 1,000 (Rupees one thousand only) whichever is less, even in cases where the results of the suggestions made cannot be evaluated in precise monetary terms, but the suggestions in themselves are useful for adoption, suitable monetary awards will be given. The quantum of such awards being decided *ad hoc* in each case depending upon the importance of the suggestion, but subject to the overall ceiling of Rs 1,000.

(4) Procedure to be followed—(i) The administrative Departments should send their recommendations to the Chief Secretary in the Services II Branch which would process them. The final decision, however, would be taken by the Senior Officers Committee consisting of Chief Secretary, the two Financial Commissioners, Development Commissioner, Home Commissioner and Commissioner for Finance and Planning. While considering the case of an employee belonging to a department not under the charge of any member of the Committee, the Administrative Secretary concerned will also be co-opted as a member. The Secretary will be free to bring the Head of Department concerned or any other officer to assist him over the details of the case, though he will not be a member of the Committee.

(ii) The award will be made only for suggestions which are accepted for implementation after careful scrutiny and study. Suggestion which, in the opinion of the Committee are *prima facie* good, but would require to be tested for workability should first be tried out before a final decision regarding their fitness for award is taken.

(iii) Authors of rejected suggestion will as far as possible be informed of the reasons for the rejections; this will ensure that those or similar other suggestions are not repeated.

2. I am, therefore, to request that the above scheme may please be brought to the notice of all employees working in your Department and in the subordinate officers under your control.

3. This issues in consultation with the Finance Department vide their U.O. advice No. 5904-8F.R. 68, dated 2nd/4 July, 1948.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 5402-ਸ(II)-4(2)-68/23141, ਮਿਤੀ 9 ਸਤੰਬਰ, 1968
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਇ।

ਵਿਸ਼ਾ:- ਵਿਭਾਗਾਂ ਦੁਆਰਾ ਕੀਤੀਆਂ ਆਰਜ਼ੀ ਨਿਯੁਕਤੀਆਂ।

ਮੈਨੂੰ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮੈਂ ਤੁਹਾਡਾ ਧਿਆਨ ਉਪਰਲੇ ਵਿਸ਼ੇ ਵਲ ਦਵਾਵਾਂ ਅਤੇ ਇਹ ਕਹਾਂ ਕਿ ਇਹ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦਾ ਗਿਆ ਹੈ ਕਿ ਕਈ ਵਿਭਾਗ ਬਗ਼ੈਰ ਕਮਿਸ਼ਨ ਜਾਂ ਬੋਰਡ ਦੀ ਪਰਵਾਨਗੀ ਲੈਣ ਦੇ ਕਿਤਨਾਂ ਹੀ ਚਿਰ ਆਰਜ਼ੀ ਨਿਯੁਕਤੀਆਂ ਕਰੀ ਰਖਦੇ ਹਨ। ਇਹ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਦੇ ਖਿਲਾਫ ਹੈ ਅਤੇ ਸਰਕਾਰ ਨੂੰ ਇਸ ਗੱਲ ਤੇ ਇਤਰਾਜ਼ ਹੈ। ਇਸ ਗੀਤ ਨੂੰ ਬੰਦ ਕਰਣ ਵਾਸਤੇ ਅਸਰਦਾਇਕ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ। ਸਰਕਾਰ ਇਸ ਵਜੋਂ ਹਦਾਇਤ ਦਿੰਦੀ ਹੈ ਕਿ ਅਗੋਂ ਤੋਂ ਹਰ ਨਿਯੁਕਤੀ ਦੀ ਚਿੱਠੀ ਦੀ ਇਕ ਕਾਪੀ ਕਮਿਸ਼ਨ/ਬੋਰਡ ਨੂੰ ਭੇਜੀ ਜਾਇਆ ਕਰੇ। ਇਸ ਤੋਂ ਉਪਰੰਤ ਇਕ ਮਾਹਵਾਰੀ ਸਟੇਟਮੈਂਟ ਵੀ ਨਬੀ ਕੀਤੇ ਰੂਪ ਵਿਚ ਕਮਿਸ਼ਨ/ਬੋਰਡ ਨੂੰ ਭੇਜੀ ਜਾਇਆ ਕਰੇ। ਇਸ ਦੀ ਇਕ ਕਾਪੀ ਮੁੱਖ ਸਕੱਤਰ, ਸੇਵਾਵਾਂ ਵਿਭਾਗ-II ਨੂੰ ਵੀ ਭੇਜੀ ਜਾਇਆ ਕਰੇ। ਇਹ ਸੂਚਨਾ ਕਮਿਸ਼ਨ/ਬੋਰਡ ਦੇ ਦਫਤਰ ਹਰ ਮਹੀਨੇ ਦੀ 7 ਤਾਰੀਖ ਨੂੰ ਪਹੁੰਚ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ। ਤੁਹਾਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਇਹਨਾਂ ਹਦਾਇਤਾਂ ਦੀ ਪੂਰੀ ਪਾਲਨਾ ਕੀਤੀ ਜਾਏ। ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਚਿੱਠੀ ਦੀ ਪ੍ਰਕ੍ਰਿਤੀ ਦੀ ਰਸੀਦ ਭੇਜੀ ਜਾਏ।

ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ/ਅਪੀਨ ਸੇਵਾਵਾਂ ਚੋਟ ਬੋਰਡ ਨੂੰ ਕੇਸ ਭੇਜੇ ਬਿਨਾਂ ਕੀਤੀਆਂ ਨਵੀਆਂ ਨਿਯੁਕਤੀਆਂ ਦਾ ਦਫਤਰ- -----

ਨਿਯੁਕਤੀ ਕੀਤੀ, ਤੱਰਕੀ ਦਿੱਤੇ, ਤਬਦੀਲ
ਕੀਤੇ ਵਿਅਕਤੀ ਸਬੰਧੀ ਵੇਰਵਾ

ਭਰੀ ਗਈ ਆਸਾਮੀ ਸਬੰਧੀ ਵੇਰਵਾ

ਨੰ: ਖਾਨਾ 4 ਅਤੇ 5 ਵਿਚ ਦਰਜ ਆਸਾਮੀ ਤੇ	(ਓ) ਆਸਾਮੀ ਦਾ ਨਾਂ	ਕੀ ਇਹ ਆਸਾਮੀ
ਨਿਯੁਕਤ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਸਰਕਾਰ	(ਅ) ਸ਼੍ਰੇਣੀ ਵੰਡ	(ਓ) ਪਕੀ ਹੈ ਜਾਂ
ਅਪੀਨ ਕਿਸ ਆਸਾਮੀ ਤੇ ਨਿਯੁਕਤੀ	(ਜੇ ਸ਼੍ਰੇਣੀ ਵੰਡ ਨਾ ਕੀਤੀ)	(ਅ) ਆਰਜੀ
ਸੀ (ਜੇ ਕੋਈ ਹੋਵੇ)	ਹੋਈ ਹੋਵੇ ਤਾਂ ਇਹ ਵੀ	(ੲ) ਨਿਸ਼ਚਿਤ ਸਮੇਂ
	ਦਰਜ ਕੀਤਾ ਜਾਵੇ)	ਲਈ ਜੇ ਆਰਜੀ ਆਸਾਮੀ
ਉਸ ਆਸਾਮੀ	(ਓ) ਕੀ ਇਹ ਆਸਾਮੀ	ਹੈ ਤਾਂ ਦਸਿਆ
ਦਾ ਨਾਂ	ਪੱਕੀ ਸੀ ਜਾਂ ਆਰਜੀ	ਜਾਵੇ ਕਿ ਕਿਤਨੀ ਮੁੱਦਤ
(ਅ) ਸ਼੍ਰੇਣੀ ਵੰਡ	(ਅ) ਜੇ ਆਸਾਮੀ ਪੱਕੀ	ਲਈ ਮੰਜੂਰ ਹੋਈ ਹੈ ਅਤੇ
	ਸੀ ਤਾਂ ਕੀ ਨਿਯੁਕਤੀ	ਕੀ ਇਸ ਦੀ ਮਿਆਦ
	ਪੱਕੇ ਤੌਰ ਤੇ ਸੀ ਜਾਂ	ਵਧਾਣ ਦੀ ਸੰਭਾਵਨਾ
	ਕਾਇਮ ਮੁਕਾਮ ਵਜੋਂ	ਹੈ

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ਦਾ ਵੇਰਵਾ ----- 19 ਵਿੱਚ

ਨਿਯੁਕਤੀ ਦੀ ਪ੍ਰਕਾਰ

ਵਿਸ਼ੇਸ਼ ਰਾਏ

ਕੀ ਇਹ ਨਵੀਂ ਨਿਯੁਕਤੀ ਕੀਤੀ	ਕੀ ਇਹ ਨਿਯੁਕਤੀ ਪੱਕੀ ਹੈ ਜਾਂ ਆਰਜੀ	ਕਮਿਸ਼ਨ ਜਾਂ ਬੋਰਡ
ਗਈ ਹੈ ਜਾਂ ਤਬਦੀਲੀ ਕੀਤੀ	ਜਾਂ ਕਾਇਮ ਮੁਕਾਮ ਵਜੋਂ ਹੈ	ਜਾਂ ਪਾਸ ਕੇਸ ਭੇਜੇ ਬਿਨਾਂ
ਹੈ ਜਾਂ ਤੱਰਕੀ ਦਿੱਤੀ ਗਈ ਹੈ	ਨਿਯੁਕਤੀ ਆਰਜੀ ਜਾਂ ਕਾਇਮ	ਨਿਯੁਕਤੀ ਕਰਨ ਲਈ
ਮਿਤੀ ਜਿਸ ਤੋਂ ਨਿਯੁਕਤੀ	ਮੁਕਾਮ ਵਜੋਂ ਹੋਵੇ, ਤਾਂ ਇਹ ਦਸਿਆ	ਅਧਿਕਾਰ
ਕੀਤੀ ਗਈ, ਦਸੀ ਜਾਵੇ	ਜਾਵੇ ਕਿ ਨਿਯੁਕਤ ਕੀਤਾ ਵਿਅਕਤੀ	
	ਕਿਤਨੇ ਸਮੇਂ ਤਕ ਇਸ ਅਸਾਮੀ ਤੇ	
	ਚਵੇਗਾ	

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ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗਸਤੀ ਪੱਤਰ ਨੰ: 8180-ਸੇਵਾਵਾਂ-2-4(1)-68/31114, ਮਿਤੀ 9 ਅਕਤੂਬਰ, 1968 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ : ਕਰਮਚਾਰੀਆਂ ਦੀ ਜਨਮ ਮਿਤੀ ਵਿਚ ਅਦਲਾ ਬਦਲੀ ਕਰਨ ਬਾਰੇ ਹਦਾਇਤਾਂ।

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ਾ ਤੇ ਤੁਹਾਨੂੰ ਲਿਖਣ ਵਾਸਤੇ ਅਤੇ ਇਹ ਕਹਿਣ ਲਈ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀ ਜਨਮ ਮਿਤੀ ਵਿਚ ਅਦਲਾ ਬਦਲੀ ਕਰਨ ਲਈ ਹਦਾਇਤਾਂ ਪੰਜਾਬ ਫਨਾਂਨਸ਼ਲ ਨਿਯਮਾਂਵਲੀ ਜਿਲਦ (1) ਦੇ ਨਿਯਮ 7.3 ਵਿਚ ਵਿਸਥਾਰ-ਪੂਰਵਕ ਦਰਜ ਹਨ। ਇਸ ਸਿਲਸਿਲੇ ਵਿਚ ਸਰਕਾਰ ਨੇ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਹੈ ਕਿ ਹੁਣ ਤੋਂ ਅਗੇ ਕਰਮਚਾਰੀਆਂ ਦੀ ਜਨਮ ਮਿਤੀ ਵਿਚ ਅਦਲਾ ਬਦਲੀ ਕਰਨ ਦੀ ਜ਼ਰੂਰਤ ਹੋਵੇ ਤਾਂ ਅਜਿਹਾ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਕਰਮਚਾਰੀ ਨੂੰ ਸਬਿਤੋਂ ਦਸੀ ਜਾਵੇ ਅਤੇ ਉਸ ਨੂੰ ਇਤਰਾਜ਼ ਕਰਨ ਦਾ ਮੌਕਿਆ ਵੀ ਦਿੱਤਾ ਜਾਵੇ। ਇਸ ਲਈ ਇਨਸਾਫ ਨੂੰ ਮੁੱਖ ਰਖਦਿਆਂ ਹੋਇਆਂ ਸਬੰਧਤ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਸ਼ੋ ਕਾਜ਼ (show cause) ਨੋਟਿਸ ਦਿੱਤਾ ਜਾਵੇ ਜਿਸ ਰਾਹੀਂ ਤਜਵੀਜ਼ ਕੀਤੇ ਗਏ ਹੁਕਮ ਦੀ ਸਫਾਈ ਵਾਸਤੇ ਸਬੰਧਤ ਦਸਤਾਵੇਜ਼ ਅਤੇ ਹੋਰ ਮਿਲਿਆ ਮਸੌਦਾ ਵੀ ਦਸਿਆ ਜਾਵੇ। ਅੰਤਮ ਫੈਸਲਾ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਕਰਮਚਾਰੀ ਦਾ ਉੱਤਰ ਤੇ ਉਸਦੇ ਦਰਸਾਏ ਗਏ ਸਬੰਧਤ ਦਸਤਾਵੇਜ਼ ਤੇ ਵੀ ਵਿਚਾਰ ਕਰ ਲਈ ਜਾਵੇ। ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਤੇ ਪੂਰੀ ਤਰ੍ਹਾਂ ਅਮਲ ਕੀਤਾ ਜਾਵੇ। ਆਮ ਤੌਰ ਤੇ ਜਦ ਕਿਸੇ ਕਰਮਚਾਰੀ ਨੂੰ ਉਸਦੇ ਹੱਕਾਂ ਤੋਂ ਵਾਂਝਿਆ ਰਖਣ ਦੀ ਤਜਵੀਜ਼ ਹੋਵੇ ਤਾਂ ਪ੍ਰਾਕਿਰਤਕ ਨਿਆਂ ਨੂੰ ਮੁੱਖ ਰਖਦਿਆਂ ਹੋਇਆਂ ਉਸ ਨੂੰ ਨੋਟਿਸ ਦੇਣਾ ਜ਼ਰੂਰੀ ਹੈ। Broadly speaking a notice on the basis of the principle of natural justice is required when it is proposed to deprive a Government servant of some vested right.)

2. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

Copy of Punjab Government Circular letter No. 8217-SII-4(1)-68/31257, dated 10th October, 1968 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Appointment by direct recruitment by promotion and by transfer—Ratio of each method of appointment to be prescribed in the Service Rules.

I am directed to address you on the subject noted above and to say that in various Services Rules there is generally a provision regarding the method of recruitment, viz. (i) by direct appointment, (ii) by promotion and (iii) by transfer. Some of the Departments have laid down the ratio between the three modes of appointment in the relevant Service Rules while others have not fixed any percentage with the result that disputes arise over seniority. Such disputes go on for long and some

times, become endless even after the employees go to the Courts. In order, therefore, to put a stop to such controversies, I am to-request that the necessary ratio may be fixed for appointment through different methods according to local requirements, by way of amendments in the relevant Service Rules, immediately.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 8285-ਐਸ 2-4(1)-68/33328, ਮਿਤੀ 26 ਅਕਤੂਬਰ, 1968 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ : ਅਫਸਰਾਂ/ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਤੁਰੰਤ ਤੈਨਾਤ ਕਰਨ ਸਬੰਧੀ।

ਮੈਨੂੰ ਇਹ ਦਸਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਇਹ ਗੱਲ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਆਈ ਹੈ ਕਿ ਕਈ ਕੇਸਾਂ ਵਿਚ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਸਕੱਤਰੀ ਦੀ ਹਾਲਤ ਵਿਚ ਰਹਿਣਾ ਪਿਆ ਕਿਉਂਕਿ ਉਨ੍ਹਾਂ ਨੂੰ ਕਿਸੇ ਥਾਂ ਪਰ ਤੈਨਾਤ ਕਰਨ ਦਾ ਕੋਈ ਹੁਕਮ ਜਾਰੀ ਨਹੀਂ ਕੀਤਾ ਗਿਆ ਸੀ ਜਾਂ ਜਾਰੀ ਕੀਤੇ ਤੈਨਾਤੀ ਹੁਕਮ ਗ਼ਲਤ ਸਨ ਜਿਵੇਂ ਕੋਈ ਆਸਾਮੀ ਖਾਲੀ ਨਾ ਹੋਵੇ। ਜੇ ਇਸ ਨੂੰ ਪ੍ਰਬੰਧ ਦੇ ਕਿਸੇ ਵੀ ਮਿਆਰ ਤੋਂ ਵੇਖਿਆ ਜਾਵੇ ਤਾਂ ਅਜਿਹੀ ਹਾਲਤ ਬੜੀ ਦੁਖਦਾਇਕ ਅਤੇ ਅਣਉਚਿਤ ਹੈ। ਕਿਸੇ ਸਥਾਪਤ ਕਾਡਰ ਵਿਚ ਨਿਯੁਕਤ ਕੀਤੇ ਹਰੇਕ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਨੂੰ ਅਵੇਲੇ ਹੀ ਯੋਗ ਥਾਂ ਮਿਲੀ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ ਜੇਕਰ ਅਜਿਹੀ ਕੋਈ ਥਾਂ ਨਾ ਹੋਵੇ ਤਾਂ ਉਸ ਹਾਲਤ ਵਿਚ ਜਾਂ ਤਾਂ ਉਸ ਵਿਅਕਤੀ ਤੋਂ ਜੂਨੀਅਰ ਕਰਮਚਾਰੀ ਨੂੰ ਪਰਤਾਉਣਾ ਪੈਂਦਾ ਹੈ ਜਾਂ ਉਸ ਤੋਂ ਜੂਨੀਅਰ ਵਿਅਕਤੀ ਦੀਆਂ ਸੇਵਾਵਾਂ ਖਤਮ ਕਰਨੀਆਂ ਪੈਂਦੀਆਂ ਹਨ ਜਾਂ ਉਸੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਦੀਆਂ ਸੇਵਾਵਾਂ ਖਤਮ ਕਰਨੀਆਂ ਪੈਂਦੀਆਂ ਹਨ। ਨਿਆਂ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਨੁਕਤੇ ਤੋਂ ਕੋਈ ਹੋਰ ਤਰੀਕਾ ਅਮਲ ਵਿਚ ਨਹੀਂ ਲਿਆਂਦਾ ਜਾ ਸਕਦਾ। ਨਤੀਜੇ ਵਜੋਂ ਜੇਕਰ ਕੋਈ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਕਿਸੇ ਡਿਊਟੀ ਤੋਂ ਬਿਨਾਂ ਰਹਿ ਜਾਂਦਾ ਹੈ (ਇਹ ਅਨੁਮਾਨ ਕਰਦਿਆਂ ਹੋਇਆ ਕਿ ਉਹ ਕਰਮਚਾਰੀ ਛੁੱਟੀ ਤੇ ਨਹੀਂ) ਤਾਂ ਵਿਭਾਗ ਵਿਚ ਅਸਮਰਥਾ ਤੇ ਅਨਪੁੰਨਤਾ ਕਾਫ਼ੀ ਮਿਕਦਾਰ ਵਿਚ ਫੈਲ ਜਾਂਦੀ ਹੈ।

2. ਇਸ ਪੱਤਰ ਦਾ ਇਹ ਉਦੇਸ਼ ਹੈ ਕਿ ਇਹ ਗੱਲ ਆਪ ਦੇ ਨਿੱਜੀ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦੀ ਜਾਵੇ ਤਾਂ ਜੋ ਤੁਸੀਂ ਇਹ ਯਕੀਨੀ ਬਣਾ ਸਕੋ ਕਿ ਅਜਿਹੀ ਹਾਲਤ ਆਪਦੇ ਅਧੀਨ ਵਿਭਾਗ/ਵਿਭਾਗਾਂ ਵਿਚ ਨਾ ਵਾਪਰੇ।

3. ਇਹ ਹਦਾਇਤਾਂ ਸਖਤੀ ਨਾਲ ਪਾਲਨਾ ਕਰਨ ਲਈ ਸਾਰੇ ਸਬੰਧਤ ਕਰਮਚਾਰੀਆਂ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦੀਆਂ ਜਾਣ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 8176-ਸ(II)4(2)-68/33615, ਮਿਤੀ 28 ਅਕਤੂਬਰ, 1968 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ : ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀਆਂ ਦਾ ਉਮੀਦਵਾਰਾਂ ਦੀ ਚੋਣ ਸਮੇਂ ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਬਮਿਸ਼ਨ ਦੀ ਸਹਾਇਕ ਵਾਸਤੇ ਸਲਾਹਕਾਰ ਦੀ ਹੋਸ਼ੀਅਤ ਵਿਚ ਆਉਣਾ।

ਮੈਨੂੰ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮੈਂ ਤੁਹਾਡਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀਆਂ ਗ਼ਸਤੀ ਚਿੱਠੀਆਂ ਨੰ: 972-3ਜੀ ਐਸ (II)-65/5281, ਮਿਤੀ 18 ਫਰਵਰੀ, 1965 ਅਤੇ 9454-3 ਜੀ ਐਸ-63/28410,

ਮਿਤੀ 6 ਅਗਸਤ, 1963 ਉਪਰਲੇ ਵਿਸ਼ੇ ਵਲ ਦੁਵਾਵਾਂ ਅਤੇ ਇਹ ਕਹਾ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਇਹ ਗੱਲ ਲਿਆਈ ਗਈ ਹੈ ਕਿ ਤਕਨੀਕੀ ਉਮੀਦਵਾਰਾਂ ਦੀ ਚੋਣ ਦੇ ਸਿਲਸਿਲੇ ਵਿਚ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ ਜਾਂ ਉਹਨਾਂ ਦੇ ਅਗਲੇ ਸੀਨੀਅਰ ਸਹਾਇਕ ਦੀ ਬਜਾਏ ਆਪਣੇ ਛੋਟੇ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਕਮਿਸ਼ਨ ਦਾ ਸਹਾਇਕ ਮੁਕਰਰ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਇਸ ਦਾ ਨਤੀਜਾ ਇਹ ਹੁੰਦਾ ਹੈ ਕਿ ਜਾਂ ਤਾਂ ਕਮਿਸ਼ਨ ਆਪਣੇ ਪਰੋਗਰਾਮ ਦੇ ਅਨੁਸਾਰ ਕੰਮ ਨਹੀਂ ਕਰ ਸਕਦੀ ਅਤੇ ਚੋਣ ਨੂੰ ਕਿਸੇ ਹੋਰ ਤਾਰੀਖ ਵਾਸਤੇ ਮੁਲਤਵੀ ਕਰ ਦਿੱਤਾ ਜਾਂਦਾ ਹੈ ਜਾਂ ਚੋਣ ਚੰਗੀ ਨਾ ਹੋਣ ਦਾ ਡਰ ਹੋ ਜਾਂਦਾ ਹੈ। ਇਹ ਸਰਕਾਰ ਦੇ ਹਿੱਤ ਵਿਚ ਨਹੀਂ। ਇਸ ਲਈ ਇਹ ਜ਼ਰੂਰੀ ਹੈ ਕਿ ਜਾਂ ਤਾਂ ਵਿਭਾਗ ਮੁੱਖ ਅਧਿਕਾਰੀ ਜਾਂ ਅਗਲਾ ਸੀਨੀਅਰ ਅਧਿਕਾਰੀ ਹੀ ਕਮਿਸ਼ਨ ਦਾ ਸਹਾਇਕ ਮੁਕਰਰ ਕੀਤਾ ਜਾਵੇ। ਇਸ ਤਰ੍ਹਾਂ ਸਰਕਾਰ ਦਾ ਮੰਤਵ ਕਿ ਕਮਿਸ਼ਨ ਨੂੰ ਵਧੀਆ ਸਲਾਹ ਦਿੱਤੀ ਜਾਵੇ ਹਾਸਲ ਹੋ ਸਕੇਗਾ।

ਇਹ ਵੀ ਸਰਕਾਰ ਦੇ ਇਤ ਵਿਚ ਨਹੀਂ ਕਿ ਜਦੋਂ ਚੋਣ ਦੀ ਇਨਟਰਵਿਊ ਕੁਝ ਦਿਨ ਜਾਰੀ ਰਹਿੰਦੀ ਹੈ ਤਾਂ ਵਧੇਰੇ ਵਧੇਰੇ ਅਧਿਕਾਰੀ ਕਮਿਸ਼ਨ ਨੂੰ ਸਹਾਇਤਾ ਦੇਣ ਵਾਸਤੇ ਆਉਣ। ਇਸ ਤਰ੍ਹਾਂ ਇਕਸਾਰਤਾ ਨਹੀਂ ਰਹਿੰਦੀ। ਇਹ ਵੀ ਜ਼ਰੂਰੀ ਹੈ ਕਿ ਜੇ ਅਫਸਰ ਇਸ ਕੰਮ ਲਈ ਨਿਯੁਕਤ ਹੋਵੇ ਉਹ ਹੀ ਸਾਰੇ ਦਿਨਾਂ ਲਈ ਕਮਿਸ਼ਨ ਦੀ ਸਹਾਇਤਾ ਲਈ ਜਾਵੇ।

ਇਹ ਆਸ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਵਿਭਾਗ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਉੱਤੇ ਅਮਲ ਕਰਨਗੇ ਅਤੇ ਸ਼ਕਾਇਤ ਦਾ ਮੌਕਾ ਨਹੀਂ ਆਉਣ ਦੇਣਗੇ।

Copy of Punjab Government Circular letter No. 10052-SII(6)-68/37030, dated the 30th November, 1968, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc.

Subject:—Discipline amongst the Services.

Government have noticed an increasing tendency on the part of officials to deviate from accepted principles of discipline and conduct. In particular, it has been noticed that officials consider that they have a right to dictate the place of their posting and the post to which they are to be appointed. While the Service Rules give every official the right to appeal against supersession, they do not give him the right to decide for himself the place of his posting or the post to which he should be appointed. Furthermore, in a number of representations received, it has been noticed that allegations are made against a fellow-officer who has been appointed to the post which the applicant desires to have.

2. Instructions issued,—*vide* circular letter No. 8911-SII(6)-68/1675, dated the 19th January, 1968 lay down that severe disciplinary action shall be taken against employees who bring political or outside influence to bear on the Chief Minister

or other Ministers in respect of cases of transfers, promotions, reinstatements, etc. Representations must be submitted through proper channel and employees should first exhaust all channels before they can represent their cases to Ministers. In view of the fact that much of the time of the Ministers was being wasted in meeting people with transfer problems, Government issued further instructions *vide* circular letter No. 1081-SII-68/9785, dated the 8th April, 1968, in which guide lines/principles which should govern the transfers and postings of Government employees in the State were laid down. Attention is also invited to instructions issued *vide* circular letter No. 9872-5GS-62/29821, dated the 28th August, 1962, which provide a fair chance of representation to Government employees in cases which are not covered by the Punishment and Appeal Rules. These instruction lay down that an advance copy of representation can only be sent to the authority to whom it is addressed. n official can send an advance copy of representation to the next higher authority if he does not hear from the authority originally addressed about the disposal of his representation for a period of four months. Sending of representations to outside authorities, i.e. authorities which are not directly concerned with the consideration of the representation, is considered a most objectionable practice contrary to official propriety and subversive of good discipline, and all Government servants are excepted to scrupulously eschew it. Instructions issued, *vide* circular letter No. 2297-P-56/18382, dated the 4th May, 1956 specifically lay down that subordinate officers should always address higher authorities/Government through their superiors and anybody infringing this rule and writing either to higher authorities or attempting in other ways to bring his wishes to the notice of Government will be liable to disciplinary action. Reference is also invited to Rule 20 of the Punjab Government Employees (Conduct) Rules, 1966.

3. While reiterating these instructions, Government would like to make it clear that the following will be treated as breach of discipline amounting to misconduct:—

- (i) Insistance on a particular place of posting or a particular post.
- (ii) The making of allegations against brother officials.
- (iii) Indulging in unnecessary and frivolous correspondence with superior officers.

4. Any breach of these instructions will result in disciplinary action.

Copy of Punjab Government Circular letter No. 9882-SII(6)-68/37537, dated the 1st January, 1969 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

*Subject:—*Implementation of the recommendations of Punjab Administrative Reforms Commission—Recommendation No. 22—Strict and sincere observance of rules and procedures by Ministers and Officers.

In addressing you on the subject noted above, I am directed to say that the Government have accepted the Recommendation No. 22 of the Punjab Administrative Reforms Commission. A copy of the said recommendation along with the extract of relevant paragraphs from the Report of the Administrative Reforms Commission is enclosed for compliance.

Recommendation No. 22 (Chapter 10. V—Administration at the State level Ministers and Legislators)

Recommendation	Reference	Relevant portion of the Report	Discussions
1	2	3	4
(i) The Constitution and the principles embodied in it should be taken by all concerned with Administration, as their Dharma Shastra ; and	52, 6.2	The Indian theory of the origin of State or kingship, as it was known then, was first enunciated on the field of Kurukshetra. In answer to a question by Yudhishtira, Bhishma said that in the beginning of the people were so good and considerate to one another that there was no need for a governing agency, viz., a State or Government. But later, when people began to behave bad towards one another, a Dharma Shastra (Code of Law) was devised and a king appointed to be its guardian. This would show that, even in the remote past, the rule of law was the basis of social and political existence. The king or ruler was merely the Custodian, whose duty was to ensure observance of the rule of law. The Dharma Shastra has re-emerged now as our Constitution, with its fundamental principles of justice, liberty, equality and fraternity. The Constitution and the principles embodied in it must be to all concerned with administration, the Dharma Shastra.	

The Indian Theory of Origin of State

Government. But later, when people began to behave bad towards one another, a Dharma Shastra (Code of Law) was devised and a king appointed to be its guardian. This would show that, even in the remote past, the rule of law was the basis of social and political existence. The king or ruler was merely the Custodian, whose duty was to ensure observance of the rule of law. The Dharma Shastra has re-emerged now as our Constitution, with its fundamental principles of justice, liberty, equality and fraternity. The Constitution and the principles embodied in it must be to all concerned with administration, the Dharma Shastra.

(ii) Ministers and Officers should, strictly and sincerely follow the rule of law, observe rules and procedure and eschew personal rule, howsoever alluring

5.3, 6.3

Under the Constitution, the Chief Minister and Ministers serve as high constables of the rule of law. They swear allegiance to the Constitution and solemnly take the Oath, before assuming office that they will do right to all manner of people in accordance with the Constitution and law, without fear of favour,

The oath of allegiance

affection or ill-will. So long as this oath is not violated, there is no possibility of mis-rule, favouritism, nepotism, communalism, corruption, and kindred evils in the administration. It may be noted that in the Oath of Office, the words used are "in accordance with the Constitution and Law". Personal likes and dislikes, in the name of personal discretion or judgement, do not find a place in the oath. Most of the allegations made to-day against Minister or for that matter, against an officer, relate to orders which are influenced by personal considerations. Having studied the course of events, political and administrative, in this State, we are constrained to reiterate that Ministers and officers should, strictly and sincerely follow the rule of law, observe rules and procedures and eschew personal rule, howsoever alluring.

Copy of Punjab Government Circular letter No. 63-S11-4(1)-69/1120, dated 13th January, 1969 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject :—Abolition of Apprentice Clerks Scheme—Payment of arrears.

I am directed to invite a reference to Punjab Government circular letter No. 1543-S11-4(1)-68/5724, dated the 1st March, 1968, on the subject cited above, and to clarify that the benefit of abolition of Apprentice Clerks scheme is admissible only to those employees who have been allocated finally to the new State of Punjab and are now serving in connection with its own affairs. As already decided the payment of regular pay to such employees for the apprenticeship period should be made by the department where they are serving at present.

2. Instructions conveyed in para 2 of the letter under reference may be considered to have been modified to the extent indicated in para 1 above and no claim of any person other than those allocated finally to the new State of Punjab be entertained.

3. This issues with concurrence of the Finance Department conveyed in their U.O. No. 8803-7FG-68, dated the 23rd December, 1968.

Copy of Letter No. 11350-S11(6)-68/4896, dated the 27th February, 1969 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc. etc.

Subject :—Criteria to determine domicile of a person and Home District/Tehsil/Town of a Government employee for various matters.

I am directed to address you on the subject and to say that it has been under consideration of Government as to what should be the criterion to determine :—

- (a) domicile of a person for purpose of granting a domicile certificate etc., and
- (b) Home District/Tehsil/Town of a Government employee,

2. On both the points, it has been noticed that in the absence of definite instructions, the various departments have been applying different standards which were often at variance with each other. The matter has accordingly been considered and the following guide-lines are laid down in this behalf:

Domicile :—

- (i) The word domicile has been defined to be a place where a person has his permanent home for the purpose of determining his civil status as distinguished from Nationality which determines his political status. By the term 'Domicile of Punjab,' it is meant a person who has acquired the domicile of Punjab State by birth or by choice or by operation of law.
- (ii) As soon as a person is born, he gets a domicile which is called a domicile of origin. The domicile of origin of a person is (i) in case of a legitimate person, the domicile of his father at that time, (ii) in case of an illegitimate child, the domicile of the mother at that time.
- (iii) As soon as a person attains maturity, he or she can acquire domicile by his/her own choice by actually residing in some other State or Country with the intention of permanently residing there to displace the domicile previously obtained. The new domicile is called a domicile by choice.
- (iv) The domicile of a wife following that of her husband is brought about by reason of marriage. It is called a domicile by operation of law.
- (v) Broadly speaking the term 'Domicile of Punjab' ordinarily, means a person whose parents are having their permanent home in Punjab unless he or she has changed it by choice or the change has been brought about by operation of law.

Home District/Tehsil :—

The term 'Home' means the permanent home town or village as entered in the Service Book or

other appropriate official record of the Government employee concerned, or such other place as has been declared by him duly supported by reasons (such as ownership of immovable property, permanent residence of near relatives), as the place he would normally reside but for his absence from such a station for service in Government.

A declaration of home once made should ordinarily be treated as final but in exceptional circumstances the Head of the Department or if the Government employee himself is the Head of the Department, the Administrative Department may authorise a change in such declaration provided that such a change is not made more than once during the service of a Government employee. The necessity of making such a change may arise out of a request from the Government employee concerned or on administrative reasons.

While examining whether a change in the previous declaration about 'Home' is called for or not or while ensuring that a particular declaration in this behalf is correct or not, the real test would be to check whether it is the place where the Government servant would normally reside but for his absence from such a station for service under the Government. The criteria mentioned below may, therefore, be applied in such cases :—

- (i) Whether the place declared by the Government servant is the one which requires his physical presence at intervals, for discharging various domestic and social obligations and if so, whether after his entry into service, the Government servant had been visiting that place frequently.
- (ii) Whether the Government servant owns residential property in that place or whether he is a member of a joint family having such property there.
- (iii) Whether his near relations are resident in that place.

- (iv) Whether, prior to his entry into Government service, the Government servant had been living there for some years.

Note.—The criteria, one after the other need be applied only in cases where the immediately preceding criterion is not satisfied.

Where the Government servant or the family of which he is a member owns residential or landed property in more than one place, it is left to the Government servant to make a choice giving reasons for the same, provided that the decision of the Controlling Officer whether or not to accept such a place as the home town of the Government servant shall be final.

Where the presence of near relations at a particular place is to be the determining criteria for the acceptance of declaration of 'Home Town', the presence of near relations should be of a more or less permanent nature.

It would be appropriate if the Controlling Officers may for their own convenience maintain a register of home towns in respect of the staff under their control.

Copy of letter No. 1211-SII(6)-69/5432, dated 27th February, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Grant of overtime allowance to Peons who are called to duty after office hours and on holidays.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 1569-Pol(3)-64/3714, dated the 22nd/24th February, 1964 according to which Peons including Jamadars, in Secretariat offices and in the offices of Heads of Departments at their headquarters, if they are called upon to work more than one hour earlier than the usual office hours, were made entitled to overtime allowance at the rate of 37 paise per day. Government have further considered the matter and have decided that overtime allowance should be paid to peons including Jamadars in the Secretariat offices and offices of the Heads of Departments at their Headquarters, if they put in extra duty in excess of one hour before and/or after the office hours or on holidays and the rate of overtime allowance will be at 37 paise per hour for the period spent in a day, in excess of one hour.

2. This issues with the concurrence of the Finance Department,—*vide* their U.O. No. 9428-5 FR-68, dated the 13th/16th December, 1968.

Copy of letter No. 1068-SII (6)-69/5780, dated the 27th February, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject.—Requirement of one month's notice from temporary Government employees seeking employment within the State Government.

I am directed to refer to the instructions issued,—*vide* Punjab Government circular letter No. 3497-IGS-62/7965, dated the 9th March, 1962 on the subject noted above and to say that a question has arisen whether these instructions apply in the case of officials appointed on *ad hoc* basis who intend to take up new assignment within the State Government even though they could not seek prior permission of the Head of Department concerned because at the time of making application to the recruiting authority they were not in service. Keeping in view the fact that the new assignment in such cases remains within the State Government, the person who applied to the recruiting agency in this State at time when he is not already in service and in anticipation of his selection through this recruiting agency he seeks temporary appointment in any Department, cannot be strictly speaking, held guilty of not seeking the prior permission. Government have decided that the condition of one month's notice or surrender of one month's pay in lieu thereof should not be insisted upon in such cases.

Copy of Punjab Government Circular letter No. 1633-SII (6)-69/6262, dated 27th February, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Redress of Public Grievances—Machinery thereof.

I am directed to refer to Punjab Government Circular letter No. 500-DG-1967/8923, dated the 3rd May, 1967 on the subject noted above, with which elaborate instructions were issued with a view to ensuring that the grievances of the public are redressed without delay and on the spot. Government

have, however, noted with concern that still a very large number of people visit the State headquarters for seeking redress from the Ministers with the result that not only the valuable time of the Ministers is encroached upon but the persons concerned are also put to avoidable inconvenience and expense. It would appear that Government instructions in this regard are not being complied with in letter and spirit.

2. Apart from the number of days, which should be spent on tour by the Deputy Commissioners (90 days), the minimum number of 67 nights which should be spent in camp, have also been prescribed. The whole object is that besides the disposal of routine official work, the District Officers should be able to devote time to listen to the grievances of the people and to provide relief promptly and on the spot and also that with the intimate knowledge of local conditions so obtained, make suggestions to the Government for further improvement of the socio-economic conditions of the people and the areas in their jurisdiction.

3. I am, therefore, to reiterate that the Deputy Commissioners should do the prescribed touring evenly spread over all the months in the year as laid down in the Punjab Government instructions referred to above. If the programme of attending to public complaints during tours for immediate redress on the spot is strictly adhered to, it will not be necessary for the public to turn up in such large numbers to Chandigarh for the redress of their grievances. The Government attach utmost importance to this sphere of responsibility of the Deputy Commissioners and it is hoped that you will take effective steps to redress the public grievances on the spot during these tours.

4. You are requested to send me a brief resume of the work done by you during these tours. Your report should specifically mention the number of complaints received, the number of complaints in which redress was afforded on the spot and the action taken by you on the remaining complaints. The Government would also like to have your suggestions for promoting the welfare of the people in your jurisdiction in these reports.

5. Like-wise, the Sub-Divisional Magistrates are required to spend 120 days and they shall spend the minimum number of 90 nights in camp. You should please ensure that they also undertake tours well spread over a month and attend to

public grievances on the spot for immediate redress. He may obtain monthly reports of the work done by them during tours and this information may also be incorporated in your monthly report to me.

Copy of Punjab Government Circular letter No. 1726-SII-4(2)-69, dated 3rd March, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Absorption of candidates selected by the Board/Secretariat Committee/Departmental Committees.

I am directed to invite a reference to the Punjab Government circular letter No. 11633-S(II)-4(2)-68, dated the 1st January, 1969, on the subject noted above, wherein while stressing the need of absorption of qualified persons on the basis of selection/examinations held by the Defunct Board/Secretariat Committee, etc., the Heads of Departments were advised to terminate the services of persons appointed on *ad hoc* basis forthwith. The matter has been reconsidered and it has been decided in supersession of all instructions on this subject that such *ad hoc* appointees who were eligible for recruitment in accordance with the prescribed qualifications and age at the time of initial appointment to the service and have put in at least one year's service on 28th February, 1969 (inclusive of the notional break, if any) and whose work and conduct is considered satisfactory, should be given preference for regular appointment over—

- (a) persons selected by the defunct Board and have also been found suitable after screening by the Departmental Committees; and
- (b) persons selected by the Secretariat Committee and the Departmental Committees.

In case, any such *ad hoc* appointee has been discharged to facilitate absorption of a candidate selected by the defunct Board/Secretariat Committee/Departmental Committees, he should be taken back into Government service and the break in service between the dates of recent discharge and the new appointment, should be regularised in accordance with the prescribed procedure. The benefit of this decision would be available to all *ad hoc* appointees irrespective of the fact whether

they had taken any test/examination conducted by the defunct Board or Secretariat Committee or the Departmental Committees, or not or of the result obtained therein. The persons who had been selected by the defunct Board or the Secretariat Committee or the Departmental Committees will as such be offered vacancies which will be vacated by *ad hoc* employees who do not fulfil the conditions stated above, or which will occur in future. It is, however, once again emphasized that in implementing this decision, percentage of reservation, prescribed from time to time for ex-servicemen or members of backward classes/Scheduled Castes should be strictly maintained in the Department.

Copy of Punjab Government Circular letter No. 1975-SII-4(1)-69, dated 13th March, 1969, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject.—Abolition of Apprentice Clerks Scheme—Payment of arrears.

I am directed to invite a reference to Punjab Government circular letter No. 63-SII-4(1)-69/1120, dated the 13th January, 1969, on the subject noted above and to clarify that the benefit of the abolition of Apprentice Clerks Scheme is admissible to those employees only who have rendered continuous service without any break and are presently serving in connection with affairs of the re-organised State of Punjab.

2. This issues with the approval of Finance Department, conveyed in their U.O. No. 757-7FG-69, dated the 9th March, 1969.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 1396-ਸੇਵਾਵਾਂ-2(6)-69/7462, ਮਿਤੀ 17 ਮਾਰਚ, 19 69 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: ਸਰਕਾਰ ਦੇ ਅਧੀਨ ਨਿਯੁਕਤ ਕੀਤੇ ਹੋਏ ਉਮੀਦਵਾਰਾਂ ਦੇ ਪੂਰਵ ਵਿਹਾਰ ਅਤੇ ਚਾਲ ਚਲਣ ਦੀ ਪੜਤਾਲ—ਇਕ ਰੂਪ (uniform) ਪ੍ਰਾਰਥਨਾ ਪੱਤਰ ਲਈ ਵਾਰਮ ਬਣਾਉਣਾ।

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 7536-ਸੇਵਾਵਾਂ 2(6)68/28026, ਮਿਤੀ 14 ਨਵੰਬਰ, 1968 ਵਲ ਧਿਆਨ ਦਿਵਾਂਦਿਆਂ ਹੋਇਆਂ ਇਹ ਲਿਖਣ ਦਾ ਹੁਕਮ ਹੋਇਆ ਹੈ ਕਿ ਜਿਹੜੀਆਂ ਹਦਾਇਤਾਂ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਰਾਹੀਂ ਜ਼ਰਨ ਵਾਲੀਆਂ ਅਸਾਮੀਆਂ ਲਈ ਉਮੀਦਵਾਰਾਂ ਦੇ ਪੂਰਵ ਵਿਹਾਰ ਅਤੇ ਚਾਲ ਚਲਣ ਦੀ ਪੜਤਾਲ ਬਾਰੇ ਕੀਤੀਆਂ ਹੋਈਆਂ

ਹਨ ਉਹ ਉਨ੍ਹਾਂ ਅਸਾਮੀਆ ਦੀ ਭਰਤੀ; ਲਈ ਵੀ ਲਾਗੂ ਸਮਝੀਆਂ ਜਾਣ ਜਿਹੜੀਆਂ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਰਾਹੀਂ ਨਹੀਂ ਭਰੀਆਂ ਜਾਂਦੀਆਂ ਕਿਉਂਕਿ ਉਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦਾ ਮੰਤਵ ਇਹ ਹੈ ਕਿ ਕੋਈ ਇਤਰਾਜ਼ ਯੋਗ ਪੂਰਵ ਵਿਚਾਰ ਵਾਲਾ ਵਿਅਕਤੀ ਸਰਕਾਰ ਸੇਵਾ ਵਿਚ ਨਾ ਲਿਆ ਜਾ ਸਕੇ।

2. ਮੈਨੂੰ ਇਹ ਵੀ ਹਦਾਇਤ ਕਰਨ ਦਾ ਹੁਕਮ ਹੋਇਆ ਹੈ ਕਿ ਭਿੰਨ ਭਿੰਨ ਅਸਾਮੀਆ ਦੇ ਭਰਨ ਸਬੰਧੀ ਕਾਰਜ ਵਿਧੀ ਨੂੰ ਇਕ ਰੂਪ ਦੇਣ ਲਈ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਦੇ ਵਿਚਾਰ ਖੇਤਰ (*purview*) ਤੋਂ ਬਾਹਰ ਵਾਲੀਆਂ ਸਾਰੀਆਂ ਅਸਾਮੀਆਂ ਲਈ ਪ੍ਰਾਬਨ-ਪੱਤਰ ਦਾ ਫਾਰਮ ਨੰ: ਐਸ. ਐਸ. ਬੀ-1(ੲ) ਜਿਹੜਾ ਅਧੀਨ ਸੇਵਾਵਾਂ ਚੋਣ ਬੋਰਡ, ਪੰਜਾਬ ਵਰਤਦਾ ਸੀ, ਨੂੰ ਜ਼ਰੂਰੀ ਤੌਰ ਤੇ ਅਪਣਾਇਆ ਜਾਵੇ।

Copy of Punjab Government Circular letter No. 779-SH (6)-69/8308, dated 22nd March, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Recommendations of the National Integration Council—Committee on Communal Aspects.

I am desired to address you on the subject noted above and to say that Committee on Communal Aspects of National Integration Council have *inter alia* recommended.—

'Effective measures should be taken to ensure that no discrimination is made in the recruitment to services at all levels.'

Government fully appreciate the spirit behind the recommendation and observe that it finds its source in the Constitution of India, which enshrines a mandatory provision in Article 16 to the effect—

- (i) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.
- (ii) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth; residence or any of them; be ineligible for, or discriminated against in respect of any employment or office under the State.

I am directed to reiterate this constitutional provision for meticulous observance by all the Departments and all recruiting agencies in the State.

Copy of Punjab Government Circular letter No. 907-SII (6)-69/8441, dated 21st April, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Implementation of recommendations of the Administrative Reforms Commission—Recommendation No. 99.

I am, therefore directed to request you to bring this and to say that Government have accepted recommendations No. 99 of the Administrative Reforms Commission which is reproduced below:—

"Supervisory and senior officials should have personal contacts with their subordinates and take an interest in their welfare and problems only then will these subordinates give of their best"

I am, therefore directed to request you to bring this recommendation to the notice of all the Supervisory and Senior Officials of your Department for observance.

Please acknowledge receipt.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ੈਰਤੀ ਪੱਤਰ ਨੰ 2031-ਸ (ii)4(2)-69/2964, ਮਿਤੀ 28 ਅਪਰੈਲ, 1969 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ : ਕਮਿਸ਼ਨ ਨੂੰ ਭੇਜੇ ਜਾਣ ਵਾਲੇ ਅਨੁਸ਼ਾਸਨੀ ਕਾਰਵਾਈ, ਅਪੀਲਾਂ ਆਦਿ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਉਣਤਾਈਆਂ।

ਮੈਨੂੰ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮੈਂ ਤੁਹਾਨੂੰ ਉਪਰਲੇ ਵਿਸ਼ੇ ਤੇ ਸੰਕੇਤ ਕਰਾਂ ਅਤੇ ਇਹ ਕਹਾਂ ਕਿ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿੱਚ ਇਹ ਲਿਆਇਆ ਗਿਆ ਹੈ ਕਿ ਕਈ ਵਿਭਾਗ ਅਨੁਸ਼ਾਸਨੀ ਕਾਰਵਾਈ, ਅਪੀਲਾਂ ਆਦਿ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਕਮਿਸ਼ਨ ਨੂੰ ਮੁਕੰਮਲ ਸੂਚਨਾ ਨਹੀਂ ਦੇਂਦੇ। ਅਨੁਸ਼ਾਸਨੀ ਕਾਰਵਾਈ/ਅਪੀਲ ਆਦਿ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਕਮਿਸ਼ਨ ਦੀ ਰਾਏ ਹਿੱਤ ਭੇਜਣ ਸਬੰਧੀ ਸਾਰੇ ਵੇਰਵੇ ਕਮਿਸ਼ਨ ਦੇ 'ਵਿਨਿਯਮਾਂ ਅਤੇ ਹਦਾਇਤਾਂ ਦੀ ਪੁਸਤਕ' ਦੇ ਪੰਨੇ 42 ਤੋਂ 44 ਤੇ ਫ਼ਾਪੇ ਪੈਰਾ 5 ਵਿਚ ਵਿਸਥਾਰ ਸਹਿਤ ਦਿੱਤਾ ਹੋਇਆ ਹੈ ਅਤੇ ਜਿਹੜੀ ਜਿਹੜੀ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਨੂੰ ਭੇਜਣੀ ਚਾਹੀਦੀ ਹੈ ਉਹ ਇਸ ਪੁਸਤਕ ਦੇ ਪੰਨੇ 58—60 ਤੇ ਪਰੋਟਾਗਾਂ ਦੀ ਸ਼ਕਲ ਵਿਚ ਦਿੱਤੀ ਹੋਈ ਹੈ। ਇਹ ਪੁਸਤਕ ਸਾਰੇ ਵਿਭਾਗਾਂ ਨੂੰ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਚਿੱਠੀ ਨੰ : 7998-ਐਸ(ii)4(2)-67/34644, ਮਿਤੀ 22 ਦਸੰਬਰ, 1967 ਨਾਲ ਭੇਜੀ ਗਈ ਹੈ। ਇਸ ਤੋਂ ਪਹਿਲਾਂ ਵੀ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਚਿੱਠੀ ਨੰ : 6923-4 ਜੀ ਐਸ-61/21183, ਮਿਤੀ 19 ਜੂਨ, 1961 ਵਿਚ ਇਸ ਗੱਲ ਤੇ ਚੋਰ ਦਿੱਤਾ ਗਿਆ ਸੀ ਕਿ ਇਨ੍ਹਾਂ ਕੇਸਾਂ ਦਾ ਛੇਤੀ ਨਿਪਟਾਰਾ ਕਰਨ ਵਾਸਤੇ ਇਹ ਅਤੀ ਜ਼ਰੂਰੀ ਹੈ ਕਿ ਕਮਿਸ਼ਨ ਨੂੰ ਮਾਮਲਾ ਭੇਜਣ

ਲੱਗੇ ਲੋੜੀਂਦੀ ਸੂਚਨਾ ਪਹਿਲੀ ਵਾਰ ਹੀ ਭੇਜੀ ਜਾਵੇ ਤਾਂ ਕਿ ਕਮਿਸ਼ਨ ਨੂੰ ਵਿਭਾਗ ਨੂੰ ਬਾਰ ਬਾਰ ਸਪਸ਼ਟੀਕਰਨ ਵਾਸਤੇ ਨਾ ਕਹਿਣਾ ਪਵੇ। ਇਸ ਲਈ ਇਸ ਗੱਲ ਤੇ ਇਕ ਵਾਰੀ ਵੇਰ ਜ਼ੋਰ ਦਿੱਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਵਿਭਾਗ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਪੂਰੀ ਤਰ੍ਹਾਂ ਪਾਲਣਾ ਕਰਨ।

Copy of Punjab Government Circular letter No. 1461-4-SIII-69/11361, dated 1st May, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject - Grant of Special Casual leave to Government servants for participation in tournaments.

It has been brought to the notice of the State Government that many Government employees interested in sports and even some of the District Sports Officers are not aware of the concessions, in the form of Special Casual leave with pay, available to the Government servants for participation in sporting events of the national or international importance. I am, therefore, directed to forward herewith copies of Punjab Government communications mentioned below, which contain the above mentioned concessions, for your guidance :—

- (1) Letter No. 684-GII-58/13153, dated the 14th February, 1958.
- (2) Letter No. 10711-GII-59-24455, dated the 30th November, 1959.
- (3) Letter No. 2393-8GS-62/11431, dated the 9th April, 1962.
- (4) Letter No. 1952-8GS-63/6924, dated the 21st February, 1963.
- (5) Letter No. 2152-8GS-63/7043, dated the 25th February, 1963.

There may, however, be cases where, after the grant of special casual leave under these instructions and grant of earned leave with full pay under the normal rules, some period of absence from duty in respect of a Government servant, who participates in the coaching/and or tournaments as a result of his selection for all India/Asia teams, remains uncovered. Such cases may be referred to Government (in Services III Department) for consideration of

grant of additional Special Casual Leave with pay to cover the remaining period.

2. The receipt of this letter may kindly be acknowledged.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 1315-ਸੇਵਾਵਾਂ(ii)-4(2)-69/12787, ਮਿਤੀ 16 ਮਈ, 1969
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਨਾਲ ਪੱਤਰ ਵਿਹਾਰ, ਤਰੱਕੀ ਦੇ ਕੇਸਾਂ ਵਿੱਚ ਉਣਤਾਈਆਂ।

ਮੈਨੂੰ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਉਕਤ ਵਿਸ਼ੇ ਤੇ ਜੋ ਆਪ ਜੀ ਦਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 9365-ਸੇਵਾ(ii)4(4)-67/1301, ਮਿਤੀ 24 ਅਪਰੈਲ, 1968 ਵੱਲ ਦਿਵਾਵਾਂ ਜਿਸ ਵਿਚ ਇਸ ਗੱਲ ਤੇ ਚੌਰ ਦਿਤਾ ਗਿਆ ਸੀ ਕਿ ਤਰੱਕੀ ਦੇ ਕੇਸ ਪਹਿਲੀ ਵਾਰ ਕਮਿਸ਼ਨ ਤੋਂ ਸਲਾਹ ਲੈਣ ਲਈ ਭੇਜਣ ਸਮੇਂ ਲੜੀਦੀ ਸੂਚਨਾ ਹਰ ਹਾਲਤ ਵਿੱਚ ਪੂਰੀ ਅਤੇ ਨਿਯਤ ਪਰੇਵਾਰਮੇ ਵਿਚ ਭੇਜੀ ਜਾਵੇ।

2. ਇਹ ਪੁਰਤੀ ਹੁੰਦਾ ਹੈ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਗ਼ਸਤੀ ਚਿੱਠੀ ਨੰ: 9129-ਜੀ-56/3964, ਮਿਤੀ 17 ਸਤੰਬਰ, 1956 ਵਿਚ ਦਰਸਾਏ ਅਨੁਸਾਰ ਉਚੇਰੀਆਂ ਅਸਾਮੀਆਂ ਤੇ ਤਰੱਕੀ ਲਈ ਅਵਸਰਾਂ/ਕਰਮਚਾਰੀਆਂ ਦੀ ਚੋਣ ਵਿਚ ਅਪਣਾਈ ਜਾਣ ਵਾਲੀ ਕਾਰਜ ਵਿਧੀ ਦੀ ਪਾਲਣਾ ਨਹੀਂ ਕੀਤੀ ਜਾ ਰਿਹੀ। ਤਰੱਕੀ ਦੇ ਕੇਸਾਂ ਸਬੰਧੀ ਕਮਿਸ਼ਨ ਤੋਂ ਪਰਵਾਨਗੀ ਲੈਣ ਸਮੇਂ ਪਹਿਲੀ ਵਾਰ ਹੀ ਨਾ ਤਾਂ ਤਜਵੀਜ਼ਾਂ ਦਾ ਮੁਕੰਮਲ ਰਿਕਾਰਡ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ ਅਤੇ ਨਾ ਹੀ ਲੜੀਦੀ ਸੂਚਨਾ ਨਿਯਤ ਪਰੇਵਾਰਮੇ ਵਿਚ ਭੇਜੀ ਜਾਂਦੀ ਹੈ। ਇਹ ਉਣਤਾਈ ਜਿਸ ਨੂੰ ਸਰਕਾਰ ਬਹੁਤ ਬੁਰਾ ਸਮਝਦੀ ਹੈ ਨਾਲ ਨਾ ਕੇਵਲ ਗੈਰ ਚਰਚੇ ਚਿੱਠੀ ਪੱਤਰ ਹੁੰਦਾ ਹੈ ਬਲਕਿ ਬੱਲੜੀ ਦੇਰੀ ਵੀ ਹੁੰਦੀ ਹੈ ਅਤੇ ਵਕਤ ਅਤੇ ਮਿਹਨਤ ਵੀ ਜਾਇਆ ਜਾਂਦੇ ਹਨ। ਇਹੋ ਜਿਹੇ ਕੇਸਾਂ ਦੇ ਤੇਜ਼ੀ ਨਾਲ ਪ੍ਰਿਨਪਟਾਰੇ ਨੂੰ ਯਕੀਨੀ ਬਣਾਉਣ ਲਈ ਅਤੇ ਵਾਧੂ ਚਿੱਠੀ ਪੱਤਰ ਨੂੰ ਰੋਕਣ ਲਈ ਇਸ ਗੱਲ ਤੇ ਫਿਰ ਚੌਰ ਦਿੱਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਅਜਿਹੇ ਕੇਸਾਂ ਨੂੰ ਕਮਿਸ਼ਨ ਨੂੰ ਭੇਜਣ ਸਮੇਂ ਪਹਿਲੀ ਵਾਰ ਹੀ ਪੂਰੀ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ।

3. ਪੂਰੀ ਤਰ੍ਹਾਂ ਪਾਲਣਾ ਲਈ ਸਾਰੇ ਸਬੰਧਤ ਕਰਮਚਾਰੀਆਂ ਦਾ ਧਿਆਨ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਵੱਲ ਦਵਾਇਆ ਜਾਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 2600-ਸ(ii)4(2)-69/14189, ਮਿਤੀ 22 ਮਈ, 1969
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: ਬੋਰਡ/ਸਕੱਤਰੇਤ ਕਮੇਟੀ/ਵਿਭਾਗਕ ਕਮੇਟੀ ਦੇ ਚੋਣੇ ਪ੍ਰੀਖੀਆਰਥੀਆਂ ਦਾ ਖਪਾਉਣਾ।

ਮੈਨੂੰ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮੈਂ ਉਪਰਲੇ ਵਿਸ਼ੇ ਤੇ ਰੁਹਾਣਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਚਿੱਠੀ ਨੰ: 1726-ਸ(ii)4(2)69, ਮਿਤੀ 3 ਮਾਰਚ, 1969 ਵਲ ਦਿਵਾਵਾਂ।

2. ਕੁਝ ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਦੀਆਂ ਨੌਕਰੀਆਂ ਜਿਨ੍ਹਾਂ ਨੇ 28 ਫਰਵਰੀ, 1969 ਤੱਕ ਇਕ ਸਾਲ ਦੀ ਤਸੱਲੀ ਬਖਸ਼ ਨੌਕਰੀ ਪੂਰੀ ਕਰ ਲੈਣੀ ਸੀ ਜਾਂ ਕਰ ਲਈ ਸੀ ਅਤੇ ਉਮਰ ਅਤੇ ਯੋਗਤਾਵਾਂ ਦੀਆਂ ਸ਼ਰਤਾਂ ਪੂਰੀਆਂ ਕੀਤੀਆਂ ਹੋਈਆਂ ਸਨ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਗ਼ਜ਼ਤੀ ਚਿੱਠੀ ਨੰ: 11633 ਸ(ii) 4(2)68, ਮਿਤੀ 1 ਜਨਵਰੀ, 1969 ਵਿਚ ਦਿਤੀਆਂ ਹਦਾਇਤਾਂ ਦੇ ਅਨੁਸਾਰ ਖਤਮ ਕੀਤੀਆਂ ਗਈਆਂ ਸਨ। ਇਸ ਮੰਤਵ ਨਾਲ ਕਿ ਸਾਰੇ ਅਜਿਹੇ ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ, ਜਿਹੜੇ 1 ਜਨਵਰੀ, 1969 ਨੂੰ ਨੌਕਰੀ ਤੇ ਸਨ ਉਨ੍ਹਾਂ ਨਾਲ ਇਕਸਾਰ ਅਤੇ ਸਨੀਤੀ ਸੰਗਤ ਦਾ ਸਲੂਕ ਕੀਤਾ ਜਾਵੇ। ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਇਹਨਾਂ ਨੂੰ ਸਰਕਾਰੀ ਨੌਕਰੀ ਤੇ ਵਾਪਿਸ ਲੈ ਲਿਆ ਜਾਵੇ ਅਤੇ ਇਹਨਾਂ ਦੀ ਨੌਕਰੀ ਨੂੰ 3 ਮਾਰਚ, 1969 ਦੀ ਗ਼ਜ਼ਤੀ ਚਿੱਠੀ ਦੇ ਅਧਾਰ ਤੇ ਨਿਯਮਤ ਕੀਤਾ ਜਾਵੇ।

3. ਇਸ ਤੋਂ ਉਪਰੰਤ ਕੁਝ ਵਿਭਾਗਾਂ ਨੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਗ਼ਜ਼ਤੀ ਚਿੱਠੀ ਮਿਤੀ 3 ਮਾਰਚ, 1969 ਵਿਚ ਦਿਤੀਆਂ ਹਦਾਇਤਾਂ ਦਾ ਸਪਸ਼ਟੀਕਰਣ ਮੰਗਿਆ ਹੈ। ਇਹ ਇਸ ਪ੍ਰਕਾਰ ਹੈ:—

- (1) ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਜਿਨ੍ਹਾਂ ਦੀ ਨੌਕਰੀ 3 ਮਾਰਚ, 1969 ਦੀ ਚਿੱਠੀ ਦੇ ਮੁਤਾਬਕ ਨਿਯਮਤ ਕੀਤੀ ਗਈ ਹੈ ਉਹਨਾਂ ਮੁਲਾਜ਼ਮਾਂ ਦੇ ਮੁਕਾਬਲੇ ਤੇ ਜਿਨ੍ਹਾਂ ਦੀ ਨਿਯੁਕਤੀ ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਦੀ ਮੁਢਲੀ ਨਿਯੁਕਤੀ ਤੋਂ ਬਾਦ ਦੀ ਤਾਰੀਖ ਤੇ ਨਿਯਮਤ ਤੌਰ ਤੇ ਕੀਤੀ ਗਈ ਸੀ ਅਤੇ ਉਹਨਾਂ ਨੂੰ 3 ਮਾਰਚ, 1969 ਦੀ ਚਿੱਠੀ ਦੇ ਅਧਾਰ ਤੇ ਨਹੀਂ ਕਾਇਮ ਜਾਣਾ ਸੀ ਸਿਨਿਆਰਤਾ ਕਿਸ ਤਰ੍ਹਾਂ ਦਿੱਤੀ ਜਾਵੇ? ਇਸ ਸਵਾਲ ਦਾ ਜਵਾਬ ਨੌਕਰੀ ਦੇ ਰੁਲਾਂ ਤੇ ਨਿਰਭਰ ਹੈ। ਅਮੂਮਨ ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਉਹਨਾਂ ਦੀ ਨਿਯੁਕਤੀ ਦੀ ਮੁਢਲੀ ਤਾਰੀਖ ਤੋਂ ਨਿਯਮਤ ਨਹੀਂ ਕੀਤਾ ਜਾਣਾ ਹੈ ਬਲਕਿ 3 ਮਾਰਚ, 1969 ਦੀ ਤਾਰੀਖ ਤੋਂ ਨਿਯਮਤ ਕਰਨਾ ਹੈ। ਉਹ ਸਿਨਿਆਰਤਾ ਵਿਚ ਨਿਯਮਤ ਤੌਰ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਜਿਨ੍ਹਾਂ ਨੂੰ ਕਾਇਮ ਨਹੀਂ ਜਾਣਾ ਸੀ ਨਾਲੋਂ ਸੁਨੀਅਰ ਹੋਣਗੇ।
- (2) ਕੀ ਭੰਗ ਹੋਏ ਬੇਰਤਬ/ਸਕੱਤਰਤ ਕਮੇਟੀ/ਵਿਭਾਗਕ ਕਮੇਟੀ ਦੇ ਬੁਣੇ ਪ੍ਰੀਖਿਆਰਥੀ ਜਿਨ੍ਹਾਂ ਨੂੰ ਕੱਢ ਕੇ ਇਕ ਸਾਲ ਦੀ ਨੌਕਰੀ ਤੋਂ ਜ਼ਿਆਦਾ ਵਾਲੇ ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਨੌਕਰੀ ਤੇ ਲੈਣਾ ਹੈ ਇਕ ਮਹੀਨੇ ਦਾ ਨੋਟਿਸ ਦਿਤਾ ਜਾਵੇ ਜਾਂ ਨੋਟਿਸ ਦੀ ਬਜਾਏ ਇਕ ਮਹੀਨੇ ਦੀ ਤਨਖਾਹ ਦਿਤੀ ਜਾਵੇ?

ਇਸ ਸਬੰਧ ਵਿਚ ਕਾਰਵਾਈ ਨਿਯੁਕਤੀ ਦੀਆਂ ਸ਼ਰਤਾਂ ਦੇ ਮੁਤਾਬਕ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ। ਜੇ ਇਕ ਮਹੀਨੇ ਦੇ ਨੋਟਿਸ ਦੀ ਜ਼ਰੂਰਤ ਹੋਵੇ, ਤਾਂ ਇਹ ਚੰਗਾ ਹੋਵੇਗਾ ਜੇ ਉਹਨਾਂ ਨੂੰ ਇਕ ਮਹੀਨੇ ਵਾਸਤੇ ਨੌਕਰੀ ਕਰਨ ਦਿਤੀ ਜਾਵੇ ਅਤੇ ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਇਸ ਤੋਂ ਬਾਅਦ ਹੀ ਨੌਕਰੀ ਤੇ ਲਗਾਇਆ ਜਾਵੇ। ਤਦ ਅਰਥ ਤੇ ਲੱਗੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਨਿਯਮਤ ਕਰਨ ਵਿਚ ਉਨ੍ਹਾਂ ਨੂੰ ਸਰਕਾਰ ਵਲੋਂ ਇਕ ਕਿਸਮ ਦੀ ਖਾਸ ਰਿਆਇਤ ਦਿਤੀ ਗਈ ਹੈ ਅਤੇ ਸਰਕਾਰ ਨੂੰ ਦੂਜੀ ਖ਼ੁਦੀ ਦੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਇਕ ਇਕ ਮਹੀਨੇ ਦੀ ਤਨਖਾਹ ਦੇ ਕੇ ਤਦ ਅਰਥ ਦੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਲਗਾਉਣ ਵਾਸਤੇ ਜੇ ਨੁਕਸਾਨ ਹੁੰਦਾ ਹੈ ਉਹ ਨਹੀਂ ਹੋਣਾ ਚਾਹੀਦਾ। ਇਨ੍ਹਾਂ ਨੂੰ ਨੌਕਰੀ ਤੋਂ ਕੱਢੇ ਜਾਣ ਤੋਂ ਲੈ ਕੇ ਨਿਯਮਤ ਕਰਨ ਤਕ ਦੇ ਸਮੇਂ ਨੂੰ ਜਿਹੜੀ ਛੁੱਟੀ ਦੇ ਉਹ ਹੱਕਦਾਰ ਹੋਣ ਦੇ ਕੇ ਨਿਯਮਤ ਕਰ ਦੇਣਾ ਚਾਹੀਦਾ ਹੈ।

- (3) ਕੀ ਤਦ ਅਰਥ ਤੇ ਲਗੇ ਮੁਲਾਜ਼ਮਾਂ ਨੂੰ ਨਿਯਮਤ ਕਿਸੇ ਚੋਣ ਦੇ ਇਮਤਹਾਨ ਜਾਂ ਗੱਲ ਬਾਤ ਤੋਂ ਬਾਦ ਕੀਤਾ ਜਾਵੇ ਜਾਂ ਐਸੀ ਕਾਰਵਾਈ ਦੀ ਅਵਸਥਾ ਨਹੀਂ ਹੋ।

3 ਮਾਰਚ, 1969 ਦੀ ਚਿੱਠੀ ਵਿਚ ਇਸ ਬਾਰੇ ਦਿਤੀਆਂ ਹਦਾਇਤਾਂ ਬਿਲਕੁਲ ਸਪਸ਼ਟ ਹਨ। ਅਜੇਹੇ ਮੁਲਾਜ਼ਮ ਜਿਹੜੇ ਉਮਰ ਤੇ ਯੋਗਤਾਵਾਂ ਦੀਆਂ ਸ਼ਰਤਾਂ ਪੂਰੀਆਂ ਕਰਦੇ ਹੋਣ ਉਹਨਾਂ ਨੂੰ ਨਿਯਮਤ ਕਰਨਾ ਚਾਹੀਦਾ ਹੈ। ਜੇ ਵਿਭਾਗਕ ਨਿਯਮਾਂ ਦੇ ਅਨੁਸਾਰ ਨਿਯਮਤ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਇਹ ਜ਼ਰੂਰੀ ਹੈ ਕਿ ਉਹ ਕੋਈ ਵਿਭਾਗਕ ਇਮਤਹਾਨ ਪਾਸ ਕਰਨ ਜਾਂ ਕੋਈ ਬਾਦ ਦਾ ਟੈਸਟ ਦੇਣ ਤਾਂ ਉਹਨਾਂ ਨੂੰ ਨਿਯਮਤ ਰਾ ਹੀ ਕੀਤਾ ਜਾਵੇ ਜੇ ਉਹ ਇਸ ਸ਼ਰਤ ਨੂੰ ਪੂਰਾ ਕਰਦੇ ਹੋਣ।

4. ਇਸ ਤੋਂ ਉਪਰੰਤ ਅਜੇਹੇ ਕੇਸਿਜ਼ ਵੀ ਹੋ ਸਕਦੇ ਹਨ ਕਿ ਤਦ ਅਰਥ ਤੇ ਲਗੇ ਮੁਲਾਜ਼ਮ ਬਾਦ ਵਿਚ ਬੋਰਡ/ਸਕੱਤਰੇਤ ਕਮੇਟੀ/ਵਿਭਾਗਕ ਕਮੇਟੀ ਦੀ ਚੋਣ ਤੋਂ ਬਾਦ ਨਿਯਮਤ ਤੌਰ ਤੇ ਕਿਸੇ ਹੋਰ ਵਿਭਾਗ ਵਿਚ ਲਗ ਗਏ ਹੋਣ। ਅਜੇਹੇ ਕੇਸਿਜ਼ ਵਿਚ ਸਾਰੀ ਨੌਕਰੀ ਜੋ ਬਰੇਰ ਤਦ ਅਰਥ ਅਤੇ ਨਿਯਮਤ ਪ੍ਰੀਖਿਆਰਥੀ ਦੇ ਤੌਰ ਤੇ ਹੋਵੇ ਜੋ ਉਹ ਇਕ ਸਾਲ ਤੋਂ ਜ਼ਿਆਦਾ ਬਣਦੀ ਹੋਵੇ ਅਜੇਹੇ ਕੇਸਿਜ਼ ਵਿਚ ਵੀ 3 ਮਾਰਚ, 1969 ਦੀ ਚਿੱਠੀ ਵਾਲੀ ਰਿਆਇਤ ਦੇਣੀ ਚਾਹੀਦੀ ਹੈ।

Copy of Punjab Government Circular letter No. 2855-SII-4(1)-69/15429, dated 3rd June 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Nomination for training in India/abroad or for service on deputation.

Frequently officers whose names are sponsored, after obtaining their consent, for training in India/abroad or for appointments on deputation or under the Central Government apply for the withdrawal of their nominations. This not only upsets the arrangements made by the accepting authorities for training, deputation, etc, and by the State Government for filling in the resultant vacancies but also results in the denial of the benefits of such training/service to other officer. It has, therefore, been decided that once an officer has exercised option for training/appointments on deputation or under the Central Government he will not be allowed to withdraw his name for a period of six months.

Copy of Punjab Government Circular letter No. 2948-SII-4(I)-69/17008, dated 27th June, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject:—Employment of handicapped persons in the Public Service.

I am directed to invite a reference to the correspondence resting with Punjab Government circular letter No. 2417-5GSII-66/10248, dated the 4th May, 1966, on the subject noted above, wherein certain concessions were granted to the physically handicapped persons viz. deaf, dumb, blind and orthopaedically handicapped persons in the matter of employment to certain categories of posts. It was also desired, they should be given preference in employment in future provided they are not otherwise unqualified and unfit to discharge the duties of the posts, against which they can be suitably employed. It has been brought to the notice of Government that the special Employment Exchange for the Physically Handicapped, Julundur is finding it increasingly difficult to secure gainful employment for the physically handicapped persons against clerical posts in the various Departments under the Punjab Government because of the obvious reluctance on the part of some of them to appoint such persons in the absence of their having attained proficiency in typewriting.

2. After careful consideration, it has been decided that such of the physically handicapped persons who are otherwise qualified to hold clerical posts and who are certified as being unable to type by the Medical Board attached to the Special Employment Exchanges for the Handicapped (or by a Civil Surgeon where there is no such Board) should be exempted from the passing the qualifying test in typing where so prescribed under the relevant service rules by invoking the power of relaxation available in the service rule itself and in other cases, it should not be insisted upon. In both the cases, however, this will be subject to the condition, that the competent medical authority certifies, that the persons concerned because of having physically handicapped is unable to type.

Copy of Punjab Government Circular letter No. 5847-SII (6)-1955, dated 30th June, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :—Tendency of approaching Ministers direct by Government employees and bringing political or outside influence.

Government have noted with concern and displeasure that despite the provision of Rule 20 of the Punjab Government Employees (Conduct) Rules, 1966, which categorically forbid Government employees from bringing any political or other influence to bear upon the furtherance of their service interests and similar instructions regarding the channels of representations contained in the marginally noted communications reiterated as recently as 22nd March, 1969 in the circular letter No. 1925-SII(6)69/8307, there is still an increasing tendency amongst the Government employees at all levels to approach the Chief Minister and other Ministers direct and also bring political or outside influence. This not only detracts from the time which the Chief Minister and other Ministers can devote to other more important matters of State and policy but also adversely affects the examination and decision on service matters according to the prescribed rules and procedure by the appropriate authorities with impartiality and due justice to other Government employees who conduct themselves with better discipline.

1. No. 19/5
SII (6) 67/
19578, dated
10/11-7-67

2. Para 2 of
letter No.
10052-SII(6)
68/37030
dated
30-11-68

2. It looks as if the Government employees have taken the matter rather lightly not realising that the violation of Government instructions/rules render them liable to disciplinary action. Government have therefore taken a serious view of this unhealthy situation and have decided that any violation of these instructions will henceforth be met with punishments which should be sufficiently severe to act as a deterrent to others also.

I would request you to bring the instructions on the subject again to the notice of all the Government employees working under you and advise them that henceforth any floutation of these instructions will be at the peril of very serious consequences to them.

3. I may add that while the State Government are determined to curb indiscipline and tendency to use

political influence in service matters, they are at the same time alive to the fact that such a tendency arises because the grievances of the Government employees in service matters are not redressed in time, with justice and at the appropriate level. The service matters, in relation to which the Government employees are thus constrained to approach the Ministers, are broadly of the following categories—

- (1) Delay in promotions, confirmations, reinstatements, pension cases, fixation of seniority ;
- (2) Transfers; posting in a particular Department/Office and at a particular station ;
- (3) Supersession in the matter of promotion, confirmation, etc.
- (4) Delay in the payment of arrears of pay and allowances, including T.A., honorarium etc.
- (5) Withholding of increments, crossing of efficiency bar, etc.
- (6) Delay in the disposal of disciplinary cases resulting in hardship, harassment, etc.

4. It is the primary responsibility of the Administrative Secretaries/Heads of Departments concerned to devise procedure and methods for the settlement of such cases with care and without delay. With a view to ensuring that the cases pertaining to such service matters are not delayed unnecessarily or unjustifiably, at any level in the State Administration, it has been decided that the Administrative Secretary concerned should obtain a monthly statement from the Heads of Departments under his administrative control indicating the progress of cases under each category mentioned in para 3 and also arrange to discuss personally with the Head of Department every month the progress made so as to devise improved ways and means for expeditious disposal of the pending cases. The monthly statement can be obtained in the form annexed herewith as a specimen. This statement should be submitted by the Head of Department to the Administrative Secretary concerned by the 7th of each month. The meeting between the Head of Department and the Administrative Secretary may be arranged within the 2nd week of the month.

5. Lastly, I may add that the number of Government employees from a particular Department trying to approach the Ministers directly would reflect upon the state of discipline in that Department and also the efficiency and expeditiousness in settling the service matters.

6. The receipt of this letter may please be acknowledged.

**MONTHLY STATEMENT SHOWING POSITION OF CASES
RELATING TO SERVICE MATTERS PENDING AND DISPOSED
OF IN _____ Deptt. during the month of _____, 1969**

Sr. No.	Category of cases	No. of cases pending at the close of previous month	No. of cases disposed of during the month under review	Fresh cases added during the month	Total number of cases pending at the close of the month under review	Remarks
1	2	3	4	5	6	7

Copy of Punjab Government Circular letter No. 5167-SII 4(1)-69/19273, dated 17th July, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject:—Grant of re-employment/extension in service to Government employees on or after their attaining the age of superannuation.

I am directed to invite a reference to Punjab Government consolidated circular letter No. 727-SII(4)-67/4841, dated the 17th February, 1967, and to say that Government have since decided to make the following amendments/delegation of powers therein:—

(1) The following shall be added as paragraph 4-A :

"4-A. Notwithstanding anything contained in these instructions,—

(a) the doctors in PCMS II and PJMS cadres and para-medical staff may be granted re-employment upto the age of 65 years subject to their being declared physically and mentally fit by a Chief Medical Officer of the State in connection with the service in rural areas and Family Planning Programme.

- (b) the political sufferers and their wives in Government service may be granted re-employment liberally after the normal age of retirement up to the age of 60 years when efficiency continues to be unimpaired and the exigencies of the public service so require."

(2) A new paragraph '8-A' shall be inserted after paragraph 8:—

"8-A. Notwithstanding the instructions contained in para 8 above—

- (a) doctors in PCMS II and PJMS cadres and para-medical staff may be granted extension in service up to the age of 60 years subject to their being declared physically & mentally fit by a Chief Medical Officer of the State in connection with service in rural areas and Family Planning programme.
- (b) the teachers who are recipient of National/State Awards may be granted extension in service up to the age of 60 years, on year to year basis, provided the extension is justified on the basis of their good record of service."

Note.—The authority competent to grant extension in service under para 8-A, will be the same as described in paragraph 6 of the consolidated circular letter.

Copy of Punjab Government Circular letter No. 6186-SII (6)-69, dated 20th July, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Transfer of Punjab Government employes to other Governments, Companies, Corporations, etc.

I am directed to address you on the subject and invite your particular attention to paragraph 2 of the Punjab Government circular letter No. 10576-(3) FRIL-62/3576, dated the 29th March/4th April, 1963, according to which the period of deputation should not ordinarily exceed one

year at a time and should not normally be extended beyond three years. Since, these instructions are not being followed scrupulously, I am to reiterate the same with a view emphasise their meticulous observance by all the Departments.

2. I am also to add that Government have an inherent power to terminate deputation arrangements earlier than the period specified in the order/terms and conditions of deputation. When exigencies of service so demand, Government may of its own accord or on the request of the borrowing agency/authority recall a Government servant at any time before the expiry of the period of deputation. Similarly, the borrowing authority/agency can also make a recommendation to the Government requesting for the recall of the Government servant on deputation if his services are no longer required by that authority/agency. However, to make it more clear and to lay any doubt, in this regard, at rest, a specific condition empowering the State Government to recall a Government servant before the expiry of the period of deputation should, invariably, be incorporated in all orders deputing Government servants to foreign service.

3. The receipt of this letter may kindly be acknowledged.

Copy of Punjab Government Circular letter No. 6519-SII-4(4)-69/9273, dated 17th July, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : General principles to be observed in making postings and transfers.

I am directed to refer to the self-contained instructions issued on the subject noted above,—vide Punjab Government consolidated circular letter No. 1081-SII-68/9785, dated the 8th April, 1968.

2. With a view to reducing extraneous pressure for postings to particular places, mid-term transfer etc. it was *inter alia* laid down that—

- (i) transfers and postings of each category of employees should be made in one lot after careful

of mid-term transfers. In order to further discourage these transfers, it has been decided :—

- (a) In case of mid-term transfers proposed at the Minister's level, the approval of the Chief Minister should be obtained through the Chief Secretary.
- (b) In case of such a transfer(s) to be approved at the level of the Administrative Secretary, the approval of the Chief Secretary should be obtained.
- (c) In order that such a proposal can be examined in all its aspects, full justification therefor should be given in the *pro forma* appended as Annexure I.
- (d) Mid-term transfers proposed by the Heads of Departments and other subordinate authorities would continue to need the approval of the next higher authority. Monthly reports of such mid-term transfers should, however, be submitted to the Chief Secretary in the *pro forma* appended as Annexure II by 7th of the succeeding month.

4. These restrictions will not apply to mid-term postings to vacancies arising directly as a result of promotions, grant of long leave, suspension, retirements, removal from service, etc.

ANNEXURE I

- (i) Name.
 (ii) Home District.
 (iii) District in which property is held.
 (iv) Date of joining service.
 (v) Whether wife/husband of the employee is also a Government employee, if so, place of posting and date of posting.
 (a)
 (b)
 (c)

Post held	Place of present posting	Period of posting		Place of proposed posting	Detailed reasons for proposing or seeking transfer
		From	To		
1	2	3	4	5	6

ANNEXURE II

Department/office _____

Statement of mid-term
 transfers of the month of

Sr. No.	Name	Designation	Place of present posting	Period		Place of proposed posting	Reasons for mid-term transfer	Authority by whom transfer has been approved
				From	To			
1	2	3	4	5	6	7	8	9

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਅਧਿਕਾਰੀ ਪੱਤਰ ਨੰ : 7103-ਐਸ 2(3)-69/22642, ਮਿਤੀ 20 ਅਗਸਤ, 1969 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਸਾਰ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ ਅਤੇ ਪ੍ਰਬੰਧਨੀ ਸਕੱਤਰ ਆਦਿ

ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਾਰਜ ਵਿਧੀ ਨਿਯਮਾਂ ਅਨੁਸਾਰ ਭਾਵੇਂ ਇਕ ਮਹਿਕਮੇ ਦੇ ਮੰਤਰੀ ਵਿਚਾਰਜ ਦੀ ਇਸ ਮਹਿਕਮੇ ਨਾਲ ਸਬੰਧਤ ਕੰਮ ਦੇ ਨਿਪਟਾਰੇ ਬਾਰੇ ਮੁਢਲੀ ਜ਼ਿੰਮੇਵਾਰੀ ਹੈ, ਪਰੰਤੂ ਮੰਤਰੀ ਪ੍ਰੀਸ਼ਦ ਸਾਰੇ ਆਦੇਸ਼ ਭਾਵੇਂ ਉਹ ਇਕੱਲੇ ਮੰਤਰੀ ਵਲੋਂ ਉਸ ਦੇ ਆਪਣੇ ਵਿਭਾਗ ਨਾਲ ਸਬੰਧਤ ਮਾਮਲੇ ਬਾਰੇ ਅਧਿਕ੍ਰਿਤ ਹੋਣ ਜਾਂ ਮੰਤਰੀ ਪਰੀਸ਼ਦ ਦੀ ਬੈਠਕ ਵਿਚ ਵਿਚਾਰ ਵਟਾਂਦਰੇ ਦੇ ਵਲਸਰੂਪ ਜਾਂ ਕਿਸੇ ਭੀ ਹੋਰ ਤਰ੍ਹਾਂ ਦਿੱਤੇ ਗਏ ਹੋਣ, ਲਈ ਸਮੂਹਕ ਰੂਪ ਵਿਚ ਜ਼ਿੰਮੇਵਾਰ ਹੈ। ਇਸ ਦਾ ਉਪ ਸਿਧਾਂਤ ਇਹ ਹੈ ਕਿ ਜੇਕਰ ਇਕ ਮੰਤਰੀ ਕਿਸੇ ਖਾਸ ਵਿਸ਼ੇ ਤੇ, ਭਾਵੇਂ ਉਹ ਉਨ੍ਹਾਂ ਦੇ ਵਿਭਾਗ ਨਾਲ ਸਬੰਧਤ ਨਾ ਹੋਵੇ, ਆਪਣਾ ਦ੍ਰਿਸ਼ਟੀਕੋਨ ਪ੍ਰਗਟ ਕਰਦੇ ਹਨ ਤਾਂ ਅਜਿਹੀ ਦ੍ਰਿਸ਼ਟੀ-ਕੋਣ ਤੇ ਚੰਗੀ ਤਰ੍ਹਾਂ ਵਿਚਾਰ ਕਰਕੇ ਇਸ ਬਾਰੇ ਅੰਤਮ ਹੁਕਮ ਲੈਣ ਤੋਂ ਪਹਿਲਾਂ ਇਹ ਮੰਤਰੀ ਵਿਚਾਰਜ ਜਾਂ ਮੰਤਰੀ ਪਰੀਸ਼ਦ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦਾ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ।

ਇਸ ਲਈ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਅੱਗੇ ਤੋਂ ਕੋਈ ਕੇਸ ਅੰਤਮ ਹੁਕਮ ਲਈ ਮੰਤਰੀ ਵਿਚਾਰਜ ਜਾਂ ਮੰਤਰੀ ਪ੍ਰੀਸ਼ਦ ਸਾਹਮਣੇ ਪੇਸ਼ ਕਰਨ ਸਮੇਂ ਕਿਸੇ ਦੂਸਰੇ ਮੰਤਰੀ ਜਾਂ ਮੰਤਰੀਆਂ ਵਲੋਂ ਦਰਸਾਏ ਗਏ ਦ੍ਰਿਸ਼ਟੀਕੋਣ ਵਲ ਵਿਸ਼ੇਸ਼ ਧਿਆਨ ਦਿਵਾਇਆ ਜਾਵੇ।

Copy of Punjab Government Circular letter No. 6876-SII-4(1)-69/23629, dated 2nd September, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject.—Fixation of Seniority of Government employees appointed against ex-cadre/isolated posts which are subsequently included in regular cadre.

I am directed to address you on the subject noted above and to say that the question of determining the seniority of the incumbents, who are initially appointed to ex-cadre/isolated posts which are not equated with any post in the Cadre, but are subsequently included in a Cadre of the Department has been examined.

2. It has been decided that in the absence of any provision to the contrary, in the case of an official appointed to an isolated post by direct recruitment, his seniority in the cadre should be fixed from the date the post is included in the cadre. If the isolated post is filled in by promotion then such a promotee should be considered eligible for appointment to a higher post included in the cadre on the basis of his seniority in the cadre. These principles for

fixation of seniority of persons initially appointed to isolated posts should be adopted and observed meticulously.

3. It is also added that isolated posts should be created only when they are required for special jobs for specific periods and the qualifications prescribed are different from those relating to the cadre posts otherwise the posts should be temporarily included in the cadre and equated with those already in the Cadre so that no complication arises later on with regard to fixation of seniority or determination of the right of promotion.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਲਤੀ ਪੱਤਰ ਨੰ 7328-ਸੇਵਾਵਾਂ(2)-69/24225, ਮਿਤੀ 3 ਸਤੰਬਰ, 1969
ਵੱਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ ਆਦਿ।

ਵਿਸ਼ਾ : ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਰਾਜ ਸਰਕਾਰ ਅਧੀਨ ਸਿਵਲ ਆਸਾਮੀਆਂ ਪੁਰ ਖਪਾਉਣ ਦਾ ਉਪਰਾਲਾ।

ਮੈਨੂੰ ਇਹ ਲਿਖ ਭੇਜਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਜਾਰੀ ਹੋਏ ਨਿਯਮਾਂ ਅਨੁਸਾਰ ਰਾਜ ਸਰਕਾਰ ਦੀਆਂ ਗੈਰ ਤਕਨੀਕੀ ਸੇਵਾਵਾਂ ਵਿਚ 20% ਅਤੇ ਤਕਨੀਕੀ (ਡਾਕਟਰੀ ਅਤੇ ਇੰਜਨੀਰੀ) ਸੇਵਾਵਾਂ ਵਿਚ 50% ਸਿੱਧੀ ਭਰਤੀ ਰਾਹੀਂ ਭਰੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਆਸਾਮੀਆਂ ਉਨ੍ਹਾਂ ਸਾਬਕਾ ਐਮਰਜੈਂਸੀ ਕਮਿਸ਼ਨ ਅਫਸਰਾਂ, ਸੇਂਟ ਸਰਵਿਸ ਰੈਗੂਲਰ ਕਮਿਸ਼ਨ ਅਫਸਰਾਂ, ਜੂਨੀਅਰ ਕਮਿਸ਼ਨ ਅਫਸਰਾਂ, ਨਾਲ ਕਮਿਸ਼ਨ ਅਫਸਰਾਂ ਅਤੇ ਹੋਰ ਦਰਜਿਆਂ ਦੇ ਫੌਜੀਆਂ ਵਾਸਤੇ ਰਾਖਵੀਆਂ ਰਖੀਆਂ ਗਈਆਂ ਹਨ ਜੋ ਸੇਕਟ ਸਮੇਂ ਫੌਜ ਵਿਚ ਭਰਤੀ ਹੋਏ। ਸਰਕਾਰ ਦੇ ਨੋਟਿਸ ਵਿਚ ਲਿਆਂਦਾ ਗਿਆ ਹੈ ਕਿ ਕੇਵਲ ਐਮਰਜੈਂਸੀ ਕਮਿਸ਼ਨ ਅਫਸਰ ਸੇਂਟ ਸਰਵਿਸ ਰੈਗੂਲਰ ਕਮਿਸ਼ਨ ਅਫਸਰ ਆਦਿਕ ਹੀ ਭਾਰੀ ਗਿਣਤੀ ਵਿਚ ਫੌਜ ਵਿਚੋਂ ਛਾਟੀ ਕੀਤੇ ਗਏ ਹਨ ਜੋ ਕਲਾਸ 1 ਅਤੇ ਕਲਾਸ 2 ਦੀਆਂ ਸਿਵਲ ਆਸਾਮੀਆਂ ਤੇ ਨੀਯਤ ਹੋਣਾ ਚਾਹੁੰਦੇ ਹਨ; ਅਤੇ ਛੋਟੇ ਦਰਜਿਆਂ ਦੇ ਫੌਜੀਆਂ ਦੀ ਛਾਟੀ ਨਾ ਹੋਣ ਦੇ ਕਾਰਨ ਸੇਕਟ ਸਮੇਂ ਭਰਤੀ ਹੋਏ ਸਾਬਕਾ ਫੌਜੀਆਂ ਵਾਸਤੇ ਕਲਾਸ 3 ਅਤੇ ਕਲਾਸ 4 ਦੀਆਂ ਰਾਖਵੀਆਂ ਸਿਵਲ ਆਸਾਮੀਆਂ ਦਾ ਲਾਭ ਨਹੀਂ ਉਠਾਇਆ ਜਾਂਦਾ। ਦੂਜੇ ਪਾਸੇ ਕਲਾਸ 3 ਅਤੇ 4 ਕਲਾਸ ਦੀਆਂ ਸਿਵਲ ਆਸਾਮੀਆਂ ਪੁਰ ਉਨ੍ਹਾਂ ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਨਿਯੁਕਤੀ ਥਾਏ ਔਕੜਾਂ ਹਨ ਜੋ ਸੇਕਟ ਸਮੇਂ ਤੋਂ ਪਹਿਲਾਂ ਜਾਂ ਪਿਛੋਂ ਫੌਜ ਵਿਚ ਭਰਤੀ ਹੋਏ ਅਤੇ ਉਸ ਸਮੇਂ ਵੀ ਉਥੇ ਹੀ ਰਹੇ। ਇਹ ਔਕੜ ਇਸ ਕਾਰਨ ਹੈ ਕਿ ਅਜਿਹੇ ਸਾਬਕਾ ਫੌਜੀਆਂ ਵਾਸਤੇ ਕੋਈ ਸਿਵਲ ਆਸਾਮੀਆਂ ਰਾਖਵੀਆਂ ਨਹੀਂ ਹਨ।

2. ਸੇਕਟ ਸਮੇਂ ਤੋਂ ਪਹਿਲਾਂ ਜਾਂ ਪਿਛੋਂ ਭਰਤੀ ਹੋਏ ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਸਿਵਲ ਆਸਾਮੀਆਂ ਪੁਰ ਖਪਾਉਣ ਵਾਸਤੇ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਜਿਵੇਂ ਪਹਿਲਾਂ ਹੀ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ਲਤੀ ਪੱਤਰ ਨੰ: 2407-4 ਜੀ. ਐਸ. 1-66/9736, ਮਿਤੀ 22/25 ਅਪ੍ਰੈਲ 1966, ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੀਆਂ ਹੋਈਆਂ ਹਦਾਇਤਾਂ ਵਿਚ ਕਿਹਾ ਗਿਆ ਹੈ ਰਾਖਵੀਆਂ ਸਿਵਲ ਆਸਾਮੀਆਂ ਪਹਿਲਾਂ ਸੇਕਟ ਸਮੇਂ ਭਰਤੀ ਹੋਏ ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਪੇਸ਼ ਕੀਤੀਆਂ ਜਾਣ; ਅਤੇ ਜੇ ਅਜਿਹੇ ਫੌਜੀ ਲੁੜੀਂਦੀ ਗਿਣਤੀ ਵਿਚ ਨਾ ਮਿਲਦੇ ਹੋਣ ਤਾਂ ਸੇਕਟ ਸਮੇਂ ਤੋਂ ਪਹਿਲਾਂ ਜਾਂ ਪਿਛੋਂ ਫੌਜ ਵਿਚ ਭਰਤੀ ਹੋਏ

ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਦੂਜੇ ਨੰਬਰ ਪੁਰ ਤਰਜੀਹ ਦਿਤੀ ਜਾਵੇ। ਬੇਨਤੀ ਹੈ ਕਿ ਇਸ ਫੈਸਲੇ ਨੂੰ ਪੂਰੀ ਤਰ੍ਹਾਂ ਯੋਗ ਢੰਗ ਨਾਲ ਲਾਗੂ ਕੀਤਾ ਜਾਵੇ ਤਾਂ ਜੋ ਸੰਕਟ ਸਮੇਂ ਤੇ ਪਹਿਲਾਂ ਜਾਂ ਪਿਛੋਂ ਭਰਤੀ ਹੋਏ ਸਾਬਕਾ ਫੌਜੀ ਵੀ ਸਿਵਲ ਅਸਾਮੀਆਂ ਪੁਰ ਖਾਸ ਕਰਕੇ ਦਰਜਾ 3 ਅਤੇ 4 ਦੀਆਂ ਅਸਾਮੀਆਂ ਪੁਰ ਨਿਯੁਕਤੀ ਪ੍ਰਾਪਤ ਕਰ ਸਕਣ।

3. ਇਸ ਚਿੱਠੀ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਲਤੀ ਪੱਤਰ ਨੰ 6319-ਸ-2(3)-69/24324, ਮਿਤੀ 11 ਸਤੰਬਰ, 1969 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ : ਪੰਜਾਬ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਕਮਿਸ਼ਨ ਦੀਆਂ ਸਿਫਾਰਸ਼ਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨ ਬਾਰੇ—ਸਿਫਾਰਸ਼ ਨੰ : 114.

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪਦਾ ਧਿਆਨ ਦਿਵਾਂਦੇ ਹੋਏ ਮੈਂਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਸਰਕਾਰ ਨੇ ਪੰਜਾਬ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਕਮਿਸ਼ਨ ਦੀ ਨਿਮਨ ਲਿਖਤ ਸਿਫਾਰਸ਼ ਨੰ 114(9.7) ਪਰਵਾਨ ਕਰ ਲਈ ਹੈ :

"In order to restore morale in services, we recommend that the factors responsible for demoralisation, which are enumerated below should be removed :—

- (i) Constant interference with the statutory delegated authority ;
- (ii) Victimization of otherwise good officials for political and personal reasons ;
- (iii) Special pays and posts given to favourite officials ;
- (iv) Protection given to corrupt officials who enjoy political favours or influence ;
- (v) — — — — —
- (vi) Unhealthy conditions in which officials have to work, because of inadequate and badly designed office accommodation ;
- (vii) Tyranny of Vigilance.
- (viii) Officials remaining under suspension for years ;
- (ix) Frequent and irrational transfers ;

- (x) Callous attitude of superiors towards their juniors ;
- (xi) Discourtesy shown to senior officers in front of their juniors; and
- (xii) Reprimanding officials in the presence of their juniors."

2. ਇਸ ਲਈ ਇਹ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਸਮੂਹਿਕ ਵਿਭਾਗ ਇਸ ਫੈਸਲੇ ਦੀ ਪਾਲਣਾ ਸਬੰਧੀ ਜਿਥੇ ਕਿਤੇ ਵੀ ਲੋੜ ਹੋਵੇ ਯੋਗ ਕਾਰਵਾਈ ਕਰਨ ਅਤੇ ਸਿਫਾਰਸ਼ ਵਿਚ ਦਿੱਤੇ ਅਸੂਲ ਨੂੰ ਜਿੱਥੇ ਤਕ ਸੰਭਵ ਹੋਵੇ ਅਮਲੀ ਜਾਮਾ ਪਹਿਨਾਉਣ ਦਾ ਯਤਨ ਕਰਨ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

Copy of Circular letter No. 5885-5-SII-69/24754, dated the 17th September, 1969, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : List of Administrative Secretaries and Heads of Departments.

I am directed to invite your attention to the instructions contained in Punjab Government Circular letter No. 8892-4GS(I)-65/32042, dated the 22nd September, 1965, requiring *inter alia*, that apart from the proposals for the creation of the posts of Heads of Departments or for the declaration of any post as Head of Department, proposals for postings and transfers of Heads of Departments should be submitted to the Chief Minister, through the Chief Secretary. It has, however, been noticed that a number of Departments are not routing such cases through the Chief Secretary. I am, therefore, to request you to ensure that the instructions in this behalf are strictly followed.

Copy of D.O. letter No. 8726-SII-4(1)-69/28481, dated 24th October, 1969, from the Deputy Secretary to Government, Punjab, Services and Political to all Administrative Secretaries and Heads of Departments.

Subject : Nomination for training in India/abroad or for service on deputation.

I am desired to invite your attention to circular letter No. 2855-SII-4(1)69/15429, dated the 3rd June, 1969, on the subject noted above.

2. Government had decided that once an officer has exercised his option for training in India/abroad or for appointment on deputation or under the Government of India, he would not be allowed to withdraw his name for a period of six months, as otherwise the arrangements made by the accepting authority for training, deputation etc. and by the State Government for filling in the resultant vacancies are upset and the benefit of such training/service to other officers is also denied.

3. With the same end in view, it is obviously necessary that whenever any requisition is received from the administrations of Delhi and Chandigarh Union Territory and the Boards of the River Valley Projects of Bhakra and Beas for an officer being sent on deputation, such a requisition should be attended to without any loss of time as in case of delay, the indenting authorities would otherwise ask for officers on deputation from other States. A reply should be sent to the indenting authority at once that action is being taken on such a requisition.

4. Further, in case of Punjab Officers already on deputation with the administrations of Delhi, Chandigarh Union Territory or Bhakra and Beas Dams, the Departments concerned should take timely action in consultation with the borrowing authorities for selection of substitute(s) from Punjab itself, so that the deputation posts available to Punjab Cadre are not lost.

Receipt of this letter may please be acknowledged.

ਨਕਲ ਪੱਤਰ ਨੰ 6789-ਸੇਵਾਵਾਂ(1)-69/28237, ਮਿਤੀ 28 ਨਵੰਬਰ, 1969, ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ
ਪੰਜਾਬ ਸਰਕਾਰ ਵਲ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਰਾਜ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਕਮਿਸ਼ਨ ਦੀ ਸਿਫਾਰਸ਼ ਨੂੰ ਲਾਗੂ ਕਰਵਾਉਣਾ—ਸਿਫਾਰਿਸ਼
ਨੰ : 126—ਮਿਲਵਰਤਨ ਨਾ ਦੇਣ ਵਾਲੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਆਚਰਨ ਪੱਤਰ ਵਿਚ ਆਪਣੇ
ਵਿਚਾਰ ਦਰਜ ਕਰਨ ਬਾਰੇ ਉਪ ਮੰਡਲ ਅਫਸਰਾਂ ਨੂੰ ਅਧਿਕਾਰ ਦੇਣ ਸਬੰਧੀ ਕਾਰਵਾਈ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਪੁਰ ਪੰਜਾਬ ਰਾਜ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਕਮਿਸ਼ਨ ਨੇ ਹੇਠ ਲਿਖੀ ਸਿਫਾਰਸ਼ ਕੀਤੀ
ਸੀ :

"To enable the Sub-Divisional Officer to perform his co-ordinating role properly, he should be authorised in case an official is not co-operative, to place on record his views on the annual report on the offending official to whichever Department he may belong."

2. ਮੈਨੂੰ ਇਹ ਲਿਖ ਭੇਜਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਯੋਗ ਵਿਚਾਰ ਉਪਰੰਤ
ਉਪਰੋਕਤ ਸਿਫਾਰਸ਼ ਨੂੰ ਪਰਵਾਨ ਕਰਵਾਇਆ ਹੋਇਆ ਇਹ ਵੇਸਲਾ ਕੀਤਾ ਹੈ ਕਿ ਜਿਸ ਤਰ੍ਹਾਂ ਮੰਡਲ
ਅਤੇ ਜ਼ਿਲਾ ਪੱਧਰ ਦੇ ਅਫਸਰਾਂ ਸਬੰਧੀ ਕਰਮਚਾਰੀ ਕਮਿਸ਼ਨਰ ਤੇ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਸਾਲਾਨਾ ਰੂਪਰ

ਰਪੋਟਾਂ ਵਿਚ (ੳ) ਇਮਾਨਦਾਰੀ ਬਾਰੇ ਸੁਹਰਤ (ਅ) ਜਨਤਾ ਨਾਲ ਸਬੰਧ ਅਤੇ (ੲ) ਦੂਸਰੇ ਵਿਭਾਗਾਂ ਨਾਲ ਸਹਿਯੋਗ ਬਾਰੇ ਪਰੇਖਣ ਕਰਨ ਦਾ ਅਧਿਕਾਰ ਰਖਦੇ ਹਨ ਉਸੇ ਤਰ੍ਹਾਂ ਉਪ ਮੰਡਲ ਅਫਸਰਾਂ (ਸਿਵਲ) ਨੂੰ ਵੀ ਸਥਾਨਕ ਅਫਸਰਾਂ, ਪੁਲਿਸ ਵਿਭਾਗ ਤੋਂ ਛੁੱਟ ਭਾਵੇਂ ਉਹ ਕਿਸੇ ਵੀ ਮਹਿਕਮੇ ਦੇ ਹੋਣ ਦੀਆਂ ਗੁਪਤ ਰਿਪੋਟਾਂ ਵਿਚ ਇਹਨਾਂ ਤਿੰਨਾਂ ਵਿਸ਼ਿਆਂ ਸਬੰਧੀ ਪਰੇਖਣ ਕਰਨ ਬਾਰੇ ਅਧਿਕਾਰ ਦਿੱਤੇ ਜਾਂਦੇ ਹਨ। ਬੇਨਤੀ ਹੈ ਕਿ ਸਰਕਾਰ ਦਾ ਇਸ ਫੈਸਲੇ ਬਾਰੇ ਸਬੰਧਤ ਅਧਿਕਾਰੀਆਂ/ਕਰਮਚਾਰੀਆਂ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦਾ ਜਾਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 2130-ਸ-11(3)-69/32577 ਮਿਤੀ 17 ਦਸੰਬਰ, 1969 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਕਰਮਚਾਰੀਆਂ ਵਲੋਂ ਸੰਪਤੀ ਰਿਟਰਨਾਂ ਦੇਣ ਦਾ ਪ੍ਰੋਫਾਰਮਾ।

ਮੈਂਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੇ (ਆਚਰਣ) ਨਿਯਮ, 1966 ਦੇ ਨਿਯਮ 18 ਅਧੀਨ ਪ੍ਰਦੇਸ਼ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਹਰ ਸਾਲ ਚਲ ਅਤੇ ਅਚਲ ਸੰਪਤੀ ਸਬੰਧੀ ਵਾਰਸ਼ਕ ਰਿਟਰਨਾਂ ਪੇਸ਼ ਕਰਨੀਆਂ ਪੈਂਦੀਆਂ ਹਨ। ਸਰਬ ਭਾਰਤੀ ਸੇਵਾਵਾਂ ਨਾਲ ਸਬੰਧ ਰਖਣ ਵਾਲੇ ਅਫਸਰਾਂ ਨੂੰ ਵੀ ਅਚਲ ਸੰਪਤੀ ਬਾਰੇ ਰਿਟਰਨਾਂ ਸਰਬ ਭਾਰਤੀ ਸੇਵਾਵਾਂ (ਆਚਰਣ) ਨਿਯਮ, 1954 ਦੇ ਅਧੀਨ ਅਜੇਹੇ ਵਾਰਸ ਵਿਚ ਪੇਸ਼ ਕਰਨੀਆਂ ਪੈਂਦੀਆਂ ਸਨ ਜਿਹੜਾ ਪ੍ਰਦੇਸ਼ਕ ਸਰਕਾਰ ਵਲੋਂ ਮਿਥਿਆ ਗਿਆ ਹੋਵੇ। ਸਰਬ ਭਾਰਤੀ ਸੇਵਾਵਾਂ (ਆਚਰਣ) ਨਿਯਮ, 1968 ਦੇ ਅਧੀਨ ਅਜਿਹੇ ਅਫਸਰਾਂ ਨੂੰ ਚਲ ਅਤੇ ਅਚਲ ਦੋਨਾਂ ਕਿਸਮਾਂ ਦੀ ਸੰਪਤੀ ਬਾਰੇ ਰਿਟਰਨਾਂ ਉਸ ਢੰਗ ਅਤੇ ਵਾਰਸ ਵਿਚ ਪੇਸ਼ ਕਰਨੀਆਂ ਹੁੰਦੀਆਂ ਹਨ ਜਿਹੜੇ ਪ੍ਰਦੇਸ਼ਕ ਸਰਕਾਰ ਨੇ ਮਿਥੇ ਹੋਣ। ਪ੍ਰੰਤੂ ਇਹ ਰਿਟਰਨਾਂ ਸਮੂਹ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਵਲੋਂ ਕਿਸੇ ਇਕਸਾਰ ਪੈਟਰਨ ਵਿਚ ਨਹੀਂ ਸੀ ਆ ਰਹੀਆਂ ਅਤੇ ਜਿਹੜਾ ਪਹਿਲਾਂ ਇਨ੍ਹਾਂ ਰਿਟਰਨਾਂ ਸਬੰਧੀ ਪ੍ਰੋਫਾਰਮਾ ਨਿਸ਼ਚਿਤ ਸੀ ਉਸ ਵਿਚ ਸੋਧ ਕਰਨ ਦੀ ਵੀ ਲੋੜ ਸੀ। ਇਸ ਲਈ ਸਰਕਾਰ ਨੇ ਸਰਬ ਭਾਰਤੀ (ਆਚਰਣ) ਨਿਯਮ, 1968 ਦੇ ਨਿਯਮ 16 ਅਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੇ (ਆਚਰਣ) ਨਿਯਮ, 1966 ਦੇ ਤਹਿਤ ਸਰਬ ਭਾਰਤੀ ਸੇਵਾਵਾਂ ਦੇ ਮੈਂਬਰਾਂ ਵਲੋਂ ਅਤੇ ਪ੍ਰਦੇਸ਼ਕ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਵਲੋਂ, ਜਿਹੜੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੰਟਰੋਲ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਹਨ, ਆਪਣੀ ਸੰਪਤੀ ਰਿਟਰਨ ਪੇਸ਼ ਕਰਨ ਲਈ ਨਾਲ ਨੱਥੀ ਪ੍ਰੋਫਾਰਮਾ ਨਿਸ਼ਚਿਤ ਕੀਤਾ ਹੈ।

2. ਪੰਜਾਬ ਪ੍ਰਦੇਸ਼ ਸਰਕਾਰ ਦੇ ਸਮੂਹ ਕਰਮਚਾਰੀਆਂ ਨੂੰ, ਚਾਹੇ ਉਹ ਸਰਬ ਭਾਰਤੀ ਸੇਵਾਵਾਂ ਜਾਂ ਪ੍ਰਦੇਸ਼ਕ ਸੇਵਾਵਾਂ ਨਾਲ ਸਬੰਧ ਰਖਦੇ ਹੋਣ, ਹਰ ਸਾਲ ਨਾਲ ਨੱਥੀ ਕੀਤੇ 'ਪ੍ਰੋਫਾਰਮੇ' ਵਿਚ ਹੁਣ ਤੋਂ ਅਗਾਂਹ ਸੰਪਤੀ ਸਬੰਧੀ ਰਿਟਰਨਾਂ ਪੇਸ਼ ਕਰਨੀਆਂ ਹੋਣਗੀਆਂ ਅਤੇ ਇਸ ਰਿਟਰਨ ਵਿਚ ਸਾਰੀ ਸੰਪਤੀ ਦਾ ਵੇਰਵਾ ਦੇਣਾ ਪਏਗਾ ਨਾ ਕਿ ਕੇਵਲ ਉਹ ਸੰਪਤੀ ਜਿਹੜੀ ਪਿਛਲੇ ਵਿੱਤੀ ਸਾਲ ਵਿਚ ਬਣਾਈ ਗਈ ਜਾਂ ਪ੍ਰਾਪਤ ਕੀਤੀ ਗਈ ਹੋਵੇ। ਪ੍ਰੋਫਾਰਮੇ ਦੇ ਗਿਮਾਰਕਸ ਦੇ ਖਾਨੇ ਵਿਚ, ਚੈਕਿੰਗ ਕਰਨ ਦੀ ਸਹੂਲਤ ਲਈ, ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਰਪੋਟ ਸਬੰਧੀ ਸਾਲ ਵਿਚ ਨਵੀਂ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾਂ ਸੁਰਖਰ ਕੀਤੀ ਸੰਪਤੀ ਆਦਿ ਦਸਣੀ ਚਾਹੀਦੀ ਹੈ ਅਤੇ ਜਿਥੇ ਅਜਿਹੀ ਪ੍ਰਾਪਤੀ ਆਦਿ ਲਈ ਸਮਰਥਕ ਅਧਿਕਾਰੀ ਦੀ ਆਗਿਆ ਦੀ ਲੋੜ ਹੋਵੇ, ਉਸ ਆਗਿਆ ਦਾ ਵੇਰਵਾ, ਜੋ ਉਹ ਸਬੰਧਤ ਨਿਯਮ ਅਧੀਨ ਲਿਖੀ ਗਈ ਹੋਵੇ, ਵੀ ਦੇਣਾ ਚਾਹੀਦਾ ਹੈ।

3. ਕਿਰਪਾ ਕਰ ਕੇ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਆਪ ਦੇ ਕੰਟਰੋਲ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਸਮੂਹ ਕਰਮਚਾਰੀਆਂ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦੀਆਂ ਜਾਣ।

4. ਕਿਰਪਾ ਕਰ ਕੇ ਇਸ ਚਿੱਠੀ ਦੀ ਪ੍ਰਾਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

Property Statement for the year _____

Name (in full) of officer/official _____ Under (i) Rule 16 of the All-India Service (Conduct Rules, 1968

Designation _____ (ii) Rule 18 of the Punjab Government Employees (Conduct) Rules, 1966.

Pay _____

A. Immovable Property

Serial No.	Details of the property		In whose name the property is held whether self or other member(s) of the family	Date and manner of acquisition	Resources from which the property has been purchased	Present value	Annual income	Remarks
	Buildings	Land						
1	2	3	4	5	6	7	8	9

B. Movable Property

- (i) Cash, Jewellery, bullion, Bank deposits, loans, Insurance Policies, shares securities and debentures.
 (ii) Motor cars, motor cycles, horse, any/or any other means of conveyance.
 (iii) Refrigerators.
 (iv) Milch cattle.

For more details see note (ii) below

Serial No.	Description of items	In whose name the property is held whether self or other member(s) of family	Date and manner of acquisition	Resources from which the property has been purchased	Value	Remarks
1	2	3	4	5	6	7

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Note.—(i) The form should be filled in showing the entire details of the property held and not only of the new acquisition/disposals during the year. For facilitating scrutiny, in the remarks column, the new acquisition or disposals during the year under report should be mentioned separately, making reference also to Government permission obtained in this regard, where necessary.

- (ii) In all returns, the value of item of movable property worth less than Rs 1,000.00 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books etc., need not be included in such return.

Signature _____
Date _____

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 9897-ਸ 11(3)-60/32093, ਮਿਤੀ 23 ਦਸੰਬਰ, 1969

ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:--ਮੌਰਲ ਟਰਪੀਚਿਯੂਡ ਦੇ ਕੇਸਾਂ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ 'ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਨੰ: 3674-3ਜੀ ਐਸ 1-66/19544, ਮਿਤੀ 11 ਅਗਸਤ, 1966 ਵਲ ਧਿਆਨ ਦਿਵਾਉਂਦੇ ਹੋਏ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਇਸ ਸਬੰਧੀ ਹੁਣੇ ਜਿਹੇ "ਮੌਰਲ ਟਰਪੀਚਿਯੂਡ" ਨੂੰ ਹੋਰ ਵਿਸਥਾਰ ਦੇਣ ਦਾ ਪ੍ਰਸ਼ਨ ਉਠਿਆ ਸੀ ਤੇ ਇਸ ਸਬੰਧੀ ਨਿਮਨ ਸਪਸ਼ਟੀਕਰਨ ਤਿੰਨ ਤਿੰਨ ਵਿਭਾਗਾਂ ਦੀ ਅਗਵਾਈ ਲਈ ਕੀਤਾ ਜਾਂਦਾ ਹੈ :--

"Every charge under section 325 I.P.C. does not involve moral turpitude. The facts or circumstances of each case have got to be examined for determination of this matter. The tests which should ordinarily be applied for judging whether a certain offence does or does not involve moral turpitude are clearly stated by A. P. Srivastawa Jain, A.I.R. 1963 All. 527. These were adopted by Grover and Capoor, JJ in A.I.R. 1966 Punjab 393. This ruling is to be followed in preference to the view taken in A.I.R. 1957 Punjab 97.

ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਪੰਜਾਬ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀਆਂ ਆਦਿ ਦੀ ਸੇਵਾ ਵਿਚ ਭੇਜੇ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 10147-ਸੇਵਾਵਾਂ 2 (2) -69/586, ਮਿਤੀ 8 ਜਨਵਰੀ, 1970 ਦੀ ਕਾਪੀ।

ਵਿਸ਼ਾ:--ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਜੋ ਫੌਜ ਵਿਚੋਂ ਨਕਾਰਾਪਨ ਹੋਣ ਕਰਕੇ ਕੱਢੇ ਗਏ ਸਨ ਅਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਅਧੀਨ ਮੁੜ ਰੱਖੇ ਹੋਏ ਹਨ, ਸਪੈਸ਼ਲ ਸਾਧਾਰਨ ਫੁਟੀ ਬਾਰੇ ਫੈਸਲਾ।

ਮੈਨੂੰ ਆਪ ਵਲ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਬਾਰੇ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਭਾਰਤ ਸਰਕਾਰ ਵਲੋਂ ਉਨ੍ਹਾਂ ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਜੋ ਫੌਜ ਵਿਚੋਂ ਨਕਾਰਾਪਨ ਹੋਣ ਕਰਕੇ ਕੱਢੇ ਗਏ ਸਨ ਅਤੇ ਜੋ ਸਿਵਲ ਆਸਾਮੀਆਂ ਪੁਰ ਮੁੜ ਸੇਵਾਵਾਂ ਵਿਚ ਰਖੇ ਗਏ ਹੋਣ, ਉਨ੍ਹਾਂ ਦੇ ਨਕਾਰਾਪਨ ਦੀ ਡਾਕਟਰੀ ਮੁੜ ਸਰਵੇਖਣ ਬੋਰਡ (ਮੈਡੀਕਲ ਰੀ-ਸਰਵੇ ਬੋਰਡ) ਰਾਹੀਂ ਦੋਬਾਰਾ ਨਿਰਧਾਰਨ ਕਰਾਉਣ ਸਬੰਧੀ ਵੱਧ ਤੋਂ ਵੱਧ 15 ਦਿਨਾਂ ਦੀ ਸਪੈਸ਼ਲ ਸਾਧਾਰਨ ਫੁਟੀ ਦੋਨਾਂ ਪਾਸਿਆਂ ਵਲੋਂ ਸਫਰ ਵਿਚ ਥਿਤਾਏ ਦਿਨਾਂ ਸਮੇਤ, ਦਿਤੀ ਜਾਂਦੀ ਹੈ। ਗੂੜ੍ਹ ਵਿਚਾਰ ਤੋਂ ਪਿਛੋਂ ਹੁਣ ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਵੀ ਮੁੜ ਸਰਵੇਖਣ ਡਾਕਟਰੀ ਬੋਰਡ ਅਗੇ ਪੇਸ਼ ਹੋਣ ਵਾਸਤੇ ਅਜਿਹੇ ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਵਧ ਤੋਂ ਵਧ 15 ਦਿਨਾਂ ਦੀ ਸਪੈਸ਼ਲ ਸਾਧਾਰਨ ਫੁਟੀ ਦੇਣ ਦਾ ਫੈਸਲਾ ਕੀਤਾ ਹੈ। ਇਹ ਫੈਸਲਾ ਜਿਹੜਾ ਇਸ ਚਿੱਠੀ ਦੇ ਜਾਰੀ ਹੋਣ ਦੀ ਤਾਰੀਖ ਤੋਂ ਲਾਗੂ ਹੋਵੇਗਾ, ਆਪ ਦੇ ਅਧੀਨ ਸਿਵਲ ਆਸਾਮੀਆਂ ਪੁਰ ਲੱਗੇ ਹੋਏ ਸਬੰਧਤ ਸਾਬਕਾ ਫੌਜੀਆਂ ਦੇ ਨੋਟਿਸ ਵਿਚ ਲਿਆਂਦਾ ਜਾਵੇ।

2. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਫ਼ੌਰ ਸਰਕਾਰੀ ਪੱਤਰ ਨੰ: 10189-ਸ II (3)-69/19 ਜਨਵਰੀ, 1970, ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵਲ ਸਾਰੇ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ ਪੰਜਾਬ।

ਵਿਸ਼ਾ:—ਹਾਈ ਕੋਰਟ ਜਾਂ ਹੋਰ ਕੋਰਟਾਂ ਵਲੋਂ ਦਫ਼ਤਰੀ ਰਿਕਾਰਡ ਪੇਸ਼ ਕਰਨ ਬਾਰੇ ਹੁਕਮ ਦੀ ਪਾਲਣਾ।

ਸਮੂਹ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰਾਂ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰਾਂ ਦਾ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਵਲ ਧਿਆਨ ਦਵਾਉਂਦੇ ਹੋਏ ਇਹ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਹ ਵੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਹਾਈ ਕੋਰਟ ਜਾਂ ਹੋਰ ਕੋਰਟਾਂ ਵਲੋਂ ਦਫ਼ਤਰੀ ਰਿਕਾਰਡ ਪੇਸ਼ ਕਰਨ ਸਬੰਧੀ ਜਿਹੜੇ ਹੁਕਮ ਆਉਂਦੇ ਹਨ ਉਨ੍ਹਾਂ ਦੀ ਸਮੇਂ ਸਿਰ ਅਤੇ ਠੀਕ ਤੌਰ ਤੇ ਪਾਲਣਾ ਨਹੀਂ ਹੁੰਦੀ ਜਿਸ ਕਰਕੇ ਸਬੰਧਤ ਕੋਰਟ ਵਲੋਂ ਕਈ ਵਾਰੀ ਦੁਰਭਾਗੀ ਟਿਪਣੀ ਦੇ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ। ਇਸ ਲਈ ਇਹ ਜ਼ਰੂਰੀ ਸਮਝਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਨ੍ਹਾਂ ਸਾਰਿਆਂ ਦਾ ਧਿਆਨ ਇਸ ਵਿਸ਼ੇ ਤੇ ਵਿਸ਼ੇਸ਼ ਪੂਰਵਕ ਹਦਾਇਤਾਂ ਵਲ ਦਵਾਇਆ ਜਾਵੇ ਜਿਹੜੀਆਂ ਸਕੱਤਰੇਤ ਹਦਾਇਤਾਂ ਦੇ ਚੈਪਟਰ x x —ਵੁਟਕਲ ਵਿਚ ਦਿੱਤੀਆਂ ਹੋਈਆਂ ਹਨ। ਇਸ ਤੋਂ ਉਪਰੰਤ ਜਾਬਤਾ ਦੀਵਾਨੀ (ਸੀ. ਪੀ. ਸੀ) ਦੀ ਧਾਰਾ 80 ਵਲ ਵੀ ਧਿਆਨ ਦਵਾਇਆ ਜਾਂਦਾ ਹੈ।

2. ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਜੋ ਨਿਮਨ ਨੁਕਤਿਆਂ ਸਬੰਧੀ ਹਨ, ਵਿਚਾਰਾਂ ਦੀ ਨਜ਼ਰਸਾਨੀ ਲਈ ਮੁੱਖ ਦੁਹਰਾਈਆਂ ਜਾਂਦੀਆਂ ਹਨ:—

(ੳ) ਹਾਈ ਕੋਰਟ/ਹੋਰਨਾਂ ਕੋਰਟਾਂ ਵਲੋਂ ਇਸ ਸਬੰਧੀ ਆਏ ਹੁਕਮਾਂ ਦੀ ਤੁਰਤ ਪਾਲਣਾ ਕੀਤੀ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ ਅਤੇ ਮਸਲੇ ਨੂੰ ਹਰ ਤਰ੍ਹਾਂ ਪਹਿਲ ਦਿੱਤੀ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ :

(ਅ) ਭਾਵੇਂ ਸਬੰਧਤ ਹੁਕਮ ਮੁੱਖ ਸਕੱਤਰ ਜਾਂ ਕਿਸੇ ਹੋਰ ਨੂੰ ਸਬੰਧਤ ਹੋਵੇ ਇਸ ਦੀ ਪਾਲਣਾ ਉਸ ਸਕੱਤਰ ਜਾਂ ਵਿਭਾਗੀ ਮੁੱਖ ਅਧਿਕਾਰੀ ਜਾਂ ਅਫ਼ਸਰ ਵਲੋਂ ਜਿਸ ਦੇ ਚਾਰਜ ਜਾਂ ਕੰਟਰੋਲ ਵਿਚ ਸਬੰਧਤ ਰਿਕਾਰਡ ਹੋਵੇ ਜਾਂ ਜਿਸ ਨਾਲ ਲੂੜੀਂਦੇ ਰਿਕਾਰਡ ਦਾ ਵਿਸ਼ਾ ਸਬੰਧ ਰਖਦਾ ਹੋਵੇ ਵਲੋਂ ਕੀਤੀ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ।

(ੲ) ਜੇਕਰ ਸਮੇਂ ਸਿਰ ਸਬੰਧਤ ਰਿਕਾਰਡ/ਡਾਈਲ ਨਾ ਮਿਲ ਸਕੇ ਤਾਂ ਮਿਥਤ ਸਮੇਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਅਤੇ ਬਿਨਾਂ ਕਿਸੇ ਢਿਲ ਦੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ/ਕਿਸੇ ਹੋਰ ਅਫ਼ਸਰ (ਹਾਈ ਕੋਰਟ ਦੇ ਸਬੰਧ ਵਿਚ ਜਿਹੜਾ ਉਪ ਸਕੱਤਰ ਦੀ ਪਦਵੀ ਤੋਂ ਹੇਠ ਨਾ ਹੋਵੇ) ਦੇ ਹਸਤਾਖਰਾਂ ਨਾਲ ਸਬੰਧਤ ਰਿਕਾਰਡ ਪੇਸ਼ ਕਰਨ ਦੇ ਸਮੇਂ ਵਿਚ ਵਾਧਾ ਮੰਗਣ ਲਈ ਬੇਨਤੀ ਕਰ ਦੇਣੀ ਚਾਹੀਦੀ ਹੈ। ਅਤੇ

(ਸ) ਸਬੰਧਤ ਕੋਰਟ ਨੂੰ ਉਪਰੋਕਤ ਸਮੇਂ ਵਿਚ ਵਾਧਾ ਕਰਨ ਦੀ ਪ੍ਰਤੀ ਬੇਨਤੀ ਪੇਸ਼ ਕਰਨ ਲਈ ਜ਼ਾਤੀ ਕੋਮਿਸ਼ਨਾਂ ਕਰ ਕੇ ਐਡਵੋਕੇਟ-ਜਨਰਲ/ਡਿਪਟੀ/ਅਸਿਸਟੈਂਟ/ਅਸਿਸਟੈਂਟ ਐਡਵੋਕੇਟ-ਜਨਰਲ ਦੀ ਪੇਸ਼ੀ ਦਾ ਇੰਤਜ਼ਾਮ ਕਰਵਾਇਆ ਜਾਵੇ।

ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਇੰਨ ਬਿੰਨ ਪਾਲਣਾ ਕਾਰਵਾਈ ਜਾਵੇ ਅਤੇ ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਗਜ਼ੀਟੇਜ਼ ਦੀ ਕਿਰਪਾ ਕੀਤੀ ਜਾਵੇ।

Copy of D.O. Circular letter No. 1151-SII(3)-70, dated 17th February, 1970, from the Chief Secretary to Government, Punjab, to all the Administrative Secretaries to Government, Punjab.

It has been observed that petitions, memorials and representations received by the President of India and forwarded to the State Government for being looked into, do not receive prompt and due attention. In fact, even a report, where required, is not sent to the President's Secretariat without avoidable delay. It is true that necessary action can be taken only after due enquiry but there is no reason why interim reply should not be sent to the petitioners so that they are not left with the impression that their grievances are treated indifferently. Further, cases wherein a report has been called for by the President's Secretariat, should be given prompt attention and the result communicated to that Secretariat. The petitioner should be informed of the action taken on his petition.

2. This work being of great importance to the image of the administration amongst the people, it merits your personal supervision.

Copy of Punjab Government Circular letter No. 1149-SII(3)-70, dated 18th February, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Acquisition of Higher Qualifications—Permission to Government Servants.

I am directed to invite your attention to the instructions issued on the subject,—*vide* Punjab Government letter No. 13987-5GS-61/43369, dated the 4th December, 1961. It was laid down in the said letter that permission may be granted normally to all the Government servants for study in any subject, as the acquisition of higher qualifications is always beneficial and broadens the outlook of an individual who should naturally give better work to Government. With the introduction of Punjabi in the State Administration, it is all the more desirable that the Punjab Government employees should acquire maximum proficiency in this language. With this end in view, the authorities competent to grant permission to the employees under their control are further advised to grant permission liberally to those who apply for admission into

evening classes or want to appear as private candidates in the University examinations in Punjabi.

2. The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 1224-SII-4(1)-70/3976, dated 20th February, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Postings of gazetted officers in their home districts.

I am directed to refer you to paragraph 1(ix) of the circular instructions issued with Punjab Government letter No. 1081-SII-68/9785, dated the 8th April, 1968, wherein it has been laid down that gazetted officers, barring the exceptions therein, should not be posted in their home districts or at places less than 25 miles from their native villages/towns. The purpose of these instructions is that the officers can discharge their functions with impartiality without being subjected to local pressures and influence.

For this reason, it is obviously also necessary that an officer should not be posted in the district where he or his family holds property.

2. Property Returns are submitted by Government employees at the close of each year. While the acquisition of property at any time during the year is also required to be reported to the Government but there may be instances where such a report has not yet reached the Government when the proposal for the posting of the officer concerned is being considered. It has, therefore, been decided that if orders are issued posting the officer in a district where he or any member of his family holds immovable property, it will be incumbent upon him to inform the competent authority so that the orders of posting can be revised.

3. The term 'member of the family' is defined in clause (c) of rule 2 of the Punjab Government Employees (Conduct) Rules, 1966.

GOVERNMENT OF TAMIL NADU

ABSTRACT

RECIPROCAL ARRANGEMENT with other Governments in regard to payment of travelling and other expenses to witnesses in departmental enquiries—Ordered.

PUBLIC (SERVICES. B) DEPARTMENT

G.O. MS. No. 184.

Dated the 31st January, 1970.

ORDER :

The Government of Tamil Nadu have been considering for some time past the question of entering into reciprocal arrangements with other State Governments in respect of payment of travelling allowance and other expenses to witnesses summoned for giving evidence in departmental enquiries.

2. The Government of Madhya Pradesh, Punjab, Bihar, Kerala, Gujrat, Rajasthan, Maharashtra; Andhra Pradesh, Haryana, Mysore, Uttar Pradesh and Nagaland have agreed to the reciprocal arrangements mentioned in paragraph 1 above.

3. The Government of Tamil Nadu accordingly enter into the following reciprocal arrangements with the State Governments mentioned in paragraph 2 above :—

- (i) In departmental enquiries to which the State is a party, a Government servant giving evidence regarding facts of which he has official knowledge will on production of a certificate of attendance by the summoning authority, be paid travelling allowance by the Government under whom he is serving.
- (ii) In departmental enquiries to which the State is not a party, a Government servant giving evidence regarding facts of which he has official knowledge, will be paid travelling allowance by the summoning Authority according to the rules under which such Government servant draws his travelling allowance for a journey on tour, and the charges will be borne by the Government of Tamil Nadu

or any of the other reciprocating Governments according as the authority is situated in this State or the territory of the other reciprocating Governments.

In such cases the Government servant concerned will carry to the summoning authority a certificate duly signed by his Controlling Officer showing the rates of travelling allowance and daily allowance admissible to him for a journey on tour. If the Government servant is his own controlling officer, the certificate will be signed by him as such.

4. This order issues with the concurrence of Finance Department,—*vide* its U.O. No. 6375AII-I/70-I, dated 28th January, 1970.

(BY ORDER OF THE GOVERNOR)

E. P. ROYAPPA,

Chief Secretary to Government.

To

The Government of Madhya Pradesh, Bhopal.
 The Government of Punjab, Chandigarh.
 The Government of Bihar, Patna.
 The Government of Kerala, Trivandrum.
 The Government of Gujarat, Ahamadabhad.
 The Government of Rajasthan, Jaipur.
 The Government of Maharashtra, Bombay.
 The Government of Andhra Pradesh, Hyderabad.
 The Government of Haryana, Chandigarh.
 The Government of Mysore, Bangalore.
 The Government of Uttar Pradesh, Lucknow.
 The Government of Nagaland, Kohima.
 The Accountant-General, Madras-18.
 The Accountant-General, Madras-18 (by name).
 The Accountant-General (CAB), Madras-9.
 The Pay and Accounts Officer, Madras-9.
 The Director of Vigilance and Anti-corruption,
 Madras-17.
 The Tribunal for Disciplinary Proceedings, Madras-10.
 The Tribunal for Disciplinary Proceedings, Madurai-2.
 The Tribunal for Disciplinary Proceedings, Thanjavur.

The Departments of the Secretariat. Copy to the Finance (Allowances I) Department.

(TRUE COPY)

FORWARDED BY ORDER

(Sd.)
Superintendent.

PUNJAB GOVERNMENT

No. 1109-SII(3)-70/5106, dated Chandigarh, the 1st March, 1970.

A copy is forwarded to each to

(i) All Administrative Secretaries to Government, Punjab.

(ii) All Heads of Departments, Punjab, for information and necessary action.

(Sd.)

Section Officer Services (II),
for Chief Secretary to
Government, Punjab.

Copy of Punjab Government Circular letter No. 1327-SH (3)-70, dated 3rd March, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Punctuality in office-hours.

I am directed to address you on the subject noted above and to say that with all Saturdays and Sundays as holidays a tendency has developed amongst Government employees to obtain station leave for these two holidays and leave offices early on Fridays and arrive late on Mondays. Government takes strong exception to officers leaving office early on Fridays and attending office late on Mondays. You are requested to please ensure strict punctuality on the part of Government employees in attending offices and to see that no employee comes late to office or leaves early on working days unless there are sufficient reasons and proper permission is obtained, in advance, which should be counted as short leave. These instructions may please be brought to the notice of all the Government employees under your control for strict compliance.

2. The receipt of this letter may please be acknowledged.

Copy of U.O. Circular letter No. 1743-SII-(3)-70, dated 11th March, 1970, from the Chief Secretary to Government, Punjab, to all the Administrative Secretaries to Government, Punjab, and Heads of Departments etc., etc.

Subject : Punctuality in Office attendance.

1. U.O. No. 7474-Ad. O-67, dated 25-8-1967. Punctuality in Office attendance is one of the pre-requisites of satisfactory conduct of Government employees. Government have been stressing the need and importance of punctuality from time to time,—vide circular communications noted in the margin. Recent surprise checks have however, revealed that laxity has again crept in the observance of these instructions and Government may be constructed to take a more serious note of the default in this regard.
2. U.O. No. 15766-SEL-67, dated 28-12-1967.
3. No. 1327-SII (3)-70, dated 3-3-1970.

2. Senior and supervisory officers also have to observe punctuality themselves, all the more so to set an example for their subordinates to follow and also to be in a position to exercise effective check on their punctual attendance. It is hoped that now when these instructions are again brought to the notice of all concerned, there will be occasion for taking notice of any lapse in this regard.

Copy of Punjab Government Circular letter No. 1338-2SII-70/5819, dated 17th March, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject : Grant of earned leave to Government employees

I am directed to invite your attention to Recommendation No. 172(vii) of the Punjab Administrative Reforms Commission wherein it has been laid down that all officials should be encouraged to take leave regularly and low paid employees given a holiday bonus once a year. The Punjab Government have considered the recommendation and have accepted it to the extent that the employees should be encouraged to take leave regularly and as far as possible the leave should be given liberally. You are accordingly requested to bring these instructions to the notice of all concerned for compliance.

2. The receipt of this letter may kindly be acknowledged.

ਬਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗਬਤੀ ਪੱਤਰ ਨੰ: 2191-ਸ-II (3)-70, ਮਿਤੀ 11 ਮਈ, 1970 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: ਬਦੇਸ਼ੀ ਮਿਸ਼ਨ ਅਤੇ ਵਿਅਕਤੀਆਂ ਦੇ ਨਾਲ ਸਬੰਧ---ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਇਸ ਸਬੰਧੀ ਹਦਾਇਤਾਂ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਭਾਰਤ ਸਰਕਾਰ ਵਲੋਂ ਜਾਰੀ ਕੀਤੇ ਪੱਤਰ ਨੰ: ਓ. ਐਮ. ਨੰ: 25/34 (ਐਸ)/67-ਐਸਟਸ (ਏ) ਮਿਤੀ 22 ਮਈ, 1969, ਵਿਚੋਂ ਟੁਕ ਨਾਲ ਨੱਥੀ ਕਰਦੇ ਹੋਏ, ਮਿਨ੍ਹੇ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਇਸ ਪੱਤਰ ਵਿਚ ਦਿੱਤੀਆਂ ਹਦਾਇਤਾਂ ਸਮੁੱਚੇ ਤੌਰ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਮੂਹ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਅਗਵਾਈ ਲਈ ਮੁੱਖ ਰਖਣੀਆਂ ਚਾਹੀਦੀਆਂ ਹਨ। ਹਦਾਇਤਾਂ ਦੇ ਪੈਰਾ 3 ਅਤੇ 13 ਵਿਚ ਜਿਹੜੇ ਕੇਂਦਰੀ ਨਿਯਮਾਂ ਦਾ ਹਵਾਲਾ ਹੈ ਉਸ ਦੇ ਅਨੁਕੂਲ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਨਿਯਮ 13 ਅਤੇ 18 ਕ੍ਰਮਵਾਰ ਪੰਜਾਬ ਦੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੇ (ਆਚਰਣ) ਨਿਯਮ, 1966 ਵਲ ਧਿਆਨ ਦਵਾਇਆ ਜਾਂਦਾ ਹੈ।

Extract from Ministry of Home Affairs.

O.M. No. 25/34(S)/67-Ests(A), dated the 22nd May, 1969.

1. *Contacts in general.*

Officers should exercise the utmost discretion in their contacts with foreign correspondents, members of foreign missions/organisations and other foreign nationals in India. They should scrupulously avoid any conversation likely to reveal, even inadvertently, information on matters of secret nature. They should also avoid over-patronisation and indiscriminate and frequent acceptances of hospitality, particularly of an informal nature; from foreign nationals or Indian nationals employed by foreign missions. Such excessive hospitality could place the recipient under obligation to the host and may thus impair the impartial and judicious exercise of his functions in the eyes of others.

2. *Private correspondence.*

Private correspondence with foreign Embassies/Missions/High Commissions should be avoided. Similarly, no private or personal correspondence on matters of an official nature should be entered into directly with members of foreign missions in India.

3. *Gifts.*

In the matter of exchange of gifts with foreign national/members of foreign missions or acceptance of

foreign articles from them, the relevant provisions of the A.I.S. (Conduct) Rules, 1968, should be borne in mind and prior permission taken whenever necessary under the rules. It is to be noted that it would be illegal to bring foreign exchange into this country same as provided for in the Foreign Exchange Regulations.

4. *Attendance at National Day Receptions.*

Officers shall attend National Day Receptions by foreign Missions only after obtaining the prior permission of the Government.

5. *Acceptance of invitations/hospitality.*

(i) Officers should normally accept invitations for formal or informal entertainment offered by foreign diplomats only when the invitation is from an officer of a corresponding or higher diplomatic status.

(ii) Officers of the ranks of Under Secretary and Deputy Secretary and comparable ranks should not accept any invitations except with the prior and specific approval of the Secretary concerned.

6. *Official and Social Calls.*

(1) Officers shall not initiate action for paying official/social calls on Heads of Missions/Consulates of other countries or members of the Staff.

(2) Officers should particularly ensure that the contacts with representatives of other countries are limited to their appropriate official level.

7. *Report of conversations at social functions.*

All officers who accept or are permitted to accept invitations to social functions from foreign diplomats/representatives of foreign missions should report to their senior officers, any conversation with diplomats/representatives of foreign missions on matters of interest and importance to Government, on such occasion.

8. *Return of hospitality accepted from foreign Missions/ conclusions.*

It was well recognised every where that diplomats are specially paid to enable them to entertain local officials and that the local officer's capacity to return their hospitality is limited. There need not therefore, be anything like a *quid pro quo* basis maintained in the matter of entertainment between diplomats and local officers.

9. *Supply of information to members of Missions/Consulates and nationals of other countries.*

The supply of information to foreign Mission/Consulates or their members or foreign nationals is the responsibility of the Central Government. This should not be done directly or by implication by any officer on his own personal assistants and Secretaries in foreign Missions/Consulates should be avoided. No officer should on any account maintain contacts with junior diplomatic personnel in foreign missions/Consulates except with the express approval of the Government.

10. *Putting under staying up foreign nationals guests.*

(a) Officers should not stay as guests with foreign diplomats or foreign nationals in India. They could however, stay with foreign diplomats or foreign nationals abroad with the permission of the Government.

(b) Officers should not invite foreign diplomats to stay with them as their guests in India.

11. *Employment of wives/dependants of officers.*

An officer whose wife or dependant intends to take up employment under a foreign Mission in India or with any foreign Mission in India or with any foreign organisation (including a Commercial concern) should apply to Government for permission.

12. *Acceptance of lifts in aircraft belonging to foreign Embassies in India or foreign Government abroad.*

No officer should accept, or permit his wife or dependents to accept passage money or free air transport from a foreign Mission/Government or organisation. Exceptional cases where humanitarian or compassionate grounds are involved should be referred to Government for grant of permission.

Relaxation of this rule is permissible only in cases which are covered by specific agreements or memoranda of understanding entered into by the Government of India with foreign Government or organisations and which might still be in force. In regard to invitation to visits to abroad which may be accepted only after consultation with the Ministry of External Affairs, the convention in respect of senior officers is that while local hospitality offered by foreign Governments may be accepted. The cost of the travel is not accepted from the host. Also such hospitality is not accepted from non-Government societies, organisations, private parties, etc.

There would, however, be no objection to the acceptance of the cost of passage in the case of officers who are invited by foreign Governments and organisation to participate in conferences, seminars, etc. if the invitation is extended to a particular officer by name with a view to benefit from the expertise of the officer invited. In other cases, in which participation in conferences etc. is considered desirable in the interests of the officer concerned or the department sponsoring his deputation, the cost of passage should continue to be met by the sponsoring Department.

Within the foreign country, an officer could accept a free flight in connection with his official duties only. When an officer and his family are in a foreign country as State guests, it would be permissible for them to accept free flights from foreign Governments.

13. *Disposal of immovable property by lease to foreign nationals.*

Under rule 16(3) of the AIS (Conduct) Rules, 1968, no officer shall, except with the previous knowledge of the Government acquire or dispose of any immovable property by lease, mortgage; purchase; sale, gift or otherwise either in his own name or in the name of any member of his family, provided that the previous sanction of the competent authority shall be obtained by the officer if any such transactions with a person having official dealings with the officer or otherwise than through a regular or a reputed dealer. The term 'lease' occurring in this rule covers letting out accommodation on rent, either by written or oral agreement, whether for a short period or for a long one. It is clarified that prior permission should be taken or prior intimation

given, as the case may be, in regard to all transactions in immovable properties, including 'lease' as explained above with foreign or nationals/member of foreign Missions/Organisations controlled by or associated with foreign Missions.

14. *Joining of foreign language classes :*

Officers desirous of joining foreign language classes conducted by foreign Missions and Embassies in India or organisations controlled by, or associated with foreign Missions of Indo-foreign cultural organisations should seek prior permission from the Government.

15. *Association of officers with Indo-foreign cultural organisations.*

Officers should not be members of, or actively participate in the activities of Indo-foreign cultural organisations without the permission of the Government.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਲਗਤੀ ਪੱਤਰ ਨੰ: 9591-ਸ 11-(3)-70/10444 ਮਿਤੀ 19 ਮਈ 1970
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀਆਂ ਦੇ ਭੇਜਿਆ।

ਵਿਸ਼ਾ:—ਦਫਤਰਾਂ ਵਿਚ ਡਮਾਕੂ/ਸਿਗਰਟ ਪੀਣ ਸਬੰਧੀ ਹਦਾਇਤਾਂ।

ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮੈਂ ਆਪਣਾ ਵਿਆਜ ਉਪਰੰਤ ਵਿਸ਼ੇ ਸਬੰਧੀ
ਲਿਖਤ ਹਦਾਇਤਾਂ ਵੱਲ ਦਵਾਵਾਂ:—

Para 37 of the Secretariat Instructions Manual :

"Smokers should provide themselves with ashtrays or other receptacles. Matches, cigars and cigarettes ends should not be thrown on the floor, nor should any one smoke in the Record Room. This instruction should be strictly observed and any breach of it, will render the offender liable to severe punishment.

Jamadars and Orderlies should desist from smoking while on duty with officers. Those who wish to have a smoke should do so during the interval for lunch after leaving their seats and while they are not on duty with officers.

Instructions issued in the year 1939 by the Registrar, Punjab High Court:

"It has been brought to the notice of the Hon'ble Judges that the Presiding Officers of some Subordinate Courts smoke while hearing cases.

The Hon'ble Judges are, therefore pleased to direct that no Subordinate Judge, Magistrate or District and Sessions Judge shall smoke in his court while hearing cases.

I am to request that these instructions be brought to the notice of the Presiding Officers, of all courts subordinate to you."

2. ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਤੋਂ ਇਹ ਸਪਸ਼ਟ ਹੈ ਕਿ:-

(ੳ) ਕਚਹਿਰੀ ਦੇ ਕਮਰਿਆਂ ਵਿਚ ਮੁਕੱਦਮਿਆਂ ਦੀ ਸੁਣਵਾਈ ਸਮੇਂ ਤਮਾਕੂ ਆਦਿ ਪੀਣ ਤੇ ਬਿਲਕੁਲ ਹੀ ਮਨਾਹੀ ਲਾਗੂ ਹੈ।

(ਅ) ਰੱਬੇ ਦਰਬੇ ਦੇ ਕਰਮਚਾਰੀ ਜਦੋਂ ਤੱਕ ਦਫਤਰੀ ਡਿਊਟੀ ਤੇ ਹਨ ਤਮਾਕੂ ਆਦਿ ਨਹੀਂ ਪੀ ਸਕਦੇ।

(ੲ) ਇਸ ਗੱਲ ਲਈ ਵੀ ਹਦਾਇਤਾਂ ਹਨ ਕਿ ਤਮਾਕੂ ਆਦਿ ਪੀਣ ਵਾਲੇ ਪਾਸ 'ਐਸ ਟੇਬ' ਅਰਥਾਤ ਸੁਆਹ-ਤਸ਼ਤਰੀਆਂ ਰਖਣ ਅਤੇ ਸਿਗਰਟਾਂ ਜਾਂ ਦੀਆਂ ਸਲਾਈਆਂ ਦੇ ਟੋਟੇ ਫਰਸ਼ਾਂ ਤੇ ਨਾ ਸੁਟਣ।

3. ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੇ ਬਾਵਜੂਦ ਇਹ ਦੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਸਿਗਰਟਾਂ ਦੇ ਟੋਟੇ ਦਫਤਰੀ ਇਮਾਰਤਾਂ ਦੀਆਂ ਪੇਂਡੀਆਂ ਅਤੇ ਵਰਾਂਡਿਆਂ ਵਿਚ ਸੁਟੇ ਜਾਂਦੇ ਹਨ। ਜੇ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਇਨ ਬਿਨ ਪਾਲਣਾ ਕੀਤੀ ਜਾਏ ਅਤੇ ਇਨ੍ਹਾਂ ਨੂੰ ਬਿਲਕੁਲ ਲਾਗੂ ਕੀਤਾ ਜਾਏ ਤਾਂ ਸਰਕਾਰੀ ਇਮਾਰਤਾਂ ਵਿਚ ਸਿਗਰਟਾਂ ਦੇ ਟੋਟੇ ਨਾਂ ਪਾਏ ਜਾਣ। ਇਸ ਸਬੰਧੀ ਬਿਨ ਬਿਨ ਵਿਭਾਗਾਂ, ਦਫਤਰਾਂ ਦੇ ਪ੍ਰਬੰਧਕੀ ਅਫਸਰਾਂ ਜਿਨ੍ਹਾਂ ਦੇ ਚਾਰਜ ਵਿਚ ਦਫਤਰ ਦੀ ਸਫਾਈ ਆਦਿ ਦਾ ਕੰਮ ਹੋਵੇ ਮਿਸਾਲ ਵਜੋਂ ਸਕੱਤਰੇਤ ਵਿਚ ਪ੍ਰਬੰਧਕੀ ਅਫਸਰ ਨੂੰ ਚਾਹੀਦਾ ਹੈ ਕਿ ਉਹ ਹਦਾਇਤਾਂ ਨੂੰ ਠੀਕ ਤਰ੍ਹਾਂ ਲਾਗੂ ਕਰਾਉਣ।

4. ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਵਲੋਂ ਦਫਤਰੀ ਸਮੇਂ ਵਿਚ ਤਮਾਕੂ ਆਦਿ ਪੀਣ ਸਬੰਧੀ ਇਹ ਕਹਿਣਾ ਬਿਲਕੁਲ ਯੋਗ ਹੈ ਅਤੇ ਅਨੁਸ਼ਾਸਨ ਅਤੇ ਸੂਚੀ ਵਿਹਾਰ ਇਸ ਗੱਲ ਦੀ ਮੰਗ ਕਰਦਾ ਹੈ ਕਿ ਕਿਸੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਨੂੰ ਆਪਣੇ ਸੀਨੀਅਰ ਅਫਸਰਾਂ ਦੇ ਸਾਹਮਣੇ ਜਾਂ ਉਨ੍ਹਾਂ ਮੁਲਾਕਾਤੀਆਂ ਦੀ ਹਾਜ਼ਰੀ ਵਿਚ ਜਿਨ੍ਹਾਂ ਦੀਆਂ ਧਾਰਮਿਕ/ਸੋਸ਼ਲ ਭਾਵਨਾ ਨੂੰ ਤਮਾਕੂ ਦੇ ਕਾਰਨ ਨੁਕਸਾਨ ਲਗਦੀ ਹੈ, ਤਮਾਕੂ ਆਦਿ ਨਹੀਂ ਪੀਣਾ ਚਾਹੀਦਾ। ਇਸ ਅਸੂਲ ਦੇ ਅਧਾਰ ਤੇ ਮੀਟਿੰਗਾਂ ਜਾਂ ਕਾਨਫਰੰਸਾਂ ਵਿਚ ਤਮਾਕੂ ਆਦਿ ਪੀਣ ਦਾ ਸਵਾਲ ਹੀ ਪੈਦਾ ਨਹੀਂ ਹੁੰਦਾ। ਕਿਉਂਕਿ ਇਨ੍ਹਾਂ ਮੌਕਿਆਂ ਤੇ ਸਦਾ ਸੀਨੀਅਰ ਅਫਸਰ ਜਾਂ ਉਹ ਵਿਅਕਤੀ ਹਾਜ਼ਰ ਹੁੰਦੇ ਹਨ ਜਿਨ੍ਹਾਂ ਨੂੰ ਤਮਾਕੂ ਪੀਣ ਦੀ ਹੁਕੀ ਨਹੀਂ ਸੁਖਾਉਂਦਾ।

5. ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਆਪ ਦੇ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਸਮੂਹ ਕਰਮਚਾਰੀਆਂ ਦੇ ਵਿਸ਼ੇਸ਼ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦੀਆਂ ਜਾਣ ਅਤੇ ਸਬੰਧਤ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਉਨ੍ਹਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨ ਸਬੰਧੀ ਕਦਮ ਉਠਾਉਣ ਲਈ ਕਿਹਾ ਜਾਵੇ।

6. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

Copy of No. 7/3/70-AIS (II), dated 6th April, 1970, from Shri B. Narasimhan, Under Secretary to the Government of India, Ministry of Home Affairs, New Delhi-1 to the Chief Secretaries of all State Governments except Tamil Nadu.

Subject.—Departmental proceedings—Extracts from the judgments of the High Courts and Supreme Court.

I am directed to forward herewith a copy of this Ministry's O.M. No. 106/18/69-AVD, dated the 26th February, 1970 on the above subject, for information and guidance.

PUNJAB GOVERNMENT

Endst. No. 2886-SII-(3)-70/9116, dated Chandigarh, the 20th May, 1970.

A copy alongwith that of enclosures is forwarded to all the Heads of Departments/the Registrar, Punjab and Haryana High Court, Commissioners of Divisions, District and Sessions Judges and the Deputy Commissioners in the Punjab for information and guidance.

By order,

(Sd.) . . . ,

Under-Secretary Services,
for Chief Secretary to Government, Punjab

A copy alongwith that of enclosures is forwarded to the Financial Commissioners and Administrative Secretaries to Government, Punjab, for information and guidance.

(Sd.) . . . ,

Under-Secretary Services,
for Chief Secretary to Government, Punjab.

To

All the Financial Commissioners and
Administrative Secretaries to Government,
Punjab.

U.O. No. 2886-SII-(3)-70, dated Chandigarh, the 20th May, 1970.

No. 106/18/69-AVD

GOVERNMENT OF INDIA,
MINISTRY OF HOME AFFAIRS.

New Delhi, the 24th February, 1970

5th Phalguna, 1891

OFFICE MEMORANDUM

An Officer of the Indian Administrative Service was removed from service as a result of disciplinary proceedings taken against him by a State Government. The Officer filed a writ petition in the High Court and the Court set aside the order of removal from service on the ground that the finding of the Board of Inquiry about the guilt of the officer had been affected to a significant extent by surmises and conjectures, and that the finding was given without due weight to crucial points of fact as well as law, which had a vital bearing on the charges. The court observed that the Board of Inquiry being a Tribunal was expected to follow the principles of natural justice and the Court had to see that the proceedings against the delinquent had been held in a manner consistent with the rules of natural justice and that there was no violation of the statutory rules prescribing the mode of enquiry or a palpable error of law. The finding of guilt must be on the basis of proof which must be such as to create belief and not mere suspicions. In this connection extracts of certain judgments of some courts are also enclosed. The essential point is that a conclusion must be based on satisfactory evidence so that there is no failure of natural justice. This is circulated for information.

R. C. JOSHI,

Under-Secretary to the Govt. of India

AUTHORISED FOR ISSUE.

(B. S. KOHLI)

SECTION OFFICER.

To

All the Ministries of the Govt. of India,
(Chief Vigilance Officer), New Delhi.

No. 106/18/69-AVD, dated the 24th February, 1970.

Copy to the Chief Secretary to the Government of
Tamil Nadu, Public Special Department Madras.

R. C. JOSHI,

Under-Secretary to the Govt. of India.

No. 106/19/69-AVD, dated 24th February, 1970.

Copies to the Chief Secretaries to all the Union
Territories.

R. C. JOSHI,

Under-Secretary to the Govt. of India.

DEPARTMENT PROCEEDINGS—THEIR NATURE

Extracts from the judgments of High Court & Supreme Court.

"It is alleged that the respondent took out from his pocket a wallet and from it produced what appeared to Mr. Rajagopalan to be a folded hundred rupee note. Mr. Rajagopalan showed his stern disapproval of this conduct, whereupon the respondent said 'No' and put the wallet with the note in his pocket. After a few minutes the interview ended and the respondent left Mr. Rajagopalan's place."

It remains to be considered whether the respondent is not right when he contends that in the circumstances of this case, the conclusion of the Government is based on no

evidence whatever. It is a conclusion which is perverse and, therefore, suffers from such an obvious and patent error on the face of the record that the High Court would be justified in quashing it. In dealing with writ petitions filed by public servants who have been dismissed, or otherwise dealt with so as to attract Art. 311(2), the High Court under article 226 has jurisdiction to enquire whether the conclusion of the Government on which the impugned order of dismissal rests is not supported by any evidence at all. It is true that the order of dismissal which may be passed against a Government servant found guilty of misconduct, can be described as an administrative order; nevertheless, the proceedings held against such a public servant under the statutory rules to determine whether he is guilty of the charges framed against him are in the nature of quasi-judicial/proceedings and there can be little doubt that a writ of certiorari for instance, can be claimed by a public servant if he is able to satisfy the High Court that the ultimate conclusion of the Government in the said proceedings which is the basis of his dismissal, is based on no evidence. In fact, in fairness to the learned Attorney-General, we ought to add that he did not seriously dispute this position in law.

High Court
can issue
writ if it is
satisfied that
the order of
dismissal is
based on no
evidence.

He, however, attempted to argue that if the appellant acted bona fide, than the High Court would not be justified in interfering with its conclusions though the High Court may feel that the conclusion is based on no evidence. His contention was that cases where conclusions are reached by the Government without any evidence, could not, in law, be distinguished from the cases of *mala fide*; and so he suggested that perverse conclusions of fact may be and can be attacked only on the ground that they are *mala-fide*, and since *mala fides* were not alleged in the present case, it was not open to the respondent to contend that the view taken by the appellant can be corrected in writ proceedings.

We are not prepared to accept this contention. *Mala-fide* exercise of powers can be attacked independently on the ground that it is *mala fide*. Such an exercise of power is always liable to be quashed on the main ground that it is not a bona fide exercise of power. But we are not prepared to hold that if *mala fides* are not alleged and *bona-fides* are assumed in favour of the appellant, its conclusion on a question of fact cannot be successfully challenged even if it is manifest that there is no evidence to support it.

The two infirmities are separate and distinct though, conceivably, in some cases both may be present. There may be cases of no evidence even where the Government is acting *bona fide*; the said infirmity may also exist where the Government is acting *mala fide* and in that case, the conclusion of the Government not supported by any evidence may be the result of *mala fides* but that does not mean that if it is proved that there is no evidence to support the conclusion of the Government, a writ of certiorary will not issue without further proof of *mala fide*.

When the order of dismissal is based on no evidence writ can be issued without proof of *mala fide*.

That takes us to the merits of the respondent's contention that the conclusion of the appellant that the charge framed against the respondent has been proved, is based on no evidence. The learned Attorney-General has stressed before us that in dealing with this question, we ought to bear in mind the fact that the appellant is acting with the determination to root out corruption, and so, if it is shown that the view taken by the appellant is a reasonably possible view this court should not sit in appeal over that decision and seek to decide whether this Court would have taken the same view or not. This contention is no doubt absolutely sound. The only test which we can legitimately apply in dealing with this part of the respondent's case is, is there any evidence on which a finding can be made against the respondent that charge was proved against him. In exercising its jurisdiction under Art. 226 on such a plea, the High Court cannot consider the question about the sufficiency or adequacy of evidence in support of a particular conclusion. That is a matter which is within the competence of the authority which deals with the question, but the High Court can and must enquire whether there is any evidence at all in support of the impugned conclusion.....

High Court cannot consider the question of sufficiency or adequacy of evidence while exercising jurisdiction under Art. 226. That is a matter within the competence of disciplinary authority but the High Court must enquire whether there is any evidence at all.

Now, in this state of evidence, how can it be said that the respondent even attempted to offer a bribe to Mr. Rajagopalan? Mr. Rajagopalan makes a definite statement that the respondent did not offer him a bribe. He merely refers to the fact that the respondent took out a paper from his wallet and the said paper appeared to him like a hundred rupee note double folded. Undoubtedly, Mr. Rajagopalan suspected the respondent's conduct, and so, made a report immediately. But the suspicion entertained by Mr. Rajagopalan cannot in law, be treated as evidence against the respondent even though there is no doubt that

Where suspicion cannot take the place of proof.

Mr. Rajagopalan is a straight forward and honest officer. Though we fully appreciate the anxiety of the appellant to root out corruption from public service, we cannot ignore the fact that in carrying out the said purpose, mere suspicion should not be allowed to take the place of proof even in domestic enquiries. It may be that the technical rules which govern criminal trials in courts may not necessarily apply to disciplinary proceedings but nevertheless, the principle that in punishing the guilty scrupulous care must be taken to see that the innocent are not punished, applies as much to regular criminal trials as to disciplinary enquiries held under the statutory rules. "(Union of India vs. H. C. Goel, AIR, 1964 SC 364).

Departmental proceedings though not governed by the Indian Evidence Act are subject to the rules of natural justice.

"It is true that so far as departmental proceedings are concerned, they are not governed by the Indian Evidence Act. In other words, the strict provisions laid down in the Indian Evidence Act are not applicable to departmental proceedings. Nevertheless, the proceedings are subject to rules of natural justice. The question, therefore, is as to what a principal of natural justice is involved in such a case. The rules of natural justice are not codified and cannot be stated with exactitude. In departmental proceedings, it is unnecessary to import the strict procedure applicable to judicial trials. But where the departmental enquiry consists of the trial of a charge in which the punishing authority either by himself or through his delegate has a statutory duty to hear the delinquent or his witnesses, the procedure adopted is to a certain extent like a judicial trial & it is an open question as to whether such proceedings are purely administrative or are to be considered as quasi-judicial." (Amulya Kumar vs. L. M. Bakshi, AIR 1958, Calcutta 470).

"Generally when a fact finding Tribunal arrives at its own conclusions of fact after due consideration of the evidence before it the High Court will not interfere. It is necessary, however, that every fact for and against the person proceeded against must have been considered with due care and the Tribunal must have given its finding in a manner which would clearly indicate what were the questions which arose for determination, what was the evidence pro and contra in regard to each one of them and what were the findings reached on the evidence before it. The conclusions reached by the Tribunal should not be coloured by any irrelevant considerations or matters of prejudice

and if there are any circumstances which required to be explained by the person charged, he should be given an opportunity of doing so. On no account whatever should be the Tribunal base its findings on suspicions, conjectures or surmises nor should it act on no evidence at all or on improper rejection of material & relevant evidence or partly on evidence and partly on suspicions, conjecture and surmises and if it does any thing of the sort its findings even though on questions of fact will be liable to be set aside by the High Court.

Conclusions of Tribunal should not be coloured by any irrelevant considerations or matters of prejudice. Fact finding Tribunal should not base its findings on suspicion, conjectures and surmises nor should it act on no evidence.

In order to find a person guilty on circumstantial evidence, the circumstance or the circumstances must be such as would irresistibly lead to an inference of guilt of the person charged with the offence. Thus where in a disciplinary action against a public servant, the inference of guilt drawn by the Tribunal from the circumstances is not the only irresistibly inference, then there is an error of law committed which may merit rectification by a writ court.

Held on facts that the conclusions of the inquiring officer in a disciplinary action against a public servant were not based on evidence but on wrong inferences drawn from evidence and that he did not exhibit the proper sense of responsibility, as a fact finding Tribunal, in arriving at his conclusions and therefore his report was quashed under Art. 226. "(Gulam Mohiuddin vs. State of West Bengal A.I.R. 1964 Calcutta 503).

Circumstantial evidence must be such as to irresistibly lead to inference of guilt.

"In the present appeal, it has been urged before us by Mr. Vishwanath Sastri on behalf of the appellants that the view taken by the High Court that the findings of the Tribunal were not supported by any evidence is obviously incorrect and that the High Court has in fact purported to re-appreciate the evidence which it had no jurisdiction to do. It is common ground that in proceedings under Arts. 226 and 227, the High Court cannot sit in appeal over the findings recorded by a competent tribunal in a departmental enquiry so that if we are satisfied that in the present case of the High Court has purported to reappreciate the evidence for itself that would be outside its jurisdiction. It is also common-ground that if it is shown that the impugned findings recorded by the Administrative Tribunal are not supported by any evidence, the High Court would be justified in setting aside the said findings. That is how the narrow question which falls for our decision in the present

Conclusions based on wrong inferences from evidence, Inquiry Report can be quashed.

High Court cannot re-appreciate the evidence for itself and sit in appeal over findings recorded by a competent Tribunal in Departmental enquiry.

appeal is : Was the High Court right in holding that there was no evidence on which the findings of the Administrative Tribunal could be sustained ?.....

Whether or not the evidence on which the Tribunal was seized was satisfactory and sufficient for justifying its conclusion cannot be considered in writ petition.

There are two other considerations to which reference must be made. In its judgment the High Court has observed that the oral evidence admittedly did not support the case against the respondent. The use of the word 'admittedly', in our opinion amounts, somewhat to an overstatement and the discussion that follow this overstatement in the judgment indicates an attempt to appreciate the evidence which it would ordinarily not be open to the High Court to do in writ proceedings. The same comment falls to be made in regard to the discussion in the judgment of the High Court where it considered the question about the interpretation of the word "Chatrapur Saheb". The High Court has observed that "in the absence of a clear evidence on the point the inference drawn by the Tribunal that Chatrapur Saheb meant the respondent would not be justified." This observation clearly indicates that the High Court was attempting to appreciate evidence. The Judgment of the Tribunal shows that it considered several facts and circumstances in dealing with the question about the identity of the individual indicated by the expression "Chatrapur Saheb" Whether or not the evidence on which the Tribunal relied was satisfactory and sufficient for justifying its conclusion would not fall to be considered in a writ petition. That in effect is the approach initially adopted by the High Court at the beginning of its judgment. However, in the subsequent part of the judgment the High Court appears to have been persuaded to appreciate the evidence for itself, and that in our opinion, is not reasonable or legitimate.

The High Court has also commented on the fact that the Tribunal should have examined Bronjorji before relying upon statements made by him in his letter addressed to Mr. Patnaik. There is some force in this argument; but the finding of the Tribunal in regard to the purchase of the Austin car is based on several other considerations all of which have been duly proved. In fact about the main features of this transaction there was no serious controversy between the parties. The parties were at issue on the question as to the effect of these broad features but that, clearly is a question of fact which fell within the jurisdiction of the Tribunal. We have carefully considered the reasons given by the High Court in its judgment under

appeal but we are unable to accept the contention pressed before us by Mr. Sinha for the respondent, that the conclusion of the High Court is right when it says that the Tribunals' findings against the respondent were based on no evidence. Whether or not the High Court or this court agrees with the conclusions of the Tribunal is another matter. The question to be considered is whether the said conclusions could be set aside on the narrow ground that they are not supported by any evidence. In our opinion, it is difficult to accept the view, that there is no evidence in support of the conclusions recorded by the Tribunal against the respondent". (*State of Orissa vs. Murlidhar Jena*, A.I.R. 1963 S.C. 404).

"In considering whether a public officer is guilty of the misconduct charged against him, the rule followed in criminal trials that an offence is not established unless proved by evidence beyond reasonable doubt to the satisfaction of the court, does not apply and even if that rule is not applied, the High Court in a petition under Art. 226 of the Constitution is not competent to declare the order of the authorities holding a departmental enquiry invalid. The High Court is not constituted in a proceedings under Art. 26 of the Constitution, a Court of appeal over the decision of the authorities holding a departmental enquiry against a public servant; it is concerned to determine whether the enquiry is held by an authority competent in that behalf, and according to the procedure prescribed in that behalf, and whether the rules of natural justice are not violated. Where there is some evidence, which the authority entrusted with the duty to hold the enquiry has accepted and which evidence may reasonably support the conclusion that the delinquent officer is guilty of the charge, it is not the function of the High Court in a petition for a writ under Art. 226 to review the evidence and to arrive at an independent finding on the evidence. The High Court may undoubtedly interfere where the departmental authorities have held the proceedings against the delinquent in a manner inconsistent with the rules of natural justice or in violation of the statutory rules prescribing the mode of enquiry or where the authorities have disabled themselves from reaching a fair decision by some considerations extraneous to the evidence and the merits of the case or by allowing themselves to be influenced by irrelevant considerations or where the conclusion on the very fact of it is so wholly arbitrary and capricious that no reasonable person

In a petition under Art. 226 High Court is not a court of Appeal over decisions of departmental authorities.

It is not the function of High Court to review the evidence and arrive at an independent finding on evidence.

Departmental authorities are the sole judges of facts if inquiry is otherwise properly held.

could ever have arrived at the conclusion, or on similar grounds. But the departmental authorities are, if the enquiry is otherwise properly held, the sole judges of facts and if there be some legal evidence on which their findings can be based, the adequacy or reliability of that evidence is not a matter which can be permitted to be canvassed before the High Court in a proceeding for a writ under Art. 226 of the Constitution.....

High Court cannot set aside an order if the Court would have come to a different conclusion on the evidence

In our judgment the proceedings before the departmental authorities were regular and were not vitiated on account of any breach of the rules of natural justice. The conclusions of the departmental officers were fully borne out by the evidence before them and the High Court had no jurisdiction to set aside the orders either on the ground that the approach to the evidence was not consistent with the approach in a criminal case, "nor on the ground that the High Court would have on that evidence come to a different conclusion. The respondent had also ample opportunity of examining his witnesses after he was informed of the charge against him. The conclusion recorded by the punishing authority was therefore not open to be canvassed, nor was the liability of the respondent to be punished by removal from service open to question before the High Court" (State of Andhra Pradesh Vs. S. Sree Rama Rao, A.I.R., 1963 S.C. 1723).

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਅੱਧ ਸਰਕਾਰੀ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 3388-ਸ 2 (3)-70 ਮਿਤੀ 20 ਮਈ, 1970 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀਆਂ ਨੂੰ ਭੇਜਿਆ।

ਵਿਸ਼ਾ : ਸਰਕਾਰੀ ਪੱਤਰਾਂ ਦੇ ਕਿਸੇ ਮਿਆਦ ਵਿਚ ਉਤਰ ਦੇਣ ਬਾਰੇ ਪਾਲਣਾ।

ਸਰਕਾਰ ਦੇ ਨੋਟਿਸ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਉਨ੍ਹਾਂ ਪੱਤਰਾਂ ਵਲ, ਜਿਹੜੇ ਕਿ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਾਂ ਅਤੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀਆਂ ਨੂੰ ਰੀਪੋਰਟ/ਟਿੱਪਣੀ ਲਈ ਭੇਜੇ ਜਾਂਦੇ ਹਨ, ਤੁਰੰਤ ਧਿਆਨ ਨਹੀਂ ਦਿੱਤਾ ਜਾਂਦਾ। ਇਸ ਦਾ ਨਤੀਜਾ ਇਹ ਨਿਕਲਦਾ ਹੈ ਕਿ, ਮਿਆਦ-ਬੱਧ ਕੇਸ ਵੀ ਕਾਫੀ ਲਮਕ ਜਾਂਦੇ ਹਨ। ਇਸ ਤਰ੍ਹਾਂ ਸਰਕਾਰ ਦੀ ਬਦਨਾਮੀ ਹੁੰਦੀ ਹੈ। ਮੈਨੂੰ ਇਸ ਵਿਸ਼ੇ ਦੀ ਮਹੱਤਤਾ ਦਰਸਾ ਕੇ ਜ਼ਰੂਰੀ ਸਬਦਾਂ ਵਿਚ ਇਹ ਕਹਿਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ, ਉਨ੍ਹਾਂ ਸਰਕਾਰੀ ਪੱਤਰਾਂ ਨੂੰ ਜਿਨ੍ਹਾਂ ਤੇ ਰਪੋਰਟ/ਟਿੱਪਣੀ ਕਰਨ ਲਈ ਸਮਾਂ ਨਿਸ਼ਚਿਤ ਕੀਤਾ ਗਿਆ ਹੋਵੇ, ਪਰਮ ਅਗੇਤ ਦਿਤੀ ਜਾਵੇ ਅਤੇ ਉਨ੍ਹਾਂ ਦੇ ਉਤਰ ਤੁਰੰਤ ਦਿੱਤੇ ਜਾਣ। ਜੇ ਕਿਤੇ ਨਾ ਟਾਲਣ ਯੋਗ ਦੇਰ ਦਾ ਅੰਦਾਜ਼ਾ ਹੋਵੇ, ਤਾਂ ਅੰਤਿਮ ਉਤਰ ਹਰ ਹਾਲਤ ਵਿਚ ਦਿਤਾ ਜਾਵੇ ਜਿਸ ਵਿਚ ਇਹ ਦਸਿਆ ਜਾਵੇ ਕਿ ਅੰਤਮ ਜਵਾਬ ਕਦੇ ਤਕ ਚੋਜਿਆ ਜਾਵੇਗਾ।

Copy of Punjab Government Circular letter No. 2297-3GA-70/10514, dated 22nd May, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Reduction in the number of peons in Government offices

I am directed to invite your attention to Punjab Government circular letter No. 648-6GS-63/3318, dated the 14th February, 1963, on the subject noted above, and to say, that on further consideration, Government have decided that all Administrative Secretaries and District and Sessions Judges may be allowed two peons each.

ਨਕਲ ਚਿਠੀ ਨੰ: 244-ਸੇਵਾਵਾਂ-2 (1)-70/10405, ਮਿਤੀ 27 ਮਈ, 1970 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲ ਪੰਜਾਬ ਦੇ ਸਮੂਹ ਵਿਭਾਗੀ ਮੁੱਖ ਅਧਿਕਾਰੀਆਂ, ਮੰਡਲਾਂ ਦੇ ਕਮਿਸ਼ਨਰਾਂ, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਰਜਿਸਟਰਾਰ, ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ, ਜ਼ਿਲ੍ਹਾ ਅਤੇ ਸੈਸ਼ਨ ਜੱਜ ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਾਰੇ ਦਫਤਰਾਂ ਵਿਚ ਪੰਜਾਬੀ ਦਾ ਪ੍ਰਚਲਣ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 3968-ਸੇਵਾਵਾਂ-2-4(1)-68/15948, ਮਿਤੀ 6 ਜੂਨ, 1968 ਉਤਾਰਾ ਸ਼ਲਾਗਿਤ ਵਲ ਪਿਆਨ ਦਿਵਾਂਦਿਆਂ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਅਜਿਹੇ ਸਟੈਨੋਗ੍ਰਾਫਰ ਜਿਨ੍ਹਾਂ ਲਈ 80 ਸ਼ਬਦ ਪ੍ਰਤੀ ਮਿੰਟ ਸਾਰਟਰੈਂਡ ਦੀ ਸਪੀਡ ਨਿਸ਼ਚਿਤ ਕੀਤੀ ਗਈ ਹੈ ਦੇ ਕੇਸ ਵਿਚ ਟਰਾਂਸਕ੍ਰਿਪਸ਼ਨ ਦੀ ਸਪੀਡ 15 ਸ਼ਬਦ ਪ੍ਰਤੀ ਮਿੰਟ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ। ਪਰੰਤੂ ਆਰੰਭਕ ਕਾਲ ਵਿਚ ਪੰਜਾਬੀ ਸਟੈਨੋਗ੍ਰਾਫਰਾਂ ਦੀ ਬੁਝ ਹੋਣ ਕਾਰਨ ਸਕਤਰੇਤ ਪ੍ਰਬਾਸਨ ਨੇ ਇਕ ਸਾਲ (15-10-1969 ਤੋਂ 14-10-1970 ਤਕ) ਦੇ ਸਮੇਂ ਲਈ ਨਿਮਨ ਲਿਖਤ ਸਪੀਡ ਨਿਸ਼ਚਿਤ ਕੀਤੀ ਹੈ:—

ਆਸਾਮੀ ਦਾ ਨਾ	ਡਿਕਟੇਸ਼ਨ ਦੀ ਸਪੀਡ	ਟਰਾਂਸਕ੍ਰਿਪਸ਼ਨ ਦੀ ਸਪੀਡ	ਕੁਲ ਸ਼ਬਦ	ਗਲਤੀਆਂ ਦੀ ਛੇਤ
			2 ਪੈਰੇ ਕੁਲ	
ਸਟੈਨੋਟਾਈਪਿਸਟ	60 ਸ.ਪ.ਮ.	12 ਸ.ਪ.ਮ.	400 ਸ਼ਬਦ	8%

2. ਇਨ੍ਹਾਂ ਹਾਲਾਤ ਵਿਚ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਮਿਤੀ 6 ਜੂਨ, 1968 ਨੂੰ ਇਸ ਹਦ ਤਕ ਤਰਮੀਮ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਪੰਜਾਬੀ ਸਟੈਨੋਗ੍ਰਾਫਰਾਂ ਦੀ ਮੌਜੂਦਾ ਬੁਝ ਨੂੰ ਪੂਰਾ ਕਰਨ ਵਾਸਤੇ ਦੂਜੇ ਮਹਿਕਮਿਆਂ ਵਿਚ ਭੀ ਪੰਜਾਬ ਸਕਤਰੇਤ ਵਲੋਂ ਦਿਤੀ ਗਈ ਇਹ ਨੂੰ ਇਕ ਸਾਲ ਲਈ ਅਪਣਾਇਆ ਜਾ ਸਕਦਾ ਹੈ।

3. ਇਸ ਤੋਂ ਇਲਾਵਾ ਪੰਜਾਬ ਸਿੱਖਿਆ ਅਤੇ ਭਾਸ਼ਾ ਵਿਭਾਗ ਨੇ ਜੂਨੀਅਰ ਸਕੋਲ ਸਟੈਨੋਗ੍ਰਾਫਰਾਂ ਅਤੇ ਸੀਨੀਅਰ ਸਕੋਲ ਸਟੈਨੋਗ੍ਰਾਫਰਾਂ ਵਾਸਤੇ ਹੇਠ ਲਿਖੇ ਮਿਆਰ ਅਪਨਾਉਣ ਦਾ ਸੁਝਾਅ ਦਿਤਾ ਹੈ :—

ਜੂਨੀਅਰ ਸਕੋਲ ਸਟੈਨੋਗ੍ਰਾਫਰ	100 ਸ.ਪ.ਮ.	20 ਸ.ਪ.ਮ.	3 ਪੈਰੇ ਕੁਲ 700 ਸ਼ਬਦ	8%
ਸੀਨੀਅਰ ਸਕੋਲ ਸਟੈਨੋਗ੍ਰਾਫਰ	100 ਸ.ਪ.ਮ.	20 ਸ.ਪ.ਮ.	4 ਪੈਰੇ ਕੁਲ 900 ਸ਼ਬਦ	5%

1. ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਵਿਚਾਰ ਵਿਚ ਭਾਸ਼ਾ ਵਿਭਾਗ ਵਲੋਂ ਸੁਝਾਏ ਗਏ ਸਪੀਡ ਦੇ ਮਿਆਰ ਸਾਰੇ ਸਰਕਾਰੀ ਦਫਤਰਾਂ ਵਿਚ ਲੋੜ ਅਨੁਸਾਰ ਘਟਾ-ਵਧਾ ਕੇ ਅਪਣਾਏ ਜਾਣੇ ਚਾਹੀਦੇ ਹਨ। ਇਸ ਸਿਲਸਿਲੇ ਵਿਚ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਕਰਨ ਦੀ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

2. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਪੱਤਰ ਨੰ: 10125 ਸੇਵਾਵਾਂ 2(1)-70/10419, ਮਿਤੀ 27 ਮਈ, 1970 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਸੇਵਾ ਵਿਖੇ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਸੰਗਰੂਰ ਅਤੇ ਇਸ ਦਾ ਇਕ ਉਤਾਰਾ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀਆਂ, ਡਬੀਜ਼ਨਾਂ ਦੇ ਕਮਿਸ਼ਨਰ, ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਅਤੇ ਉਪ-ਮੰਡਲ ਅਫਸਰ (ਸਿਵਲ) ਨੂੰ ਸੂਚਨਾ ਲਈ।

ਵਿਸ਼ਾ: ਪੰਜਾਬ ਰਾਜ ਪਰਬੰਧਕੀ ਸੁਧਾਰ ਕਮਿਸ਼ਨ ਦੀ ਸਿਫਾਰਸ਼ ਨੂੰ ਲਾਗੂ ਕਰਵਾਉਣਾ—ਸਿਫਾਰਸ਼ ਨੰ: 126—ਮਿਲਵਰਤਣ ਨਾਂ ਦੇਣ ਵਾਲੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਆਚਰਣ ਪੱਤਰ ਵਿੱਚ ਆਪਣੇ ਵਿਚਾਰ ਦਰਜ ਕਰਨ ਬਾਰੇ ਉਪ-ਮੰਡਲ ਅਫਸਰਾਂ ਨੂੰ ਅਧਿਕਾਰ ਦੇਣ ਸਬੰਧੀ ਕਾਰਵਾਈ।

ਹਵਾਲਾ: ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਜੀ ਦਾ ਯਾਦ ਪੱਤਰ ਨੰ: 8943/ਐਸ. ਮਿਤੀ 17 ਦਸੰਬਰ, 1969।

2. ਸਰਕਾਰ ਦੇ ਫੈਸਲੇ ਜੋ ਅੱਗੇ ਹੀ ਸਮੂਹ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰਾਂ ਆਦਿ ਨੂੰ ਪੱਤਰ ਨੰ: 6789 ਸੇਵਾਵਾਂ 2(1)-69/28237, ਮਿਤੀ 28 ਨਵੰਬਰ, 1969 ਰਾਹੀਂ ਭੇਜਿਆ ਗਿਆ ਸੀ, ਵਿੱਚ ਸਪਸ਼ਟ ਤੌਰ ਤੇ ਲਿਖਿਆ ਹੋਇਆ ਹੈ।

“ਕਿ ਜਿਸ ਤਰ੍ਹਾਂ ਮੰਡਲ ਅਤੇ ਬਿਲ੍ਹਾ ਪੱਧਰ ਦੇ ਅਫਸਰਾਂ ਸਬੰਧੀ ਕਰਮਚਾਰ ਕਮਿਸ਼ਨਰ ਅਤੇ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਸਾਲਾਨਾ ਗੁਪਤ ਰਿਪੋਰਟਾਂ ਵਿਚ (ਉ) ਇਮਾਨਦਾਰੀ ਬਾਰੇ ਸੁਹਰਤ (ਅ) ਜਨਤਾ ਨਾਲ ਸਬੰਧ ਅਤੇ (ੳ) ਦੂਸਰੇ ਵਿਭਾਗਾਂ ਨਾਲ ਸਹਿਯੋਗ ਬਾਰੇ ਪਰੇਖਣ ਕਰਨ ਦਾ ਅਧਿਕਾਰ ਰਖਦੇ ਹਨ, ਉਸੇ ਤਰ੍ਹਾਂ ਉਪ-ਮੰਡਲ ਅਫਸਰਾਂ (ਸਿਵਲ) ਨੂੰ ਵੀ ਸਥਾਨਿਕ ਅਫਸਰਾਂ, ਪੁਲਿਸ ਵਿਭਾਗ ਤੋਂ ਛੁਟ ਭਾਵੇਂ ਉਹ ਕਿਸੇ ਵੀ ਮਹਿਕਮੇ ਦੇ ਹੋਣ, ਦੀਆਂ ਗੁਪਤ ਰਿਪੋਰਟਾਂ ਵਿੱਚ ਇਹਨਾਂ ਤਿੰਨਾਂ ਵਿਸ਼ਿਆਂ ਸਬੰਧੀ ਪਰੇਖਣ ਕਰਨ ਬਾਰੇ ਅਧਿਕਾਰ ਦਿਤੇ ਜਾਂਦੇ ਹਨ।”

ਇਸ ਲਈ ਜਿਸ ਪਰਕਾਰ ਆਪ ਬਿਲ੍ਹਾ ਪੱਧਰ ਦੇ ਅਫਸਰਾਂ ਸਬੰਧੀ ਗੁਪਤ ਰਿਪੋਰਟਾਂ ਲਿਖਣ ਦਾ ਤਰੀਕਾ ਅਪਨਾਉਂਦੇ ਹੋ, ਉਸੇ ਤਰ੍ਹਾਂ ਹੀ ਉਪ-ਮੰਡਲ ਅਫਸਰਾਂ (ਸਿਵਲ) ਨੂੰ ਸਥਾਨਕ ਅਫਸਰਾਂ ਦੀਆਂ ਰਿਪੋਰਟਾਂ ਲਿਖਣ ਦਾ ਅਧਿਕਾਰ ਵਰਤਣਾ ਚਾਹੀਦਾ ਹੈ। ਉਨ੍ਹਾਂ ਨੂੰ ਅਕਸਰ ਦੀ ਹਿਤ ਆਪਣੇ ਬਿਲ੍ਹੇ ਵਿਚ ਵਰਤੋਂ ਵਾਲਾ ਤਰੀਕਾ ਖੋਲ੍ਹ ਕੇ ਦਸ ਦਿਤਾ ਜਾਵੇ।

3. ਇਥੇ ਆਪ ਦੀ ਸੂਚਨਾ ਲਈ ਦਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਥੋੜਾ ਸਮਾਂ ਪਿਛੇ ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ ਵਿੱਚ ਕੰਮ ਕਰਦੇ ਕਾਰਜ ਕਾਰੀ ਇੰਜੀਨੀਅਰਾਂ ਦੀਆਂ ਗੁਪਤ ਰਿਪੋਰਟਾਂ ਜੋ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ/ਕਮਿਸ਼ਨਰ ਅਤੇ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ/ਮੁੱਖ ਇੰਜੀਨੀਅਰ ਲਿਖਦੇ ਹਨ ਦੇ ਬਾਰੇ ਸਰਕਾਰ ਨੇ ਸਪਸ਼ਟੀਕਰਨ ਕੀਤਾ ਹੈ ਅਤੇ ਉਸ ਦਾ ਵੇਰਵਾ ਆਪ ਦੀ ਅਗਵਾਈ ਲਈ ਹੇਠ ਦਸਿਆ ਜਾਂਦਾ ਹੈ।

ਸਰਕਾਰੀ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਸਿਜਾਈ ਵਿਭਾਗ ਦੇ ਜ਼ਿਲ੍ਹਾ ਪੱਧਰ ਦੇ ਅਫਸਰਾਂ ਬਾਰੇ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਦੀ ਰਿਪੋਰਟ ਦੀ ਸੀਮਾ ਹੇਠ ਲਿਖੇ ਗੱਲਾਂ ਤਕ ਹੋਵੇਗੀ :—

(ਉ) ਇਮਾਨਦਾਰੀ ਬਾਰੇ ਸੁਹਰਤ

(ਅ) ਜਨਤਾ ਨਾਲ ਸਬੰਧ

(ੲ) ਉਸਾਰੀ ਸਕੀਮਾਂ ਦੇ ਲਾਗੂ ਕਰਨ ਬਾਰੇ ਕੰਮ ਅਤੇ ਸਰਕਾਰ ਦੀ ਨੀਤੀ :

ਕਮਿਸ਼ਨਰਾਂ ਨੂੰ ਵੀ ਇਨ੍ਹਾਂ ਮੱਤਾਂ (aspects) 'ਤੇ ਟਿਪਣੀ ਕਰਨ ਦਾ ਅਧਿਕਾਰ ਹੈ। ਇਸ ਲਈ ਜੇਕਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ ਦੀ ਰਿਪੋਰਟ ਇਨ੍ਹਾਂ ਮੱਤਾਂ ਬਾਰੇ ਲਿਖਦਾ ਹੈ ਅਤੇ ਕਮਿਸ਼ਨਰ ਉਸ ਨਾਲ ਸਹਿਮਤ ਹੋ ਭਾਵੇਂ ਉਸ ਨੇ ਕੇਵਲ ਹਸਤਾਖਰ ਹੀ ਕੀਤੇ ਹਨ ਯਾ 'ਸੀਨ' ਯਾ "ਨੋ ਰੀਮਾਰਕਸ (seen or no remarks)" ਲਿਖਿਆ ਹੈ ਤਾਂ ਕਮਿਸ਼ਨਰ ਸਾਹਿਬ ਦੇ ਇਨ੍ਹਾਂ ਰੀਮਾਰਕਸ ਦਾ ਸਬੰਧ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਦੀ ਰਿਪੋਰਟ ਨਾਲ ਨਹੀਂ ਹੋਵੇਗਾ, ਬਲਕਿ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਦੇ ਰੀਮਾਰਕਸ ਨਾਲ ਹੀ ਸੀਮਤ ਰਹੇਗਾ ਜੇਕਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਕੋਈ ਐਡਵਰਸ ਰੀਮਾਰਕ ਦਿੰਦਾ ਹੈ ਤਾਂ ਉਹ ਜਦੋਂ ਤਕ ਕਮਿਸ਼ਨਰ ਸਾਹਿਬ ਉਸ ਨੂੰ ਨਾ ਕਟਣ ਸਬੰਧਤ ਅਫਸਰ ਨੂੰ ਪਹੁੰਚਾਏ ਜਾਣਗੇ, ਭਾਵੇਂ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਤੇ ਮੁੱਖ ਇੰਜੀਨੀਅਰ ਨੇ ਆਪਣੇ ਖਿਆਲ ਹੋਰ ਤਰ੍ਹਾਂ ਪਰਗਟ ਕੀਤੇ ਹੋਣ। ਇਸ ਤਰ੍ਹਾਂ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਯਾ ਮੁੱਖ ਇੰਜੀਨੀਅਰ ਨੇ ਜੇਕਰ ਉਪਰੋਕਤ ਤਿੰਨਾਂ ਨੁਕਤਿਆਂ 'ਤੇ ਐਡਵਰਸ ਰੀਮਾਰਕਸ ਦਿੰਦੇ ਹਨ ਤਾਂ ਉਹ ਵੀ ਸਬੰਧਤ ਅਫਸਰ ਨੂੰ ਦਸੇ ਜਾਣਗੇ ਭਾਵੇਂ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ/ਕਮਿਸ਼ਨਰ ਨੇ ਉਸ ਨੂੰ ਸਾਵਧਿੱਤ ਦੇ ਦਿਤੀ ਹੈ। ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਆਪਣੇ ਰੀਮਾਰਕਸ ਕਮਿਸ਼ਨਰ ਸਾਹਿਬ ਨੂੰ ਰਿਪੋਰਟ ਜਾਣ ਤੋਂ ਪਹਿਲਾਂ ਹੀ ਢੀਕਾਡ਼ ਕਰਦਾ ਹੈ ਪਰ ਉਸ ਦੇ ਰੀਮਾਰਕਸ ਰਿਪੋਰਟ ਅਧੀਨ ਸਮੇਂ ਵਿੱਚ ਸਬੰਧਤ ਅਫਸਰ ਦੇ ਕੰਮ ਅਤੇ ਚਾਲ ਚਲਣ ਦੇ ਬਾਰੇ ਨੁਕਤਿਆਂ ਬਾਰੇ ਹੋਣਗੇ। ਇਸ ਤਰ੍ਹਾਂ ਦੇ ਬਰਾਬਰ ਪਧਰ ਦੇ ਅਧਿਕਾਰੀ ਹਨ ਅਤੇ ਹਰ ਇਸ ਦੇ ਗੰਭੀਰਤਾ ਕੀਤੇ ਰੀਮਾਰਕਸ ਵਾਈਲ ਉੱਤੇ ਬਹਿਣਗੇ। ਪਰ ਉਹ ਇਕ ਦੂਜੇ ਨੂੰ ਉਵਰਰਾਈਡ (override) ਨਹੀਂ ਕਰਨਗੇ। ਅਰਥਾਤ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਦੇ ਐਡਵਰਸ ਰੀਮਾਰਕਸ ਦਾ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਦੇ ਰੀਮਾਰਕਸ ਤੇ ਕੋਈ ਅਸਰ ਨਹੀਂ ਹੋਵੇਗਾ। ਅਤੇ ਇਸੇ ਤਰ੍ਹਾਂ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਦੀ ਲਿਖਤ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਦੀ ਟਿਪਣੀ ਨੂੰ ਘਟਾ ਵਧਾ ਨਹੀਂ ਸਕੇਗੀ।

ਰਿਪੋਰਟ ਇਕੋ ਹੀ ਫਾਰਮ ਵਿੱਚ ਲਿਖੀ ਜਾਵੇਗੀ ਅਤੇ ਵੱਖ ਵੱਖ ਅਫਸਰਾਂ ਦੇ ਖਾਨੇ (columns) ਵੱਖ ਵੱਖ ਹੋਣਗੇ। ਦੂਜੇ ਸਬਦਾਂ ਵਿੱਚ ਰਿਪੋਰਟਾਂ ਲਿਖਣ ਦਾ ਜੇਨਲ ਇਕੋ ਹੀ ਲਖਵਿਆ ਹੋਇਆ (sequence) ਲੜ ਅਨੁਸਾਰ ਵੱਖ ਵੱਖ ਹੋਵੇਗਾ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਖ਼ਤੀ ਪੱਤਰ ਨੰ: 3747-ਸ II (3)-70/13447 ਮਿਤੀ: 10 ਜੂਨ, 1970
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀਆਂ ਦੇ।

ਵਿਸ਼ਾ: ਸਰਕਾਰੀ ਪੱਤਰਾਂ ਦੇ ਕਿਸੇ ਮਿਆਦ ਵਿਚ ਉਤਰ ਦੇਣ ਬਾਰੇ ਪਾਲਣਾ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਨੂੰ ਸੰਬੰਧਤ ਕਰਦੇ ਹੋਏ ਮੈਂ ਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਵੱਖ-ਵੱਖ ਪਿਛਾਂ ਦਾ ਦੌਰਾ ਕਰਦਿਆਂ ਜਨਤਾ ਦੇ ਕਈ ਡੈਪੂਟੇਸ਼ਨ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਨੂੰ ਮਿਲਦੇ ਹਨ ਅਤੇ ਕਈ ਕਿਸਮ ਦੀਆਂ ਆਪਣੀਆਂ ਤਕਲੀਫਾਂ ਦਸਦੇ ਹਨ। ਇਹ ਤਕਲੀਫਾਂ ਦੂਰ ਕਰਨ ਦੇ ਸਬੰਧ ਵਿਚ ਵਿਭਾਗਾਂ ਨੂੰ ਉਨ੍ਹਾਂ ਦੀਆਂ ਅਰਜ਼ੀਆਂ ਜਾਂ ਨੋਟ ਭੇਜੇ ਜਾਂਦੇ ਹਨ। ਕਈ ਥਾਵਾਂ ਤੇ ਹਾਲਾਤ ਨੂੰ ਮੁੱਖ ਰੱਖਦਿਆਂ ਹੋਇਆਂ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਕਮਿਟੀਆਂ ਵੀ ਕਰ ਆਉਂਦੇ ਹਨ। ਇਨ੍ਹਾਂ ਕਮਿਟੀਆਂ ਦੇ ਬਾਰੇ ਲਿਖ ਕੇ ਸਬੰਧਤ ਵਿਭਾਗਾਂ ਨੂੰ ਭੇਜ ਦਿਤਾ ਜਾਂਦਾ ਹੈ।

2. ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਦੇ ਨੋਟਿਸ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਬਹੁਤ ਸਾਰੇ ਕੇਸਾਂ ਵਿਚ ਚਿਤਾਵਨੀ ਪੱਤਰ ਭੇਜਣ ਤੇ ਵੀ ਵਿਭਾਗਾਂ ਵਲੋਂ ਇਹ ਨਹੀਂ ਦੱਸਿਆ ਜਾਂਦਾ ਕਿ ਉਨ੍ਹਾਂ ਹੁਕਮਾਂ ਉੱਤੇ ਕੀ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਹੈ। ਇਸ ਲਈ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਵਲੋਂ ਜਿਹੜੇ ਹੁਕਮ ਜਾਰੀ ਹੁੰਦੇ ਹਨ ਉਨ੍ਹਾਂ ਸਬੰਧੀ ਜਿਹੜੀ ਕੋਈ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ, ਉਹ 15 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਦੱਸੀ ਜਾਵੇ ਜਾਂਦੇ ਇਹ ਰਪੋਟ ਅੰਤ੍ਰਮ ਸੂਚਨਾ ਰਖਦੀ ਹੋਵੇ।

3. ਕਿਰਪਾ ਕਰ ਕੇ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਆਪ ਦੇ ਕੋਟੋਲ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਸਮੂਹ ਕਰਮਚਾਰੀਆਂ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦੀਆਂ ਜਾਣ ਅਤੇ ਇਸ ਚਿੱਠੀ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

Copy of Circular letter No. 462-6(FR)-70/12752, dated the 15th June, 1970, from the Commissioner for Finance and Secretary to Government, Punjab, Finance Department addressed to all Heads of Departments, etc., etc.

Subject : Grant of free education facilities to the children of deceased Government employees.

I am directed to address you on the subject cited above and to say that the Punjab Government have had under consideration for some time the question of allowing free educational facilities to the children of the deceased Government employees. It has now been decided to allow free educational facilities to the unmarried children of all Government employees who die while in service; subject to the following conditions :—

- (i) The benefit of free education shall be allowed upto Degree Courses (including Professional Courses), provided the children get admission in

the said courses on merit and pass the examination held from time to time.

- (ii) Tuition fee at the rate as admissible in Government institutions only shall be re-imbursed.
- (iii) The benefit will be admissible from the date of death of the Government employee concerned to his children who are actually dependent upon their guardian.

2. These orders shall have effect from the 1st June, 1970.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗਸਤੀ ਪੱਤਰ ਨੰ: 4362-ਸ II (3) -70/17135, ਮਿਤੀ 14 ਜੁਲਾਈ, 1970
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: ਪ੍ਰਤੀ ਬੇਨਤੀਆਂ ਉਤੇ ਕਾਰਵਾਈ ਅਤੇ ਬਿਨੈਕਾਰਾਂ ਨੂੰ ਉਸ ਸਬੰਧੀ ਉਤਰ ਦੇਣ ਬਾਰੇ ਹਦਾ-
ਇਤਾਂ।

ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗਸਤੀ ਪੱਤਰ-3747-ਸ II (3) -70/13447, ਮਿਤੀ 10 ਜੂਨ, 1970
ਰਾਹੀਂ ਆਪ ਨੂੰ ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਗਈ ਸੀ ਕਿ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਵਲੋਂ ਜਿਹੜੇ ਹੁਕਮ ਜਾਰੀ
ਹੁੰਦੇ ਹਨ, ਉਨ੍ਹਾਂ ਸਬੰਧੀ ਜਿਹੜੀ ਕੋਈ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ ਉਹ 15 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ
ਦਸੀ ਜਾਵੇ ਭਾਵੇਂ ਇਹ ਰਿਪੋਰਟ ਅੰਤਰਮ ਹੋਵੇ। ਸਰਕਾਰ ਇਸ ਕਲ ਤੇ ਵੀ ਪੂਰਾ ਧੋਰ ਦੇਂਦੀ ਹੈ
ਕਿ ਜਿਹੜੀਆਂ ਅਰਜ਼ੀਆਂ ਵਿਭਾਗਾਂ ਨੂੰ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਜਾ ਉਹਨਾਂ ਦੇ ਸਾਬੀ ਵਜ਼ੀਰਾਂ ਵਲੋਂ ਰੀਮਾਰਕਸ
ਜਾਂ ਬਿਨਾਂ ਰੀਮਾਰਕਸ ਭੇਜੀਆਂ ਜਾਂਦੀਆਂ ਹਨ ਉਹਨਾਂ ਵਿਚ ਉਹ ਬਿਨੈਕਾਰਾਂ ਨੂੰ ਮੁਨਾਸਬ ਸਮੇਂ
ਦੇ ਅੰਦਰ ਯੋਗ ਸਵਾਬ ਜਾਂ ਸੂਚਨਾ ਦੇਣਾ ਤਾਂ ਕਿ ਉਹ ਇੰਤਜ਼ਾਰ ਵਿਚ ਨਾ ਰਹਿਣ। ਉਹਨਾਂ
ਕੇਸਿਸ ਵਿਚ ਜਿਥੇ ਕੋ ਜਵਾਬ ਦੇਣਾ ਸਰਕਾਰ ਦੇ ਹਿੱਸੇ ਵਿਚ ਨਾ ਹੋਵੇ ਜਵਾਬ ਨਾ ਦਿਤਾ ਜਾਵੇ ਪ੍ਰੰਤੂ
ਅਜਿਹੇ ਕੇਸ ਬਹੁਤ ਹੀ ਘੱਟ ਹੋਣਗੇ ਅਤੇ ਬਾਕੀਆਂ ਵਿਚ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਖਾਸ ਪਾਲਣਾ
ਕੀਤੀ ਜਾਵੇਗੀ।

2. ਇਹ ਹਦਾਇਤਾਂ ਸਾਰਿਆਂ ਤੋਂ ਨੋਟ ਕਰਵਾਈਆਂ ਜਾਣ ਅਤੇ ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ
ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗਸਤੀ ਪੱਤਰ ਨੰ: 4370-ਸ II (3) -70/17876, ਮਿਤੀ 21 ਜੁਲਾਈ, 1970
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: ਸਰਕਾਰੀ ਕਰਮਚਰੀਆਂ ਵਿਚੋਂ ਫੂਰ ਛਾਤ ਦੀ ਆਦਤ ਹਟਾਣ ਸਬੰਧੀ ਹਦਾਇਤਾਂ ਜਾਰੀ
ਕਰਨ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਨੂੰ ਸੰਬੰਧਤ ਕਰਦੇ ਹੋਏ ਮੰਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਹਰੀਜਨਾਂ ਦੀ ਭਲਾਈ ਸਬੰਧੀ ਕੋਂਦਰੀ ਸਲਾਹਕਾਰ ਬੋਰਡ ਨੇ ਭਾਰਤ ਸਰਕਾਰ ਸਾਹਮਣੇ 1961 ਵਿਚ ਨਿਮਨ ਸਫਾਰਸ਼ਾਂ ਕੀਤੀਆਂ ਸਨ :

- (a) That severe notice should be taken of the practice of untouchability in Government offices and by Government servants; and
- (b) that the police and magistracy have a special obligation to enforce the provisions of the Untouchability (Offences) Act, 1955, and it is the duty of all Government servants to help them in the enforcement of the Act and in creating the necessary climate to remove untouchability from the mind of the orthodox section of the community.

ਭਾਰਤ ਸਰਕਾਰ ਨੇ ਇਨ੍ਹਾਂ ਸਫਾਰਸ਼ਾਂ ਨੂੰ ਪ੍ਰਵਾਨ ਕਰਦੇ ਹੋਏ ਆਪਣੇ ਅਧੀਨ ਸਮੂਹ ਸੰਸਥਾਵਾਂ ਅਤੇ ਉਨ੍ਹਾਂ ਦੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਸੀ ਕਿ ਜੇ ਕੋਈ ਕਰਮਚਾਰੀ ਝੂਠ ਛਾਤ ਦੀ ਰੁਚੀ ਦਰਸਾਏਗਾ ਜਾਂ ਇਸ ਸਬੰਧੀ ਕੋਈ ਕਦਮ ਉਠਾਏਗਾ ਤਾਂ ਇਸ ਰੁਚੀ/ਕਦਮ ਨੂੰ Untouchability (Offences) Act, 1955 ਦੀ ਉਲੰਘਣਾ ਸਮਝਿਆ ਜਾਵੇਗਾ ਅਤੇ ਅਜਿਹੇ ਕਰਮਚਾਰੀ ਵਿਰੁਧ ਯੋਗ/ਪ੍ਰਸ਼ਾਸਨਕ ਕਾਰਵਾਈ ਕਰਨ ਲਈ ਅਤੇ ਉਸ ਨੂੰ ਸੰਬੰਧਤ ਨਿਯਮਾਂ ਅਧੀਨ ਲੁਕੀਂਦਾ ਦੰਡ ਦੇਣ ਲਈ ਇਕ ਠੋਸ ਪ੍ਰਮਾਣ ਸਮਝਿਆ ਜਾਏਗਾ। ਉਸ ਤੋਂ ਉਪਰੰਤ ਭਾਰਤ ਸਰਕਾਰ ਨੇ ਸਮੂਹ ਹਲਕਿਆਂ ਨੂੰ ਇਹ ਵੀ ਸਪੱਸ਼ਟ ਕੀਤਾ ਕਿ ਝੂਠ ਛਾਤ ਵਿਚ ਇਨਡਲਜ (indulge) ਕਰਨ ਵਾਲੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਲੋਕ ਸੇਵਾ ਲਈ ਅਯੋਗ ਸਮਝਿਆ ਜਾਏਗਾ ਅਤੇ ਉਸ ਵਿਰੁਧ ਪ੍ਰਸ਼ਾਸਨਕ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ। ਭਾਰਤ ਸਰਕਾਰ ਦੀ ਉਪਰੋਕਤ ਨੀਤੀ/ਹਦਾਇਤਾਂ ਦੀ ਸ਼ੁੱਧਤਾ ਨੂੰ ਮੁੱਖ ਰੱਖਦੇ ਹੋਏ ਅਤੇ ਇਸ ਗੱਲ ਦਾ ਧਿਆਨ ਰੱਖਦੇ ਹੋਏ ਕਿ ਸੰਵਿਧਾਨ ਦੀ ਧਾਰਾ 17 ਅਨੁਸਾਰ ਝੂਠ ਛਾਤ ਨੂੰ ਖਤਮ ਕਰ ਦਿਤਾ ਗਿਆ ਹੈ ਅਤੇ ਇਸ ਨੂੰ ਕਿਸੇ ਸ਼ਕਲ ਵਿਚ ਵੀ ਚਲਾਉਣ ਦੀ ਮਨਾਹੀ ਕੀਤੀ ਗਈ ਹੈ ਅਤੇ ਨਾਲ ਹੀ ਇਹ ਇਕ [Untouchability (Offences) Act, 1955] ਅਧੀਨ ਇਕ ਜੁਰਮ ਵੀ ਕਰਾਰ ਦਿਤਾ ਹੋਇਆ ਹੈ ਇਸ ਲਈ ਪੰਜਾਬ ਸਰਕਾਰ ਭਾਰਤ ਸਰਕਾਰ ਦੀ ਉਪਰੋਕਤ ਨੀਤੀ ਨੂੰ ਅਪਨਾਉਂਦੇ ਹੋਏ ਇਸ ਗੱਲ ਤੇ ਚੇਰ ਦਿੰਦੀ ਹੈ ਕਿ ਉਸ ਦੇ ਸਾਰੇ ਕਰਮਚਾਰੀ ਝੂਠ ਛਾਤ ਦੀ ਰੁਚੀ ਨੂੰ ਨਾਂ ਕੇਵਲ ਤਿਆਗਨ ਬਲਕਿ ਹੋਰਨਾਂ ਵਿਚ ਵੀ ਇਸ ਨੂੰ ਖਤਮ ਕਰਨ ਦੀ ਮਸਾਲ ਕਾਇਮ ਕਰਨ। ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਕਰਨ ਵਾਲੇ ਕਰਮਚਾਰੀ ਪ੍ਰਸ਼ਾਸਨਕ ਕਾਰਵਾਈ ਦੇ ਭਾਗੀ ਹੋਣਗੇ।

ਇਹ ਹਦਾਇਤਾਂ ਆਪ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਸਮੂਹ ਕਰਮਚਾਰੀਆਂ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਂਦੀਆਂ ਜਾਣ ਅਤੇ ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

Copy of Circular letter No. 4123-2SIH-70/22691, dated the 28th August, 1970, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject : Grant of special casual leave to work-charged establishment who undergo sterilization operation under 'Family Planning Scheme'.

I am directed to invite a reference to Punjab Government letter No. 4087-4SI-67/32084, dated the 5th/7th December, 1967 on the subject noted above and to say that the following concessions which have been allowed to Punjab Government employees, are also extended to the employees of work-charged establishments with immediate effect :—

- (1) Six days' special casual leave to the employees who undergo Vasectomy/Salpingectomy operation.
- (2) Another six days' special casual leave to the employees who undergo Vasectomy operation for the second time in the event of the first operation being unsuccessful.
- (3) 14 days' special leave to female employees undergoing tubectomy operation (in case of non-puerperal sterilization).
- (4) One day's special casual leave to female employees for the day of insertion of loop.

2. These orders are being issued with the concurrence of Finance Department,—*vide* their U.O. No. 4186-4FR-70, dated the 11th August, 1970.

[Published in the Punjab Government Gazette, Legislative Supplement Ordinary, dated the 11th September, 1970].

PUNJAB GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
Notification
The 3rd September, 1970

No. G.S.R. 87/Const./Art. 187, 309 and 318/70.—In supersession of Punjab Government notification No. GSR-33/Const./Art. 187, 309 and 318/69, dated the 6th March, 1969 and in exercise of the powers conferred by the proviso

to article 309 and clause (b) of article 318 read with clause (3) of article 187 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Punjab in consultation with the Speaker of the Punjab Vidhan Sabha, in so far as such consultation is necessary under the aforesaid provisions, is pleased to make the following rules, namely :—

THE PUNJAB CIVIL SERVICES (PUNISHMENT AND APPEAL) RULES, 1970

1. *Short title and commencement.*—(1) These rules may be called the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires—

(a) “appointing authority” in relation to a Government employee means—

- (i) the authority empowered to make appointments to the service of which the Government employee is for the time being a member or to the grade of the service in which the Government employee is for the time being included; or
- (ii) the authority empowered to make appointments to the post which the Government employee for the time being holds, or
- (iii) the authority which appointed the Government employee to such service, grade or post, as the case may be, or
- (iv) where the Government employee having been a permanent member of any other service or having substantively held any other permanent post, the authority which has been in continuous employment of the Government appointed him to that service or to any

grade in that Service or to that post whichever authority is the highest authority ;

- (b) "Commission" means the Punjab Public Service Commission ;
- (c) "Government" means the Government of the State of Punjab ;
- (d) "Government employee" means any person appointed to any Civil Service or post in connection with the affairs of the State of Punjab.

Explanation.—A Government employee whose services are placed at the disposal of a company, corporation organisation or a local authority by the Government shall, for the purposes of these rules be deemed to be a Government employee serving under the Government notwithstanding that his salary is drawn from sources other than the Consolidated Fund of the State :

- (e) "Governor" means the Governor of Punjab ;
- (f) "punishing authority" means the authority competent under these rules to impose on a Government employee any of the penalties specified in rule 5 ;
- (g) "Service" means a civil service of the State of Punjab.

3. *Application.*—(1) These rules shall apply to every Government employee, but shall not apply to :—

- (a) any member of the All-India Services ;
- (b) any person in casual employment ;
- (c) any person subject to discharge from service on less than one month's notice ;
- (d) any person for whom special provision is made in respect of matters covered by these rules by or under any law for the time being in force or by or under any agreement entered into by or

with the previous approval of the Governor before or after the commencement of these rules, in regard to matters covered by such special provisions;

(2) Notwithstanding anything contained in sub-rule (1) the Governor may by order exclude any class of Government employees from the operation of all or any of these rules ;

(3) Notwithstanding anything contained in sub-rule (1), these rules shall apply to every Government employee temporarily transferred to a service or post coming within clause (d) of sub-rule (1) to whom, but for such transfer these rules would apply ;

(4) If any doubt arises whether these rules or any of them apply to any person, the matter shall be referred to the Governor, who shall decide the same.

PART II

4. *Suspension.*—(1) The appointing authority or any other authority to which it is subordinate or the punishing authority or any other authority empowered in that behalf by the Governor by general or special order, may place a Government employee under suspension—

(a) where a disciplinary proceeding against him is contemplated or is pending, or

(b) where a case against him in respect of any criminal offence is under investigation, inquiry or trial :

Provided where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

(2) A Government employee shall be deemed to have been placed under suspension by an order of appointing authority—

(a) with effect from the date of his detention, if he is detained in custody whether on a criminal charge

or otherwise, for a period exceeding forty-eight hours ;

- (b) with effect from the date of his conviction, if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation.—The period of forty-eight hours referred to in clause (b) of this sub-rule shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any shall be taken into account.

Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government employee under suspension is set aside in appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the punishing authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the Government employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) (a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where a Government employee is suspended or is deemed to have been suspended whether in connection with any disciplinary proceeding or otherwise, and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing direct that the Government employee shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

PART III

5. *Penalties.*—The following penalties may, for good and sufficient reasons, and as hereinafter provided, be imposed on a Government employee, namely :—

Minor Penalties

- (i) Censure ;
- (ii) Withholding of his promotions ;
- (iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government, by negligence or breach of orders ;
- (iv) withholding of increments of pay ;

Major Penalties

- (v) reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the Government employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay ;
- (vi) reduction to a lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the

time-scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the Government employee was reduced and his seniority and pay on such restoration to that grade, post or service ;

- (vii) compulsory retirement ;
- (viii) removal from service which shall not be a disqualification for future employment under the Government ;
- (ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

Explanation.—The following shall not amount to a penalty within the meaning of this rule, namely :—

- (i) withholding of increments of pay of a Government employee for his failure to pass any departmental examination in accordance with the rules or orders governing the service to which he belongs or post which he holds or the terms of his appointment;
- (ii) stoppage of a Government employee at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar ;
- (iii) non-promotion of a Government employee, whether in a substantive or officiating capacity, after consideration of his case, to a service, grade or post for promotion to which he is eligible;
- (iv) reversion of a Government employee officiating in a higher service grade or post to a lower service, grade or post; on the ground that he is considered to be unsuitable for such higher service, grade or post or on any administrative ground unconnected with his conduct ;
- (v) reversion of a Government employee appointed on probation to any other service, grade or post,

to his permanent service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation ;

(vi) compulsory retirement of a Government employee in accordance with the provisions relating to his superannuation or retirement ;

(vii) termination of the services—

(a) of a Government employee appointed on probation, during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation ; or

(b) of a temporary Government employee appointed otherwise than under contract, on the expiration of the period of the appointment, or on the abolition of the post or before the due time in accordance with the terms of his appointment ; or

(c) of a Government employee employed under an agreement, in accordance with the terms of such agreement.

Notes—

(1) Punishing authorities have full discretion to publish in the Punjab Government Gazette reasons for dismissal where such publication is considered desirable in the public interest.

(2) In order to guard against the inadvertent re-employment of persons dismissed from service the authority passing an order of dismissal shall intimate to the Deputy Inspector-General of Police, Punjab Criminal Investigation Department, the Deputy Commissioner and the Superintendent of Police of the district of which the person concerned is a permanent resident, the name of such a person and any other particulars required for purpose of identification, unless the dismissal has been notified in the Punjab Government Gazette. Similarly, if a person

happens to be a resident of another State, the aforesaid officers of that State would be informed accordingly.

- (3) The provision of this rule shall not be construed to derogate from the provisions of section 36 of the Punjab Courts Act, 1918; the Payment of Wages Act, 1936, or any other law authorising the imposing of fines on the ministerial establishment governed by these laws and the authority competent to award the punishment of fine may do so in addition to the punishments mentioned in this rule.
- (4) The discharge of a person appointed to hold a temporary appointment, otherwise than in accordance with the provisions of Explanation (vii)(b) amounts to removal or dismissal and is, therefore, appealable under these rules.
- (5) The distinction between censure, the withholding of promotion and non-selection to a selection post is of considerable importance. Both censure and the withholding of promotion are appealable under these rules. On the other hand, non-selection for a selection post is not appealable. If a Government employee, because of an unsatisfactory record and unfavourable confidential reports is not selected for a selection post and some other Government employee junior to him is selected in preference this does not amount to the withholding of promotion. If any enquiry is held against a Government employee and an order of censure is passed on him, it is open to him to appeal; if he does not appeal or his appeal is rejected, and is subsequently because of the existence of this censure in his record, he is not selected for a selection post, and some other Government employee junior to him is selected in preference, this also does not amount to the withholding of promotion. If, however, an inquiry is held against a Government employee and an order is passed that he should not be promoted to a selection post for a definite period or until he has obtained good reports this order would

amount to the infliction of the penalty of withholding promotion. This distinction between non-selection for a selection post and withholding of a promotion may be summed up as being, that in the former case the Government employee in question is considered for selection but some other Government employee is preferred on his merits, while in the later case the Government employee in question has been declared beforehand as a disciplinary measure, to be ineligible for selection irrespective of the merits of the other Government employees available.

(6) (i) While reduction of seniority as an independent penalty is not provided for in rule 5 and cannot be imposed as such, the loss of seniority as a result of an order of reduction to a lower post or time-scale being inherent in the order of reduction cannot be avoided.

(ii) The authority on repromotion of a Government employee reduced to a lower post or time-scale should be determined by the date of such repromotion in accordance with the orders issued by the competent authority on the subject of seniority. Such a Government employee should not be restored to his original position unless this is specifically laid down at the time the order of punishment is passed or revised on appeal.

(iii) A Government employee in respect of whom one of the penalties included in rule 5(vi) was imposed, will on repromotion count previous service in the higher grade under rule 4.4 of the Punjab Civil Services Rules, Volume I, Part I, unless the order of punishment or the order passed on appeal directs otherwise.

(iv) An order debarring a Government employee from counting his past service in the grade from which he is reduced if and when reappointed to it, amounts to an order of reduction to a stage of the grade lower than that admissible under rule 4.4 of the Punjab Civil Services Rules, Volume I, Part I, and does not, therefore, fall outside the scope of rule 5.

(7) Unauthorised desertion of his post by a Government employee in face of enemy action, or threat of enemy action clearly amounts to grave misconduct and would,

therefore, constitute a 'good and sufficient' reason within the meaning of rule 5, for removal or dismissal in addition to any penalty provided in the East Punjab Essential Services (Maintenance) Act, 1947. Loss of pension would then follow automatically by virtue of the provisions of rule 2.5 of Punjab Civil Service Rules, Volume II, and it would also be possible to forfeit the Government contribution, if any, to the individual's Provident Fund.

6. *Punishing authorities.*—Subject to the provisions of clause (1) of Article 311 of the Constitution of India, the punishing authority shall be such as may be specified in the rules regulating the appointment and conditions of service of the employee concerned.

7. *Authority to institute proceedings.*—(1) The Governor or any other authority empowered by him by general or special order may—

- (a) institute disciplinary proceedings against any Government employee:
- (b) direct a punishing authority to institute disciplinary proceedings against any Government employee on whom that punishing authority is competent to impose under these rules any of the penalties specified in rule 5.

(2) A punishing authority competent under these rules to impose any of the penalties specified in clauses (i) to (iv) of rule 5 may institute disciplinary proceedings against any Government employee, for the imposition of any of the penalties specified in clauses (v) to (ix) of rule 5 notwithstanding that such punishing authority is not competent under these rules to impose any of the latter penalties.

PART IV

8. *Procedure for imposing major penalties.*—(1) No order imposing any of the penalties specified in clauses (v) to (ix) of rule 5 shall be made except after an inquiry held, as far as may be in the manner provided in this rule and rule 9 or in the manner provided by the Public Servants (Inquiries) Act, 1850 (37 of 1850), where such inquiry is held under that Act.

(2) Whenever the punishing authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a Government employee, it may itself inquire into, or appoint under this rule or under the provisions of the Public Servants (Inquiries) Act, 1850, as the case may be, an authority to inquire into the truth thereof.

Explanation.—Where the punishing authority itself holds the inquiry, any reference in sub-rules (7) to (20) and in sub-rule (22) to the inquiring authority shall be construed as a reference to the punishing authority.

(3) Where it is proposed to hold an inquiry against a Government employee under this rule and rule 9, the punishing authority shall draw up or cause to be drawn up :

- (i) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charges ;
- (ii) a statement of imputations of misconduct or mis-behaviour in support of each article of charge, which shall contain—
 - (a) a statement of all relevant facts including any admission or confession made by the Government employee ;
 - (b) a list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained.

(4) The punishing authority shall deliver or cause to be delivered to the Government employee a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the Government employee to submit, within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

(5) (a) On receipt of the written statement of defence, the punishing authority may itself inquire into such of the articles of charge as are not admitted or, if it considers it

necessary so to do, appoint under sub-rule (2), an inquiring authority for the purpose, and where all the articles of charge have been admitted by the Government employee in his written statement of defence, the punishing authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in rule 9.

(b) If no written statement of defence is submitted by the Government employee, the punishing authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint under sub-rule (2), inquiring authority for the purpose.

(c) Where the punishing authority itself inquires into any article of charge or appoints an inquiring authority for holding an enquiry into such charge, it may, by an order appoint a Government employee or a legal practitioner, to be known as the 'Presenting Officer' to present on its behalf the case in support of the articles of charge.

(6) The punishing authority shall where it is not the inquiring authority, forward to the inquiring authority—

- (i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour ;
- (ii) a copy of the written statement of defence, if any, submitted by the Government employee ;
- (iii) a copy of the statements of witnesses, if any, referred to in sub-rule (3) ;
- (iv) evidence proving the delivery of the documents required to be delivered to the Government employee under sub-rule (4) ;
- (v) a copy of the order appointing the "Presenting Officer"

(7) The Government employee shall appear in person before the inquiring authority on such day and at such time within ten working days from the date of receipt by him of the articles of charge and the statement of the imputations of misconduct or misbehaviour as the inquiring authority

may, by notice in writing, specify in this behalf; or within such further time not exceeding ten days, as the inquiring authority may allow.

(8) The Government employee may take the assistance of any other Government employee to present the case on his behalf, but may not engage a legal practitioner for the purpose unless the Presiding Officer appointed by the punishing authority is a legal practitioner, or the punishing authority having regard to the circumstances of the case, so permits.

(9) If the Government employee who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statement of the defence, appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of the charges, the inquiring authority shall record the plea, sign the record and obtain the signature of the Government employee thereon.

(10) The inquiring authority shall return a finding of guilt in respect of those articles of charge to which the Government employee pleads guilty.

(11) The inquiring authority shall if the Government employee fails to appear within the specified time or refuses or omits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge, and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the Government employee may, for the purpose of preparing his defence,—

- (i) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents, specified in the list referred to in sub-rule (3); and
- (ii) submit a list of witnesses to be examined on his behalf :

Note.—If the Government employee applies orally or in writing for the supply of copies of the statements of witnesses mentioned in the list

referred to in sub-rule (3), the inquiring authority shall furnish him with such copies as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the punishing authority.

- (iii) give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow for the discovery or production of any documents which are in the possession of Government but not mentioned in the list referred to in sub-rule (3).

Note.—The Government employee shall indicate the relevance of the documents required by him to be discovered or produced by the Government.

(12) The Inquiring Authority shall, on receipt of the notice for the discovery or production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the document by such date as may be specified in such requisition :

Provided that the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are in its opinion not relevant to the case.

(13) On receipt of the requisition referred to in sub-rule (12), every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority :

Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the state, it shall inform the inquiring authority accordingly and the inquiring authority shall on being so informed, communicate the information to the Government employee and withdraw the requisition made by

it for the production or discovery of such documents.

(14) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the punishing authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the Government employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

(15) If it shall appear necessary before the close of the case on behalf of the punishing authority, the inquiring authority may, in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the Government employee or may itself call for new evidence or recall and re-examine any witnesses and in such case the Government employee shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the date of adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the Government employee an opportunity of inspecting such documents before they are taken on the record. The inquiring authority may also allow the Government employee to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interest of justice.

Note.—New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence which has been produced originally.

(16) When the case for the punishing authority is closed, the Government employee shall be required to state his defence orally or in writing as he may prefer. If the defence is made orally it shall be recorded and the Government employee shall be required to sign the record. In either case, a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.

(17) The evidence on behalf of the Government employee shall then be produced. The Government employee may examine himself in his own behalf if he so prefers. The witnesses produced by the Government employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority according to the provisions applicable to the witnesses for the punishing authority.

(18) The inquiring authority may, after the Government employee closes his case, and shall, if the Government employee has not examined himself, generally question him on the circumstances, appearing against him in the evidence for the purpose of enabling the Government employee to explain any circumstances appearing in the evidence against him.

(19) The inquiring authority may, after the completion of the production of evidence hear the Presenting Officer, if any, appointed, and the Government employee or permit them to file written briefs of their respective cases, if they so desire.

(20) If the Government employee to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of this rule, the inquiring authority may hold the inquiry *ex parte*.

(21) (a) Where a punishing authority competent to impose any of the penalties specified in clauses (i) to (iv) of rule 5 but not competent to impose any of the penalties specified in clauses (v) to (ix) of rule 5 has itself inquired into or caused to be inquired into the articles of any charge and that authority, having regard to its own findings or having regard to its decision on any of the findings of any inquiring authority appointed by it, is of the opinion that the penalties specified in clauses (v) to (ix) of rule 5 should be imposed on the Government employee, that authority shall forward the records of the inquiry to such punishing authority as is competent to impose the last mentioned penalties.

(b) The punishing authority to which the records are so forwarded may act on the evidence on the record or

may, if it is of the opinion that further examination of any of the witnesses is necessary in the interests of justice recall the witness and examine, cross-examine and re-examine the witnesses and may impose on the Government employee such penalty as it may deem fit in accordance with these rules.

(22) Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein, and is succeeded by another inquiring authority which has and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself :

Provided that if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interests of justice, it may recall, examine, cross-examine and re-examine any such witnesses as hereinbefore provided.

(23) (i) After the conclusion of the inquiry, a report shall be prepared and it shall contain—

- (a) the articles of charge and the statement of the imputations of misconduct or misbehaviour ;
- (b) the defence of the Government employee in respect of each article of charge;
- (c) an assessment of the evidence in respect of each article of charge ;
- (d) the findings on each article of charge and the reasons therefor.

Explanation.—If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge :

Provided that the findings on such article of charge shall not be recorded unless the Government

employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) The inquiring authority where it is not itself the punishing authority shall forward to the punishing authority the records of inquiry which shall include—

- (a) the report prepared by it under clause (i) ;
- (b) the written statement of defence, if any, submitted by the Government employee ;
- (c) the oral and documentary evidence produced in the course of the inquiry ;
- (d) written briefs, if any, filed by the Presenting Officer, or the Government employee or both during the course of the inquiry ; and
- (e) the orders, if any, made by the punishing authority and the inquiring authority in regard to the inquiry.

9. *Action on the inquiry report.*—(1) The punishing authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of rule 8 as far as may be.

(2) The punishing authority shall, if it disagrees with the findings of the inquiring authority on any article of charge, record its reasons for each disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the punishing authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (i) to (iv) of rule 5 should be imposed on the Government employee, it shall, notwithstanding anything contained in rule 10, make a order imposing such penalty ;

Provided that in every case where it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the punishing authority to the Commission for its advice and such advice shall be taken into consideration before making any order imposing any penalty on the Government employee.

(4) (i) If the punishing authority having regard to its findings on all or any of the articles of charge, is of the opinion that any of the penalties specified in clauses (v) to (ix) of rule 5 should be imposed on the Government employee, it shall—

(a) furnish to the Government employee a copy of the report of the inquiry held by it and its findings on each article of charge or where the inquiry had been held by an inquiring authority, appointed by it, a copy of the report of such authority and a statement of its findings on each article of charge together with brief reasons for its disagreement, if any, with the findings of the inquiring authority ;

(b) give the Government employee a notice stating the penalty proposed to be imposed on him and calling upon him to submit within fifteen days of receipt of the notice or such further time not exceeding fifteen days, as may be allowed, such representation as he may wish to make on the proposed penalty on the basis of the evidence adduced during the inquiry held under rule 8.

(ii) (a) In every case in which it is necessary to consult the Commission the record of the inquiry, together with a copy of the notice given under clause (i) and the representation made in pursuance of such notice, if any, shall be forwarded by the punishing authority to the Commission for its advice.

(b) The punishing authority shall after considering the representations, if any, made by the Government employee, and the advice given by the Commission determine what penalty, if any, should be imposed on the Government employee and make such order as it may deem fit.

(iii) Where it is not necessary to consult the Commission the punishing authority shall consider the representation, if any, made by the Government employee in pursuance of the notice given to him under clause (i) and determine what penalty, if any, should be imposed on him and make such order as it may deem fit.

10. *Procedure for imposing minor penalties.*—(1) Subject to the provision of sub-rule (3) of rule 9, no order imposing on a Government employee any of the penalties specified in clauses (i) to (iv) of rule 5 shall be made except after—

- (a) informing the Government employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal ;
- (b) holding an inquiry in the manner laid down in sub-rules (3) to (23) of rule 8, in every case in which the punishing authority is of the opinion that such inquiry is necessary ;
- (c) taking the representation, if any, submitted by the Government employee under clause (a) and the record of inquiry, if any, held under clause (b) into consideration ;
- (d) recording a finding on each imputation of misconduct or misbehaviour; and
- (e) consulting the Commission where such consultation is necessary.

(2) The record of the proceedings in such cases shall include—

- (i) a copy of the intimation to the Government employee of the proposal to take action against him ;
- (ii) a copy of the statement of imputations of misconduct or misbehaviour delivered to him ;

- (iii) his representation, if any ;
- (iv) the evidence produced during the inquiry ;
- (v) the advice of the Commission, if any;
- (vi) the findings on each imputation of misconduct or misbehaviour ; and
- (vii) the orders on the case together with the reasons therefor.

11. *Communication of Orders.* Orders made by the punishing authority shall be communicated to the Government employee who shall also be supplied with a copy of the report of the inquiry, if any, held by the punishing authority and a copy of its findings on each article of charge, or, where the punishing authority is not the inquiring authority, a copy of the report of the inquiring authority and a statement of the findings of the punishing authority together with brief reasons for its disagreement, if any, with the findings of the inquiring authority (unless they have already been supplied to him) and also a copy of the advice, if any, given by the Commission and where the punishing authority has not accepted the advice of the Commission, a brief statement of the reasons for such non-acceptance.

12. *Common Proceedings.*—(1) Where two or more Government employees are concerned in any case the Governor or any other authority competent to impose the penalty of dismissal from service on all such Government employees may make an order directing that disciplinary action against all of them may be taken in a common proceeding.

Note.—If the authorities competent to impose the penalty of dismissal on such Government employees are different, an order for taking disciplinary action in a common proceeding may be made by the highest of such authorities with the consent of the others.

- (2) Any order under sub-rule (1) shall specify—
 - (i) the authority which may function as the punishing authority for the purpose of such common proceeding ;
 - (ii) the penalties specified in rule 5, which such punishing authority shall be competent to impose ;

- (iii) whether the procedure laid down in rule 8 and rule 9 or rule 10 shall be followed in the proceedings.

13. *Special procedure in certain cases.*—Notwithstanding anything contained in rules 8, 9, 10, 11 and 12—

- (i) where any penalty is imposed on a Government employee on the ground of conduct which has led to his conviction on a criminal charge ; or
- (ii) where the punishing authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules ; or
- (iii) Where the Governor is satisfied that in the interest of the security of the State, it is not expedient to hold any inquiry in the manner provided in these rules, the punishing authority may consider the circumstances of the case and make such orders thereon as it deems fit :

Provided that the Commission shall be consulted, where such consultation is necessary, before any orders are made in any case under this rule.

PART V

(APPEALS)

14. *Orders against which no appeal lies.*—Notwithstanding anything contained in this part, no appeal shall lie against—

- (i) any order made by the Governor ;
- (ii) any order of an interlocutory nature of the nature to step-in-aid of the final disposal of a disciplinary proceedings other than an order of suspension ;
- (iii) any order passed by an inquiring authority in the course of an inquiry under rule 8.

15. *Orders against which appeal lies.*—Subject to the provisions of rule 14 a Government employee may prefer

an appeal against all or any of the following orders, namely :—

- (i) an order of suspension made or deemed to have been made under rule 4 ;
- (ii) an order imposing any of the penalties specified in rule 5 whether made by the punishing authority or by any appellate or reviewing authority;
- (iii) an order enhancing any penalty imposed under rule 5;
- (iv) an order which—
 - (a) denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement ;
 - (b) interprets to his disadvantage the provisions of any such rule or agreement;
- (v) an order—
 - (a) stopping him at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar ;
 - (b) reverting him while officiating in a higher service grade or post to a lower service, grade or post, otherwise than as a penalty ;
 - (c) reducing or withholding the pension or denying the maximum pension admissible to him under the rules ;
 - (d) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof ; or
 - (e) determining his pay and allowances—
 - (i) for the period of suspension; or

- (ii) for the period from the date of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service, grade, post, time scale or stage in a time-scale of pay to the date of his retirement or restoration to his service, grade or post, or

- (f) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, time-scale of pay or stage in a time scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as a period spent on duty for any purpose.

Explanation.—In this rule—

- (i) the expression 'Government employee' includes a person who has ceased to be in Government service ;
- (ii) the expression 'pension' includes additional pension, gratuity and any other retirement benefit.

16. *Appellate authorities.*—A Government employee, including a person who has ceased to be a Government employee, may prefer an appeal against all or any of the orders specified in rule 15 to the authority specified in this behalf in the rules regulating his appointment and conditions of service.

17. *Period of limitations of appeal.*—No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of forty-five days from the date on which a copy of the order appealed against is delivered to the appellant :

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

18. *Form and contents of appeal.*—(1) Every person preferring an appeal shall do so separately and in his own name.

(2) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain material statements and arguments on which the appellant relies but shall not contain any disrespectful or improper language, and shall be complete in itself.

(3) The authority which made the order appealed against shall on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant record to the appellate authority without any avoidable delay and without waiting for any direction from the appellate authority.

19. *Consideration of appeal.*—(1) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of rule 4 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against an order imposing any of the penalties specified in rule 5 or enhancing any penalty imposed under the said rule, the appellate authority shall consider—

(a) whether the procedure laid down in these rules has been complied with, and if not, whether such non-compliance has resulted in the violation of any provision of the Constitution of India or in the failure of justice ;

(b) whether the findings of the punishing authority are warranted by the evidence on the record; and

(c) whether the penalty or the enhanced penalty imposed is adequate, inadequate or severe ;

and pass orders—

(i) confirming, enhancing, reducing or setting aside the penalty ; or

(ii) remitting the case to the authority which imposed or enhanced the penalty or to any other

authority with such direction as it may deem fit in the circumstances of the case :

Provided that—

- (i) the Commission shall be consulted in all cases where such consultation is necessary ;
- (ii) if the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (v) to (ix) of rule 5 and an inquiry under rule 8 has not already been held in the case, the appellate authority shall subject to the provisions of rule 13, itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of rule 8 and thereafter, on a consideration of the proceedings of such inquiry and after giving the appellant a reasonable opportunity as far as may be in accordance with the provisions of sub-rule (4) of rule 9 of making a representation against the penalty proposed on the basis of the evidence adduced during such inquiry make such orders as it may deem fit ;
- (iii) if the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (v) to (ix) of rule 5 and an inquiry under rule 8 has already been held in the case, the appellate authority shall, after giving the appellant a reasonable opportunity as far as may be in accordance with the provisions of sub-rule (4) of rule 9 of making a representation against the penalty proposed on the basis of the evidence adduced during the inquiry, make such orders as it may deem fit, and
- (iv) no order imposing an enhanced penalty shall be made in any other case unless the appellant has been given a reasonable opportunity as far as may be in accordance with the provisions of rule 10 of making a representation against such enhanced penalty.

20. *Implementation of order in appeal.*—The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

PART VI

21. *Review.*—(1) Notwithstanding anything contained in these rules,—

- (i) the Governor ; or
- (ii) the appellate authority, within six months of the date of the order proposed to be reviewed ; or
- (iii) any other authority, specified in this behalf by the Governor by a general or special order, and within such time as may be prescribed in such general or special order;

may at any time, either on his or its own motion or otherwise call for the records of any inquiry and review any order made under these rules or under the rules repealed by rule 25 from which an appeal is allowed, but from which no appeal has been preferred or from which no appeal is allowed, after consultation with the Commission where such consultation is necessary, and may—

- (a) confirm, modify or set aside the order ; or
- (b) confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed ; or
- (c) remit the case to the authority which made the order or to any other authority directing such authority to make such further inquiry as it may consider proper in the circumstances of the case ; or
- (d) pass such other orders as it may deem fit :

Provided that no order imposing or enhancing any penalty shall be made by any reviewing authority unless the Government employee concerned has been given a reasonable opportunity of making a representation against the penalty proposed and where it is proposed to impose any of the penalties specified in clauses (v) to (ix) of rule 5 or to enhance the penalty imposed by

the order sought to be reviewed to any of the penalties specified in those clauses, no such penalty shall be imposed except after an inquiry in the manner laid down in rule 8 and after giving a reasonable opportunity to the Government employee concerned of showing cause against the penalty proposed on the evidence adduced during the inquiry and except after consultation with the Commission, where such consultation is necessary.

PART VII—MISCELLANEOUS

22. *Service of orders, notices, etc.*—Every order, notice and other process made or issued under these rules shall be served in person on the Government employee concerned or communicated to him by registered post.

23. *Power to relax time-limit and to condone delay.*—Save as otherwise expressly provided in these rules, the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown extend the time specified in these rules for anything required to be done under these rules or condone any delay.

24. *Supply of copy of commission's advice.*—Whenever the Commission is consulted as provided in these rules, a copy of the advice by the Commission and where such advice has not been accepted, also a brief statement of the reasons for such non-acceptance, shall be furnished to Government employee concerned with a copy of the order passed in the case, by the authority making the order.

25. *Repeal and Saving.*—The Punjab Civil Service (Punishment and Appeal) Rules, 1952, and any notifications or orders issued in so far as they are inconsistent with these rules, are hereby repealed :

Provided that—

- (a) such repeal shall not affect the previous operation of the said rules or any notification or order

made, or anything done, or any action taken, thereunder ; and

- (b) any proceedings under the said rules, pending at the commencement of these rules, shall be continued and disposed of, as far may be in accordance with the provisions of these rules as if such proceedings were proceedings under these rules.

(2) Nothing in these rules shall be construed as depriving any person to whom these rules apply of any right of appeal which had accrued to him under the rules, notification or orders in force before the commencement of these rules.

(3) An appeal pending at the commencement of these rules against an order made before such commencement shall be considered and orders thereon shall be made in accordance with these rules, as if such order were made and the appeal was preferred under these rules.

(4) As from the commencement of these rules any appeal or application for review against any orders made before such commencement shall be preferred or made under these rules, as if such orders were made under these rules :

Provided that nothing in these rules shall be construed as reducing any period of limitation for any appeal or review provided by any rule in force before the commencement of these rules.

25. *Removal of doubts.*—If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Governor or such other authority, as may be specified by the Governor by a general or special order, and the Governor or such other authority shall decide the same.

S. S. GREWAL,
Chief Secretary to Government.
Punjab.

Copy of Punjab Government Circular letter No. 5653-SII (3)-70, dated 3rd September, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Raising of welcome—arches on the visit of the Chief Minister.

I am desired to say that the Chief Minister, Punjab, during his tours in the countryside, has noticed that wherever he goes, welcome-arches are being raised. He learns that the official machinery, especially the Block Development Officers, concern themselves with these kinds of arrangements. This is undesirable as it not only takes away from the spontaneous character of public receptions but also puts a needless burden on the official machinery. It is also apt to encourage a certain measure of competition in the districts and blocks so as to get up organised receptions of a demonstrative kind for the Chief Minister. The Chief Minister does not approve of this.

2. I am, therefore, desired to tell you that the use of official machinery for organising receptions in this manner should be stopped by suitably impressing upon the district personnel.

Copy of Circular letter No. 5680-SII(2)-70/24097, dated 14th September, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc, etc.

Subject : Leave Travel Concession—Liberalisation of.

I am directed to forward a copy of the Government of India, Ministry of Home Affairs letter No. 16/4/67-AIS(II), dated the 4/5th April, 1967, with its enclosures in regard to the grant of travel concession to the Central Government servants and to inform you that the Governor of Punjab is pleased to accord sanction to the grant of these travel concessions *mutatis mutandis* to all Government servants under the rule making control of Punjab Government and All-India Service Officers serving under this State Government from the date of issue of this letter.

2. This issues with the concurrence of the Finance Department, vide their U.O. No. 5957(3)-FR-70, dated the 28th August, 1970.

Copy of letter No. 16/6/67-AIS(II), dated the 4th April, 1967, from the Government of India, Ministry of Home Affairs, New Delhi to the Chief Secretaries of all State Governments (except Nagaland)

Subject : Leave Travel Concession admissible to Central Government servants—Reimbursement by Government—Liberalisation of.

I am directed to forward herewith a copy of the Home Minister's office Memorandum No. 436/67-Estts. (a), dated the 10th March, 1967, on the above subject, for being circulated among the All-India Services Officers serving under your State Government, for their information. The orders contained therein will apply to the AIS officers also.

Copy of O.M. No. 43/6/66-Ests. (a), dated the 10th March, 1967, from the Government of India, Ministry of Home Affairs, New Delhi, to all Ministries/Departments, etc.

Subject : Leave Travel Concession admissible to Central Government servants—Reimbursement by Government—Liberalisation of.

The undersigned is directed to say that representations have been made from time to time that the scheme of leave Travel Concession should be further liberalised providing for 100 per cent reimbursement of the entire fare for the journey to Home Town from Headquarters and back. These representations have been carefully considered by Government and it has been decided that while the entire cost of fares for the initial 400 Kms. (160 Kms. in the case of Class IV staff on the outward and return journeys should continue to be borne by the Government servants, the actual fare for the remaining distance should

be reimbursed by Government in full instead of 90 per cent as at present. Consequent on this decision, references to reimbursement by Government at 90 per cent in the various office Memoranda issued by the Ministry of Home Affairs from time to time shall be construed as references to reimbursement in full and these office memoranda shall be deemed to have been amended accordingly.

2. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor-General of India.

3. These orders will apply to all cases where the outward journey from Headquarters to Home Town commenced on or after the date of issue of these orders.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਟੀ ਪੱਤਰ ਨੰ: 5849-ਸII-(3)-70/24850 ਮਿਤੀ 15 ਸਤੰਬਰ 1970
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ: ਪਬਲਿਕ ਦੇ ਆਦਮੀਆਂ ਨਾਲ 'ਲੂਜ਼ ਟਾਕ' ਕਰਨ ਤੇ ਰੋਕ।

ਵਰਤਮਾਨ ਹਦਾਇਤਾਂ ਦੇ ਅਨੁਸਾਰ ਅਫ਼ਸਰਾਂ ਨੂੰ ਚਾਹੀਦਾ ਹੈ ਕਿ ਉਹ ਜੰਤਾ ਨੂੰ ਮਿਲਣ ਵਿੱਚ ਕੋਈ ਸੰਕੋਚ ਨਾ ਕਰਨ। ਉਨ੍ਹਾਂ ਨੂੰ ਪ੍ਰਮ ਪੂਰਵਕ ਸੁਣ ਕੇ ਉਨ੍ਹਾਂ ਦੀਆਂ ਸ਼ਕਾਇਤਾਂ ਅਤੇ ਦੁਖ ਤਕਲੀਫ਼ਾਂ ਨੂੰ ਦੂਰ ਕਰਨ ਦਾ ਹਰ ਸੰਭਵ ਜਤਨ ਕਰਨ। ਪਰ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਜਦੋਂ ਪਬਲਿਕ ਆਦਮੀ ਆਪਣੇ ਨਿਜੀ ਕੰਮਾਂ ਅਤੇ ਤਕਲੀਫ਼ਾਂ ਲਈ ਅਫ਼ਸਰਾਂ ਕੋਲ ਜਾਂਦੇ ਹਨ ਤਾਂ ਕੋਈ ਅਫ਼ਸਰ ਉਨ੍ਹਾਂ ਨੂੰ ਸਹੀ ਰਸਤਾ ਨਹੀਂ ਦਸਦੇ ਪ੍ਰੰਤੂ ਢਾਲਤੂ ਗੱਲਾਂ ਕਰਦੇ ਹਨ ਅਤੇ ਕਹਿੰਦੇ ਹਨ ਕਿ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਜਾਂ ਕਿਸੇ ਹੋਰ ਮੰਤਰੀ ਕੋਲੋਂ ਹੁਕਮ ਲਿਖਵਾ ਕੇ ਲੈ ਆਓ ਫਿਰ ਉਨ੍ਹਾਂ ਦਾ ਕੰਮ ਕਰ ਦਿੱਤਾ ਜਾਵੇਗਾ।

2. ਕਿਉਂ ਜੋ ਉਪਰੋਕਤ ਕਿਸਮ ਦੀ ਰੁਚੀ ਬਹੁਤ ਇਤਰਾਜ਼ਯੋਗ ਹੈ ਇਸ ਲਈ ਸਰਕਾਰ ਚਾਹੁੰਦੀ ਹੈ ਕਿ ਇਸ ਤਰ੍ਹਾਂ ਦੀ ਰੀਤੀ (ਪ੍ਰੈਕਟਿਸ) ਤੁਰਤ ਬੰਦ ਕਰ ਦਿੱਤੀ ਜਾਵੇ। ਆਪ ਦੇ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਸਾਰੇ ਅਫ਼ਸਰਾਂ ਨੂੰ ਵੀ ਇਹ ਦਸ ਦਿੱਤਾ ਜਾਵੇ ਕਿ ਜੇ ਕਿਸੇ ਨੇ ਇਸ ਤਰ੍ਹਾਂ ਪਬਲਿਕ ਨੂੰ ਕੁਚਾਹੇ ਪਾਇਆ ਤਾਂ ਉਸ ਵਿਰੁੱਧ ਕਾਰਜੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਕਮੀਦ ਭੇਜੀ ਜਾਵੇ।

Copy of Punjab Government Circular letter No. 5756-SII (3)-70, dated 5th October 1970, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.,

Subject : Demobilised Army Personnel—Concessions when recruited against unreserved vacancies.

I am directed to address you on the subject noted above and to say that the various concessions granted under the demobilised Indian Armed Forces Personnel (Reservation of vacancies in the Punjab State Non-Technical Services, Medical and Engineering Services, and P.C.S. (Judicial Branch) Rules notified on 17th June, 1968, 19th September, 1968 and 15th September, 1969, respectively are admissible only when the persons concerned are selected against the reserved vacancies. In this connection it is clarified that in order to remain within the scope of the relevant Rules, referred to above, the concessions in question cannot be extended against unreserved vacancies. But where a released Army Personnel has qualified against a non-reserved vacancy and has been appointed against a general unreserved vacancy in the first instance he should be given an option (only at the time of first appointment) to accept a reserved vacancy even if it occurs subsequent to his appointment. This will automatically give the benefit of concessions like seniority etc. in the manner specified in the Rules *ibid*.

Copy of Punjab Government Circular letter No. 5128-SII (3)-70/27373, dated 22nd October, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Department etc., etc.

Subject : Investment in Shares of Companies etc. by Government Employees—Question of exercising control thereon.

I am directed to address you on the subject noted above and to say that a question has arisen as to whether purchase and sale of equity shares of various limited Companies/Concerns by Government employees tantamount to speculation and attract the provisions of the Punjab Government Employees (Conduct) Rules, 1966.

It is obvious from Rules 15, 16 and 18(3) of these Rules that the intention is to check corruption and to ensure that no official holds property in disproportion to his legitimate earning and he does not indulge in speculation for capital gains. While there is no objection to occasional purchase or sale of shares of joint stock companies through recognised and bonafide dealers, there should be some effective check against speculation through such transactions. With this end in view, it is necessary that a Government employee should inform the competent authority of each sale of shares immediately after the transaction even if it is through a bona fide dealer. The annual property return of the Government employee should also be scrutinised with this consideration in view.

2. All employees working under you should be informed of the instructions for compliance.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 6586-ਸII-(3)-70/29137 ਮਿਤੀ 17 ਨਵੰਬਰ 1970
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਆਦਿ।

ਵਿਸ਼ਾ:— ਸਰਕਾਰੀ ਦਫ਼ਤਰਾਂ ਵਿਚ ਪੰਜਾਬੀ ਭਾਸ਼ਾ ਦਾ ਪ੍ਰਚਲਣ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਸਰਕਾਰ ਵਲੋਂ ਕਈ ਵਾਰ ਇਹ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕੀਤੀਆਂ ਜਾ ਚੁਕੀਆਂ ਹਨ ਕਿ ਪੰਜਾਬ ਭਾਸ਼ਾ ਅੰਕਣ ਦੇ ਅਧੀਨ ਦਫ਼ਤਰਾਂ ਦਾ ਸਾਰਾ ਕੰਮ ਕਾਜ ਪੰਜਾਬੀ ਭਾਸ਼ਾ ਵਿਚ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ। ਇਹ ਵੀ ਸਪਸ਼ਟ ਕਰ ਦਿੱਤਾ ਗਿਆ ਹੈ ਕਿ ਇਸ ਸਬੰਧੀ ਅਣਗਹਿਲੀ ਕਰਨ ਵਾਲਿਆਂ ਦੇ ਵਿਰੁਧ ਅਨੁਸ਼ਾਸਨਕ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ। ਪ੍ਰੰਤੂ ਇਸ ਦੇ ਬਾਵਜੂਦ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਪੰਜਾਬੀ ਵਿਚ ਕੰਮ ਕਰਨ ਬਾਰੇ ਸਰਕਾਰੀ ਹਦਾਇਤਾਂ ਦੀ ਪਾਲਣਾ ਨਹੀਂ ਹੋ ਰਹੀ ਅਤੇ ਦਫ਼ਤਰਾਂ ਵਿਚ ਬਹੁਤ ਸਾਰਾ ਕੰਮ ਅੰਗਰੇਜ਼ੀ ਵਿਚ ਹੋ ਰਿਹਾ ਹੈ। ਇਸ ਲਈ ਇਹ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਆਪ ਸਭ ਇਸ ਗੱਲ ਦਾ ਨਿਸ਼ਚਾ ਕਰੋ ਕਿ ਸਰਕਾਰੀ ਕੰਮ ਕਾਜ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਪੰਜਾਬੀ ਵਿਚ ਹੋਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 220-ਸII(3)-71, ਮਿਤੀ 19 ਜਨਵਰੀ, 1971
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਆਦਿ।

ਵਿਸ਼ਾ:— ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਅਤੇ ਮਿਲਟਰੀ ਵਿਚੋਂ ਚਿਲੀਜ਼ ਹੋਏ ਸਾਬਕਾ ਫੌਜੀਆਂ ਲਈ ਅਤੇ ਹੋਰ ਕਿਸੇ ਕਿਸਮ ਦੀਆਂ ਸੁਰੱਖਿਅਤ ਆਸਾਮੀਆਂ ਸਬੰਧੀ ਇਸ਼ਤਿਹਾਰ ਪ੍ਰਕਾਸ਼ਤ ਕਰਨ ਸਮੇਂ ਵੱਧ ਤੋਂ ਵੱਧ 45 ਪ੍ਰਤੀਸ਼ਤ ਦੀ ਹੱਦ ਨਾ ਪਾਰ ਕਰਨ ਬਾਰੇ ਹਦਾਇਤਾਂ।

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਨੂੰ ਸੰਬੋਧ ਕਰਨ ਦੀ ਅਤੇ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਸੰਵਿਧਾਨਕ ਮੁਸ਼ਕਲਾਂ ਅਤੇ ਉਚਰਤ ਅਦਾਲਤੀ ਫੈਸਲਿਆਂ ਨੂੰ ਮੁੱਖ ਰਖਦੇ ਹੋਏ ਨਿਮਨਲਿਖਤ ਉਪਬੰਧ ਕੀਤੇ ਗਏ ਸੀ:—

- (1) Proviso under Rule 2(3) of the Demobilised Indian Armed Force Personnel (Reservation of

Vacancies in the Punjab Civil Services (Judicial Branch) Rules, 1969.

"Provided further that the total number of vacancies reserved for the Released Indian Armed Forces Personnel and the Scheduled Castes, Scheduled Tribes and Backward Classes, in the Punjab Civil Services (Judicial Branch) shall not exceed, in any year, forty-five per cent of the total number of vacancies to be filled up by direct recruitment in the Service in that year"

- (2) Rule 3(4) of Demobilised Armed Forces Personnel (Reservation of vacancies in the Punjab State—Non-Technical Services) Rules, 1968 :

"3(4) Notwithstanding anything contained in these rules, the total number of vacancies reserved for the Released Armed Forces Personnel and the Scheduled Castes, Scheduled Tribes and Backward Classes, in any service, shall not exceed, in any year, 50 per cent of the total number of vacancies to be filled up in that service in that year."

2 ਭਾਰਤ ਸਰਕਾਰ ਨੇ ਵੀ ਉਪਰੋਕਤ ਲੀਹਾਂ ਤੇ ਆਪਣੇ ਅਧੀਨ ਸੇਵਾਵਾਂ ਸਬੰਧੀ ਨਿਮਨ ਉਪਬੰਧ ਕੀਤੇ ਹੋਏ ਸਨ:

ਸਰਬ ਭਾਰਤੀ ਸੇਵਾ ਐਮਰਜੈਂਸੀ ਕਮਿਸ਼ਨਰ ਸ਼ਾਰਟ ਕਮਿਸ਼ਨ ਦੇ ਮੁਕਾਬਲੇ ਦੀ ਪ੍ਰੀਖਿਆ ਸਬੰਧੀ ਰੈਗੂਲੇਸ਼ਨ, 1966:-

Item. 3. the total number of vacancies reserved for released Emergency Commissioned and Short Commissioned Officers and for the members of the Scheduled Castes and Scheduled Tribes under any rule or order for the time being in force, shall not exceed in any year, 45 per cent of the total number of vacancies to be filled in that year through the competitive examinations and selection etc.

[Extract from Govt. of India, Ministry of Home Affairs Office Memo No. 14/11/68-70(D).

"the total reservations for the ex-servicemen, Scheduled Castes and Scheduled Tribes taken together does not exceed 45 per cent of the total vacancies to be filled by direct recruitment in one year."

3. ਉਪਰੋਕਤ ਪੰਨਾ 1 ਵਿਚ ਦਿੱਤੇ ਹਵਾਲੇ ਦੇ ਉਪਬੰਧਾਂ ਦੇ ਬਾਵਜੂਦ ਇਹ ਵੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਰਾਜ ਸਰਕਾਰ ਦੇ ਕਈ ਵਿਭਾਗ ਆਪਣੇ ਅਧੀਨ ਖਾਲੀ ਆਸਾਮੀਆਂ ਸਬੰਧੀ ਇਸ਼ਤਿਹਾਰ ਦੇਣ ਸਮੇਂ ਇਸ ਗੱਲ ਦਾ ਖਿਆਲ ਨਹੀਂ ਰਖਦੇ ਕਿ ਸੁਰੱਖਿਅਤ ਆਸਾਮੀਆਂ ਦੀ ਮਿਥੀ ਹੱਦ ਦੀ ਉਲੰਘਣਾ ਨਾ ਕੀਤੀ ਜਾਵੇ। ਅਜਿਹੀ ਗਲਤੀ ਦੇ ਫਲਸਰੂਪ ਕਈ ਇਸ਼ਤਿਹਾਰ 100 ਫੀਸਦੀ ਆਸਾਮੀਆਂ ਨੂੰ ਸੁਰੱਖਿਅਤ ਕਰਨ ਬਾਰੇ ਵੀ ਵੇਖਣ ਵਿਚ ਆਏ ਹਨ। ਭਵਿੱਖ ਵਿਚ ਅਜਿਹੀ ਗਲਤੀ ਤੋਂ ਬਚਣ ਲਈ ਅਤੇ ਸੰਵਿਧਾਨਕ ਮੁਸ਼ਕਲਾਂ ਦੀ ਇਤਹਾਸ ਵਜੋਂ ਅਤੇ ਉਚਤਰ ਅਦਾਲਤੀ ਫੈਸਲਿਆਂ ਦੇ ਫਲਸਰੂਪ ਉਲਝਣ ਤੋਂ ਬਚਣ ਲਈ ਸਮੂਹ ਵਿਭਾਗਾਂ ਨੂੰ ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਹ ਖਾਲੀ ਆਸਾਮੀਆਂ ਨੂੰ ਭਰਨ ਸਬੰਧੀ ਇਸ਼ਤਿਹਾਰ ਦੇਣ ਸਮੇਂ ਚਾਹੇ ਉਹ ਲੋਕ ਸੰਘਾ ਕਮਿਸ਼ਨ ਜਾਂ ਕਿਸੇ ਹੋਰ ਚੋਣ ਅਥਾਰਟੀ ਰਾਹੀਂ ਦਿੱਤੇ ਜਾਣ, ਇਸ ਗੱਲ ਦਾ ਖਿਆਲ ਰਖਣ ਕਿ ਕਿਸੇ ਨਿਯਮ, ਹੁਕਮ ਜਾਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਸੁਰੱਖਿਅਤ ਰਖਣ ਵਾਲੀਆਂ ਆਸਾਮੀਆਂ ਦੀ ਗਿਣਤੀ ਕਿਸੇ ਸਾਲ ਅਜਿਹੀਆਂ ਕੁਲ ਆਸਾਮੀਆਂ, ਜਿਹੜੀਆਂ ਉਸ ਸਾਲ ਕਿਸੇ ਢੰਗ ਰਾਹੀਂ ਭਰੀਆਂ ਜਾਣੀਆਂ ਹੋਣ, ਦੀ ਕੁਲ ਗਿਣਤੀ ਦੀ 45 ਪ੍ਰਤੀਸ਼ਤ ਤੋਂ ਵੱਧ ਨਾ ਹੋਣ।

4. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਕਮਿਸ਼ਨ ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 176-ਸII(3)-71 ਮਿਤੀ 19 ਜਨਵਰੀ, 1971
ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਸਿਵਲ ਸਰਵਿਸਜ਼ (ਸਟੈਨੇਗਰਾਫ਼ਰਜ਼ ਤੇ ਸਟੈਨੋਟਾਈਪਿਸਟਾਂ ਦੀ ਪ੍ਰੋਮੋਸ਼ਨ)
ਨਿਯਮ, 1961 ਸਬੰਧੀ ਹਾਈ ਕੋਰਟ ਦਾ ਫ਼ੈਸਲਾ।

ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਪੰਜਾਬ ਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ ਨੇ ਐਲ. ਪੀ. ਏ. ਨੰ: 197 ਆਰ 1970 ਵਿਚ ਫ਼ੈਸਲਾ ਦਿੰਦੇ ਹੋਏ ਪੰਜਾਬ ਸਿਵਲ ਸਰਵਿਸਜ਼ (ਸਟੈਨੇਗਰਾਫ਼ਰਜ਼ ਤੇ ਸਟੈਨੋਟਾਈਪਿਸਟਾਂ ਦੀ ਪ੍ਰੋਮੋਸ਼ਨ) ਨਿਯਮ, 1961 ਸਬੰਧੀ ਨਿਮਨ ਟਿਪਣੀ ਦਿੱਤੀ ਹੈ।

.....We have no doubt in our mind that rule 3 of the Rules of 1961 did bring about a change in the Service conditions, to the disadvantage of Sat Parkash, appellant and, therefore, required approval of the Central Government under the proviso to Sub-Section (7) of Section 115, of the Act and as the required approval was not obtained, this rule was invalid *qua* this appellant or the persons similarly situated. Inasmuch as the restrictions contained in rule 3 regarding qualifications etc. did not apply to the appellant, his promotion was not assailable on the ground of the appellant not being qualified for such a promotion.

2. ਉਪਰੋਕਤ ਟਿਪਣੀ ਤੋਂ ਇਕ ਗੱਲ ਸਪਸ਼ਟ ਹੈ ਕਿ ਉਪਰੋਕਤ ਨਿਯਮਾਵਲੀ ਸਮੁੱਚੇ ਤੌਰ 'ਤੇ ਅਸੰਵਿਧਾਨਕ ਨਹੀਂ ਠਹਿਰਾਈ ਗਈ ਸਗੋਂ ਅਪੀਲ ਕਰਨ ਵਾਲੇ ਵਿਅਕਤੀ ਜਾਂ ਇਸ ਤਰ੍ਹਾਂ ਦੇ ਹਾਲਾਤ ਦੇ ਦਾਇਰੇ ਵਿਚ ਆਉਣ ਵਾਲੇ ਹੋਰ ਕਰਮਚਾਰੀਆਂ ਸਬੰਧੀ ਅਸੰਵਿਧਾਨਕ ਠਹਿਰਾਈ ਗਈ ਹੈ। ਇਸ ਲਈ ਨਿਯਮਾਵਲੀ ਨੂੰ ਨਵੇਂ ਸਿਰਿਉਂ ਭਾਰਤ ਸਰਕਾਰ ਦੀ ਪਰਵਾਨਗੀ ਲੈਕੇ ਸੋਧਣ ਦੀ ਲੋੜ ਨਹੀਂ ਰੇਵਲ ਇਨ੍ਹਾਂ ਨਿਯਮਾਂ ਨੂੰ ਜਿਥੇ ਕਿਤੇ ਅਜਿਹੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਕੇਸਾਂ ਵਿਚ ਲਾਗੂ ਕੀਤਾ ਜਾਵੇ ਜਿਹੜੇ ਪੁਨਰਗਠਨ ਐਕਟ 1956 ਦੀ ਧਾਰਾ 115 ਦੇ ਬਚਾਓ ਦੇ ਭਾਗੀ ਹੋਣ ਤਾਂ ਪ੍ਰਬੰਧਕੀ ਵਿਭਾਗ ਉਸ ਵਿਅਕਤੀਤਵ ਕੇਸ ਵਿਚ ਭਾਰਤ ਸਰਕਾਰ ਦੀ ਪਹਿਲਾਂ ਤੋਂ ਪਰਵਾਨਗੀ ਲੈ ਲੈਣ। ਅਸਲ ਵਿਚ ਅਜਿਹਾ ਕਰਨ ਦੀ ਵੀ ਲੋੜ ਨਹੀਂ ਪਵੇਗੀ ਜਦ ਤੱਕ ਕਿ ਸੁਪਰੀਮ ਕੋਰਟ ਇਹ ਫੈਸਲਾ ਨਹੀਂ ਕਰ ਦਿੰਦੀ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਵਿਭਾਗੀ ਪ੍ਰੀਖਿਆਵਾਂ ਸਬੰਧੀ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕਰਨਾ ਉਚਿਤ ਸੀ ਜਾਂ ਕਿ ਨਹੀਂ। ਫਿਰ ਵੀ ਪ੍ਰਬੰਧਕੀ ਵਿਭਾਗਾਂ ਨੂੰ ਇਤਯਾਤ ਦੇ ਤੌਰ 'ਤੇ ਉਪਰੋਕਤ ਟਿਪਣੀ ਤੇ ਇਹ ਹਦਾਇਤ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਹ ਵਿਅਕਤੀਤਵ ਕੇਸਾਂ ਵਿਚ ਭਾਰਤ ਸਰਕਾਰ ਦੀ ਪਰਵਾਨਗੀ ਲੈ ਲਿਆ ਕਰਨ।

ਕਾਪੀ ਅੱਧ ਸਰਕਾਰੀ ਪਤਰ ਨੰ: 7503-ਸII (3)-70/1728 ਮਿਤੀ 30 ਜਨਵਰੀ, 1971 ਵਲੋਂ ਸ਼੍ਰੀ ਐਸ. ਐਸ. ਗਰੇਵਾਲ, ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵਲ ਸਾਰੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ।

ਵਿਸ਼ਾ:-ਰਾਜ ਦੀਆਂ ਸੇਵਾਵਾਂ ਸਬੰਧੀ ਨਵੀਆਂ ਨਿਯਮਾਵਲੀਆਂ ਨੂੰ ਬਣਾਉਣ ਅਤੇ ਪੁਰਾਣੀਆਂ ਨਿਯਮਾਵਲੀਆਂ ਨੂੰ ਸੋਧਣ ਦਾ ਕੰਮ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ 'ਤੇ ਆਪ ਦਾ ਧਿਆਨ ਸੰਯੁਕਤ ਸਕੱਤਰ ਸੇਵਾਵਾਂ ਤੇ ਰਾਸ਼ਨੀਤੀ ਦੇ ਅ.ਸ.ਪ. ਨੰ: 3142-ਸII(3)-70, ਮਿਤੀ 4 ਜੁਲਾਈ, 1970 ਵੱਲ ਦਵਾਉਂਦੇ ਹੋਏ ਮੈਂ ਇਸ ਸਬੰਧੀ ਨਿਮਨ ਪਹਿਲੂਆਂ 'ਤੇ ਜ਼ੋਰ ਦੇਣਾ ਚਾਹੁੰਦਾ ਹਾਂ:

(ੳ) ਭਿੰਨ ਭਿੰਨ ਰਾਜ ਸੇਵਾਵਾਂ ਸਬੰਧੀ ਨਿਯਮਾਵਲੀਆਂ ਬਣਾਉਣਾ ਜਿਹੜੀਆਂ ਸੰਵਿਧਾਨ ਦੇ ਅਨੁਕੂਲ ਹੋਣ ਉਸ ਦੀ ਧਾਰਾ 309 ਅਨੁਸਾਰ ਇਕ ਕਾਨੂੰਨੀ ਲੋੜ ਹੈ।

(ਅ) ਸੰਵਿਧਾਨ ਦੀ ਹੇਂਦ ਵਿਚ ਆਉਣ ਤੋਂ ਪਹਿਲਾਂ ਦੀਆਂ ਨਿਯਮਾਵਲੀਆਂ ਦੀ ਸੋਧ ਉਸ ਦੀ ਧਾਰਾ 313 ਅਨੁਸਾਰ ਅਤੇ ਹੁਣ ਤਕ ਦਿੱਤੇ ਕਾਨੂੰਨੀ ਫੈਸਲਿਆਂ ਨੂੰ ਮੁੱਖ ਰੱਖਕੇ, ਪ੍ਰਬੰਧਕੀ ਤੌਰ 'ਤੇ ਜ਼ਰੂਰੀ ਹੈ।

(ੲ) ਸੇਵਾਵਾਂ ਵਿਭਾਗ ਨੇ 1965 ਵਿਚ ਮੌਡਲ ਨਿਯਮਾਵਲੀ ਬਣਾ ਕੇ ਸਮੂਹ ਵਿਭਾਗ ਨੂੰ, ਨਵੇਂ ਨਿਯਮ ਬਣਾਉਣ ਅਤੇ ਪੁਰਾਣੇ ਨਿਯਮਾਂ ਨੂੰ ਦੁਹਰਾਉਣ ਦੇ ਕੰਮ ਨੂੰ ਛੇਤੀ ਤੋਂ ਛੇਤੀ ਨਜਿਠਣ ਲਈ ਭੇਜੀ ਸੀ ਪ੍ਰੰਤੂ ਇਸ ਤੋਂ ਉਪਰੰਤ 5 ਸਾਲ ਦਾ ਸਮਾਂ ਬੀਤ ਜਾਣ ਤੇ ਵੀ ਵਿਭਾਗਾਂ ਵਲੋਂ ਛੇਤੀ ਉਤਸ਼ਾਹ ਜਨਕ ਪ੍ਰਗਤੀ ਨਹੀਂ ਹੋਈ ਹਾਲਾਂਕੇ ਸੇਵਾਵਾਂ ਵਿਭਾਗ ਲਗਾਤਾਰ ਚਿਤਾਵਨੀ ਪੱਤਰ ਜਾਰੀ ਕਰਦਾ ਰਿਹਾ ਹੈ।

- (ਸ) ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਨੇ ਅਪਣੀਆਂ ਸਾਲਾਨਾ ਰਪੋਟਾਂ ਵਿਚ ਉਪਰੋਕਤ ਮਸਲੇ 'ਸਬੰਧੀ ਹੋਈ ਢਿਲ ਦਾ ਖਾਸ ਕਰ ਜ਼ਿਕਰ ਕੀਤਾ ਹੈ ਅਤੇ ਇਸ ਗੱਲ ਤੇ ਜ਼ੋਰ ਦਿੱਤਾ ਹੈ ਕਿ ਸੇਵਾ ਨਿਯਮਾਵਲੀਆਂ ਨੂੰ ਲੋੜੀਂਦੀ ਸਪੀਡ ਨਾਲ ਨਾ ਨਜਿਠਣ ਦੀ ਰੁਚੀ ਪ੍ਰਬੰਧਕੀ ਹਿੱਤਾਂ ਦੇ ਖਿਲਾਫ ਜਾਂਦੀ ਹੈ। ਇਹ ਰਪੋਟਾਂ ਵਿਧਾਨ ਸਭਾ ਸਾਹਮਣੇ ਵੀ ਪੇਸ਼ ਕੀਤੀਆਂ ਜਾਂਦੀਆਂ ਹਨ। ਇਸ ਲਈ ਪ੍ਰਬੰਧਕੀ ਵਿਭਾਗਾਂ ਨੂੰ ਅਜਿਹੀਆਂ ਰਪੋਟਾਂ ਦੇ ਮਹੱਤਵ ਨੂੰ ਸਮਝਣਾ ਚਾਹੀਦਾ ਹੈ।

2. ਉਪਰੋਕਤ ਪਹਿਲੂਆਂ ਨੂੰ ਮੁੱਖ ਰੱਖਦੇ ਹੋਏ ਸੇਵਾ ਨਿਯਮਾਵਲੀਆਂ ਨੂੰ ਨਵੇਂ ਸਿਰੇ ਬਣਾਉਣ ਅਤੇ ਦੁਹਰਾਉਣ ਦੇ ਕੰਮ ਵਿਚ ਢਿਲ ਨੂੰ ਸਰਕਾਰ ਸੋਚੀਦਾ ਤੌਰ ਤੇ ਲੇਦੀ ਹੈ। ਇਸ ਲਈ ਆਪ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਆਪ ਇਸ ਕੰਮ ਨੂੰ ਵਿਸ਼ੇਸ਼ ਯਤਨ ਕਰਵਾ ਕੇ ਛੇਤੀ ਨਜਿਠਣ ਦਾ ਉਪਚਾਲਾ ਕਰੋ ਅਤੇ ਸਬੰਧਤ ਵਿਭਾਗ/ਅਫਸਰਾਂ, ਜਿਨ੍ਹਾਂ ਨੂੰ ਇਹ ਕੰਮ ਸੌਂਪਿਆ ਗਿਆ ਹੋਵੇ, ਕੋਲੋਂ ਇਕ ਵਿਸਥਾਰ ਪੂਰਬਕ ਰਪੋਟ ਜਿਸ ਵਿਚ ਆਪ ਅਹੀਨ ਸਮੂਹ ਸੇਵਾਵਾਂ ਦੀਆਂ ਨਿਯਮਾਵਲੀਆਂ ਬਾਰੇ ਸਥਿਤੀ ਦਰਸਾਈ ਹੋਵੇ, ਲੈ ਕੇ, ਸੇਵਾਵਾਂ ਵਿਭਾਗ ਨੂੰ ਭੇਜੋ ਅਤੇ ਉਨ੍ਹਾਂ ਅਫਸਰਾਂ ਦੀ ਪ੍ਰਗਤੀ ਰਪੋਟਾਂ ਨੂੰ ਮੁੱਖ ਰੱਖਕੇ ਅਜਿਹੀ ਅਗੇਤੀ ਕਾਰਵਾਈ ਕਰੋ ਜਿਹੜੀ ਇਸ ਮਸਲੇ ਨੂੰ ਤੁਰੰਤ ਨਜਿਠਣ ਲਈ ਲੋੜੀਂਦੀ ਹੋਵੇ।

Copy of Punjab Government Circular letter No. 973-2SIII-71/4753, dated 18th February, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject : Grant of special casual leave to contingency paid staff for undergoing sterilisation operation under Family Planning Programme.

In continuation of Punjab Government letter No. 4123-2SIII-70/22691, dated the 28th August, 1970, I am directed to say that the following concessions are hereby extended to the Contingency paid staff in Punjab under Family Planning Programme subject to the condition that such staff have been in service for at least 6 months before claiming these concessions :—

- (i) Six days special casual leave to such contingency paid staff who undergo Vasectomy operation ;

- (ii) 14 days special casual leave to such contingency paid female staff who undergo tubectomy operation (either puerperal or non-puerperal) ;
- (iii) One day's special casual leave to such contingency paid female staff who had IUCD insertion.

2. These orders are being issued with the concurrence of Finance Department,—vide their U.O. No. 339-4FR-70, dated 5th February, 1971.

Copy of Circular letter No. 2197-SII(3)-71/7921, dated the 22nd March, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Punctuality in Government offices.

**Punctuality
in general**

1. U.O. No. 7474-Ad. 0-67, dated 25.8.1967
2. U.O. No. 15766-SII-67, dated 28.12.1967
3. U.O. No. 1327-SII(3)-70 dated 3.3.1970
4. U.O. No. 1743-SII(3)-70 dated 11.3.1970

Truancy

1. No. 2501-OSD(E)-64/8963 dated 13.3.1964
2. No. 3620-IGA-67/18645 dated 30.9.1967

I am directed to address you on the subject noted above and to say that in order to ensure punctuality in offices, Government have issued instructions from time to time as in the communications noted in the margin. Punctuality in office attendance is a pre-requisite of satisfactory conduct of all Government employees. Further, senior and supervisory officers have to observe punctuality themselves to set an example for their subordinates as they have to exercise effective check in this behalf. Government view with disfavour the tendency among Government employees to leave office early on the days preceding gazetted holidays and to arrive late on the days following these holidays after spending station leave. To check truancy among Government employees periodical checkings were introduced and suitable action was required to be taken against the truants after obtaining their explanation.

2. Despite the instructions referred to above, including the system of surprise checks, the position in this regard cannot be said to be entirely satisfactory since there is still a fairly large number of officers who do not observe the above instructions. It is, therefore, reiterated that the instructions referred to above should be meticulously observed and it should be ensured that unpunctuality in office is deterred by personal example of the supervisor, officers at all levels and through periodical checking of attendance.

Copy of U.O. Circular letter No. 1683-SH(3)-71, dated 26th April, 1971, from the Chief Secretary to Government, Punjab, to all the Administrative Secretaries to Government, Punjab, etc., etc.

Subject : Classification of posts/Services—Criteria thereof.

Will all the Financial Commissioners and Administrative Secretaries kindly refer to U.O. No. 9875-6GS-63, dated 21st August, 1963, on the subject noted above ?

2. With the revision of scales of pay with effect from 1st February, 1968, on the recommendations of the Punjab Pay Commission, the criteria of classification previously laid down needed revision. Accordingly, the matter has been considered keeping in view the up-to-date position of the various scales of pay in the State and it has been decided that classification of services should henceforth be determined on the basis of the norms prescribed hereunder :—

	Minimum of the scale (time scale)	Maximum of the scale (time scale)
Class IV	40.00	120.00
Class III	121.00	699.00
Class II	—	1199.00
Class I	—	1200.00

2. The above norms will not however, adversely affect the existing classifications of any class of the State Government employees who have been assigned status under a specific or special order of the Government.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਸਤੀ ਪੱਤਰ ਨੰ: 1636-ਸII(2)-71/10492, ਮਿਤੀ 28 ਅਪਰੈਲ, 1971 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਵਲੋਂ ਵਸੂਲ ਕੀਤੀ ਜਾਣ ਵਾਲੀ ਫੀਸ।

ਮੈਨੂੰ ਆਪ ਦਾ ਧਿਆਨ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਵਲ ਦਿਵਾਉਂਦੇ ਹੋਏ ਇਹ ਦਸਤ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਟੈਕਸ ਪਤਰਾਲ ਅਤੇ ਸਾਧਨ ਕਮੇਟੀ ਪੰਜਾਬ ਦੀ ਸਿਫਾਰਸ਼ ਪ੍ਰਵਾਨ ਕਰਦੇ ਹੋਏ ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਰਾਹੀਂ ਤਿੰਨ ਤਿੰਨ ਆਸਾਮੀਆਂ ਦੀ ਭਰਤੀ ਲਈ ਲਿੱਤੇ ਜਾਣ ਵਾਲੇ ਇਮਤਿਹਾਨਾਂ ਸਬੰਧੀ ਨਿਮਨਲਿਖਤ ਸੋਧੇ ਹੋਏ ਰੇਟ ਦੇ ਮੁਤਾਬਿਕ ਫੀਸ ਵਿੱਤ

ਵਿਭਾਗ ਦੀ ਸਹਿਮਤੀ ਨਾਲ ਵਸੂਲ ਕਰਨ ਦਾ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਅਤੇ ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਨੂੰ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ: 2492-ਸ(2)-4(2)-70/24095, ਮਿਤੀ 8 ਅਕਤੂਬਰ, 1970 ਰਾਹੀਂ ਇਸ ਸਬੰਧ ਵਿਚ ਤੁਰੰਤ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਕਰਨ ਲਈ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕਰ ਦਿੱਤੀਆਂ ਗਈਆਂ ਹਨ:-

- | | |
|--|---|
| (1) ਫਾਰਮ ਦੀ ਕੀਮਤ | ਇਕ ਰੁਪਿਆ ਪ੍ਰਤੀ ਫਾਰਮ । |
| (2) ਅਰਜ਼ੀ ਦੀ ਫੀਸ | 10 ਰੁਪਏ (ਜਿਥੇ ਕੇਵਲ ਇੰਟਰਵਿਊ ਦੇ ਆਧਾਰ ਉੱਤੇ ਚੋਣ ਕੀਤੀ ਜਾਣੀ ਹੈ) |
| (3) ਯੋਗਤਾ ਪ੍ਰਾਪਤੀ ਪ੍ਰੀਖਿਆ ਵਿਚ ਬੈਠਣ ਦੀ ਫੀਸ। | |
| ਗਜ਼ਟੀ ਆਸਾਮੀਆਂ ਲਈ | 40 ਰੁਪਏ |
| ਅਗਜ਼ਟੀ ਆਸਾਮੀਆਂ ਲਈ | 35 ਰੁਪਏ |
| (4) ਮੁਕਾਬਲੇ ਦੀ ਪ੍ਰੀਖਿਆ ਵਿਚ ਬੈਠਣ ਦੀ ਫੀਸ | ਰੁਪਏ |

ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ/ਕਬੀਲਿਆਂ ਅਤੇ ਪਛੜੀਆਂ ਸ਼੍ਰੇਣੀਆਂ ਦੇ ਉਮੀਦਵਾਰਾਂ ਲਈ ਅਰਜ਼ੀ ਤੇ ਪ੍ਰੀਖਿਆ ਦੀ ਫੀਸ ਉਕਤ ਨਿਸਥਿਤ ਕੀਤੀ ਫੀਸਾਂ ਦਾ ਚੌਥਾ ਹਿਸਾ ਹੋਵੇਗੀ।

3 ਇਸ ਸਬੰਧ ਵਿਚ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਆਪਣੇ ਆਪਣੇ ਮਹਿਕਮੇ ਦੇ ਸੇਵਾ ਨਿਯਮਾਂ ਵਿਚ ਲੋੜ ਅਨੁਸਾਰ ਉਪਬੰਧ ਦੀ ਯੋਗ ਸ਼ੱਧ ਕਰ ਲਈ ਜਾਵੇ।

Copy of Punjab Government Circular letter No. 2010-SII (3)-71/, dated 25th May, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject:—Relaxation of age limit for entry into Government Service for the wives of serving military personnel.

I am directed to address you on the subject noted above and to say that Government had decided to supersede the instructions contained in the Circular letters No. 15717-4GS-63/47723, dated the 31st December, 1963, and to include item (vi) as below in paragraph 1 of Circular letter No. 15003-G-55/75704, dated 23rd November, 1955.

- (vi) Wives of those who are disabled while in Military Service provided they are otherwise eligible for entry into Government service.

2. Thus from now onward the wives of the Military Personnel who are either killed or are disabled while in Military Service shall be entitled to age concession upto 35 years like other categories of women as stated in the Circular letter dated 23rd November, 1955 referred to above.

The receipt of this letter may please be acknowledged.

Copy of Punjab Government Circular letter No. 1710-SII (3)-71, dated 27th May, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject : Instructions regarding recording of certificate on the pay bills of Gazetted Officers.

I am directed to invite your attention to Punjab Government Circular letter No. 2991-P-1(c)-58/36941, dated 8th May, 1958 and to observe that during the course of inspection of Treasuries/Sub-Treasury, it has been observed that while proceeding on leave or on transfer, the Gazetted Officers do not send copies of their charge reports to the Treasury/Assistant Treasury Officers in time with the result that the Treasury/Sub-Treasury Staff remain unaware as to whether a particular Gazetted Officer was on leave or on duty or had relinquished charge of his previous assignment. While drawing their pay bills, they either inadvertently or otherwise record an incorrect certificate to the effect that they were on duty during the period for which pay and allowances have been claimed. Quite often the charge reports are sent only after the drawal of the claim or the Treasury/Assistant/Sub-Treasury Officer comes to know about the correct position when leave salary slip is issued by the Audit Office. According to the provisions containing in rule 4.23 (A) read with note (s) thereunder of the Punjab S.T.R. Vol. I, leave salary for the period an officer remains on earned leave, is to be allowed only on the basis of the leave salary slip issued by the Audit Office. Later on, when the charge reports are received in the Treasuries/Sub-Treasuries, it is found that the Officer had relinquished charge of the post before the close of the month and was not thus entitled to pay and allowances for a full month, resulting thereby un-authorised drawal of the pay and allowances in respect of leave/joining time period.

2. To put an end to the irregularities mentioned above I am directed to request you to ensure that the charge reports by the Gazetted Officers are sent immediately while proceeding on leave or relinquishing charge of office on transfer. It may also be made clear to the Officers concerned that the recording of incorrect duty certificate would entail disciplinary action against the defaulters.

The receipt of the letter may please be acknowledged.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 1652-ਸ[1](3)-71, ਮਿਤੀ 31 ਮਈ, 1971 ਵਲੋਂ
ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਸਲੈਕਸ਼ਨ ਗਰੇਡ ਅਸਾਮੀਆਂ ਨੂੰ ਭਰਨ ਸਮੇਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦਾ ਪ੍ਰਸ਼ਨ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਨੂੰ ਸਬੰਧਤ ਕਰਦੇ ਹੋਏ ਮੈਂਨੂੰ ਇਹ ਕਹਿਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਸਰਕਾਰ ਨੇ ਇਸ ਪ੍ਰਸ਼ਨ ਨੂੰ ਵਿਚਾਰਿਆ ਹੈ ਕਿ ਕੀ ਕਿਸੇ ਕਾਡਰ ਵਿੱਚ ਸਲੈਕਸ਼ਨ ਗਰੇਡ ਅਸਾਮੀਆਂ ਤੇ ਤਰੱਕੀ ਦੇਣ ਸਮੇਂ ਅਨੁਸੂਚਿਤ ਜਾਤੀਆਂ ਲਈ ਆਮ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਰਿਜ਼ਰਵੇਸ਼ਨ ਜ਼ਰੂਰੀ ਹੈ?

2. ਉਪਰੋਕਤ ਸਲੈਕਸ਼ਨ ਅਸਾਮੀਆਂ ਅਤੇ ਸਲੈਕਸ਼ਨ ਗਰੇਡ ਦੇ ਅੰਤਰ ਨੂੰ ਸਮਝਣ ਦੀ ਲੋੜ ਹੈ। ਸਲੈਕਸ਼ਨ ਅਸਾਮੀ ਇੱਕ ਅਜਿਹੀ ਅਸਾਮੀ ਹੈ ਜਿਹੜੀ ਨਾ ਕੇਵਲ ਉੱਚੀ ਪਦਵੀ ਦੀ ਹੁੰਦੀ ਹੈ, ਬਲਕਿ ਉਸ ਵਿੱਚ ਚੋਣ ਦੇ ਤਰੀਕੇ ਅਪਣਾ ਕੇ ਨਿਯੁਕਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਅਤੇ ਇਸ ਚੋਣ ਦੇ ਦਾਇਰੇ ਵਿੱਚ ਇਹ ਜ਼ਰੂਰੀ ਨਹੀਂ ਕਿ ਕੇਵਲ ਇਕ, ਦੋ ਜਾਂ ਤਿੰਨ ਹੀ ਅਫਸਰ ਆਉਂਦੇ ਹੋਣ ਜਿਹਾ ਕਿ ਆਮ ਸੀਨੀਅਰਤਾ-ਕਮ-ਮੋਰਟ ਦੇ ਆਧਾਰ ਤੇ ਪਰਮੇਸ਼ਨ ਕਰਨ ਸਮੇਂ ਹੁੰਦਾ ਹੈ। ਦੂਸਰੇ ਪਾਸੇ ਸਲੈਕਸ਼ਨ ਗਰੇਡ ਦਾ ਇਕ ਖਾਸ ਮਹੱਤਵ ਹੁੰਦਾ ਹੈ, ਉਹ ਇਹ ਕਿ ਜਦੋਂ ਇੱਕ ਬੰਦਾ ਲਗਾਤਾਰ ਸਾਲਾਨਾ ਤਰੱਕੀਆਂ ਲੈ ਕੇ ਆਪਣੇ ਸਕੇਲ ਦੀ ਸੀਮਾ ਤੇ ਪਹੁੰਚ ਜਾਂਦਾ ਹੈ ਜਾਂ ਕਈ ਸਾਲ ਉਹ ਇੱਕੋ ਸਕੇਲ ਵਿੱਚ ਕੰਮ ਕਰਦਾ ਰਹਿੰਦਾ ਹੈ ਅਤੇ ਉਸ ਤੋਂ ਉਪਰੰਤ ਉਸ ਦੇ ਉਤਸਾਹ ਲਈ ਕੋਈ ਮੌਕਾ ਨਹੀਂ ਰਹਿੰਦਾ ਤਾਂ ਸਰਕਾਰ ਨੇ ਸਲੈਕਸ਼ਨ ਗਰੇਡ ਦੇ ਵਸੀਲੇ ਰਾਹੀਂ ਉਸ ਦੇ ਯੋਗ ਉਤਸਾਹ ਨੂੰ ਪੂਰਾ ਕਰਨ ਦਾ ਤਰੀਕਾ ਲੱਭਿਆ ਹੋਇਆ ਹੈ। ਇਹ ਆਮ ਤਰੱਕੀ ਦੀ ਅਸਾਮੀ ਨਾਲੋਂ ਕੁਝ ਭਿੰਨ ਹੈ ਅਤੇ ਜਦੋਂ ਤਕ ਉਹ ਇਸ ਦੇ ਨਾਕਾਬਲ-ਨਾ ਹੋਵੇ ਤਾਂ ਉਸ ਨੂੰ ਨਜ਼ਰ ਅੰਦਾਜ਼ ਨਹੀਂ ਕੀਤਾ ਜਾਂਦਾ, ਇਸ ਲਈ ਅਜਿਹੇ ਗਰੇਡਾਂ ਵਿੱਚ ਰਿਜ਼ਰਵੇਸ਼ਨ ਕਰਨਾ ਸਲੈਕਸ਼ਨ ਗਰੇਡਾਂ ਦੇ ਮਹੱਤਵ ਨੂੰ ਖਤਮ ਕਰਨਾ ਹੋਵੇਗਾ।

2. ਉਪਰੋਕਤ ਸਥਿਤੀ ਨੂੰ ਮੁੱਖ ਰੱਖਦਿਆਂ ਹੋਇਆਂ ਆਪ ਸਭ ਨੂੰ ਇਹ ਸਪਸ਼ਟ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸਲੈਕਸ਼ਨ ਅਸਾਮੀ ਉੱਤੇ ਤਰੱਕੀ ਨਿਯੁਕਤੀ ਨੂੰ ਸਲੈਕਸ਼ਨ ਗਰੇਡ ਵਿੱਚ ਤਰੱਕੀ ਨਾਲ ਰਿਜ਼ਰਵੇਸ਼ਨ ਦੇ ਭਾਵ ਲਈ 'ਮਿਕਸ' ਨਾ ਕੀਤਾ ਜਾਵੇ ਕਿਉਂਜੋਂ ਸਲੈਕਸ਼ਨ ਗਰੇਡਾਂ ਵਿੱਚ ਤਰੱਕੀ ਲਈ ਰਿਜ਼ਰਵੇਸ਼ਨ ਨੂੰ ਲਾਗੂ ਕਰਨ ਦਾ ਸਰਕਾਰ ਦਾ ਮਨਸਾ ਨਹੀਂ।

3 ਇਸ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 2890-ਸII(3)-71, ਮਿਤੀ 31 ਮਈ, 1971 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ,
ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੇ ਵਿਅਕਤੀਗਤ ਮਸਲਿਆਂ, ਅਰਥਾਤ ਸੀਨੀਅਰਤਾ ਅਤੇ ਕਨਵਰ-
ਮੇਸ਼ਨ ਆਦਿ ਨੂੰ ਤੁਰੰਤ ਨਿਪਟਾਉਣਾ।

ਆਪ ਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਸੰਬੰਧਤ ਕਰਦਿਆਂ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੇ ਸੀਨੀਅਰਤਾ/ਕਨਵਰਮੇਸ਼ਨ ਆਦਿ ਦੇ ਮਾਮਲਿਆਂ ਨੂੰ ਨਜ਼ਿਠਣ ਵਿਚ ਕਾਫੀ ਢਿਲ ਵਰਤੀ ਜਾਂਦੀ ਹੈ ਜਿਸ ਦੇ ਫਲਸਰੂਪ ਇਹ ਬਹੁਤੀ ਦੇਰ ਲਟਕਦੇ ਰਹਿੰਦੇ ਹਨ। ਇਸ ਢਿਲ ਦੇ ਕਾਰਣ ਸੰਬੰਧਤ ਕਰਮਚਾਰੀਆਂ ਵਿਚ ਬੜੀ ਬੇਚੈਨੀ ਰਹਿੰਦੀ ਹੈ। ਕਿਉਂਜੋ ਸਰਕਾਰ ਅਜਿਹੀ ਰੁਚੀ ਨੂੰ ਪਸੰਦ ਨਹੀਂ ਕਰਦੀ ਅਤੇ ਨਿਆਏ ਵੀ ਇਸੇ ਗੱਲ ਦੀ ਮੰਗ ਕਰਦਾ ਹੈ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੇ ਮਸਲਿਆਂ ਦਾ ਤੁਰੰਤ ਫੈਸਲਾ ਕਰਨ ਵਿਚ ਢਿਲ ਨਾਂ ਕੀਤੀ ਜਾਵੇ, ਇਸ ਲਈ ਆਪ ਸਭ ਨੂੰ, ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਆਪ ਅਜਿਹੇ ਮਾਮਲਿਆਂ ਦਾ 3 ਮਹੀਨੇ ਦੇ ਅੰਦਰ ਅੰਦਰ ਨਿਪਟਾਰਾ ਕਰ ਦਿਆਂ ਕਰੋ। ਅਤੇ ਹਰ ਮਹੀਨੇ ਪੈਂਡਿੰਗ ਕੇਸਾਂ ਸਬੰਧੀ ਹੇਠ ਦਿੱਤੇ ਵਾਰਮ ਅਨੁਸਾਰ ਆਪਣੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ ਨੂੰ ਰਿਪੋਰਟ ਭੇਜਿਆ ਕਰੋ।

2. ਜਿਥੇ ਉਪਰੋਕਤ 3 ਮਹੀਨੇ ਦੀ ਮਿਆਦ ਦੇ ਅੰਦਰ ਫੈਸਲਾ ਕਰਨਾ ਕਿਸੇ ਠੋਸ ਕਾਰਣ ਜਾਂ ਔਕੜ ਕਰਕੇ ਸੰਭਵ ਨਾ ਹੋਵੇ, ਤਾਂ ਸਰਕਾਰ ਨੂੰ (ਪ੍ਰਬੰਧਕੀ ਵਿਭਾਗ ਵਿਚ) ਅਜਿਹੇ ਕਾਰਣ ਅਤੇ ਔਕੜ ਬਾਰੇ ਗਿਆਤ ਕੀਤਾ ਜਾਵੇ ਤੇ ਇਸ ਮਿਆਦ ਨੂੰ ਅਗੇ ਵਧਾਉਣ ਬਾਰੇ ਜੱਦ ਤੱਕ ਆਗਿਆ ਨਾ ਲੈ ਲਿੱਤੀ ਜਾਵੇ ਤੱਕ ਇਸ ਤਰ੍ਹਾਂ ਮਸਲੇ ਨੂੰ ਨਜ਼ਿਠਣ ਵਿਚ ਕੀਤੀ ਢਿਲ ਨੂੰ ਕਿਸੇ ਤਰ੍ਹਾਂ ਉਚਿਤ ਨਹੀਂ ਸਮਝਿਆ ਜਾਵੇਗਾ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਜ਼ਰੀਏ ਭੇਜੀ ਜਾਵੇ।

ਇਸ ਦਾ ਇਕ ਉਤਾਰਾ ਸਮੂਹ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰਾਂ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰਾਂ ਨੂੰ ਸਣੇ ਉਪ ਸਕੱਤਰ ਸਕੱਤਰੇਤ ਪ੍ਰਬੰਧ ਦੇ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਇੰਨ ਥਿੰਨ ਪਾਲਣਾ ਲਈ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।

4. ਉਨ੍ਹਾਂ ਨੂੰ ਇਹ ਵੀ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਜਦੋਂ ਉਨ੍ਹਾਂ ਦੇ ਕੰਟ੍ਰੋਲ ਅਧੀਨ ਵਿਭਾਗਾਂ ਵਲੋਂ ਉਪਰੋਕਤ 3 ਮਹੀਨਿਆਂ ਦੀ ਮਿਆਦ ਨੂੰ ਅਗੇ ਵਧਾਉਣ ਲਈ ਜਿਹੜੇ ਹਵਾਲੇ ਆਉਣ ਉਨ੍ਹਾਂ ਨੂੰ ਖਾਸ ਗੁਰੂ ਨਾਲ ਵਿਚਾਰ ਕੇ ਕੇਵਲ ਠੋਸ ਕਾਰਣਾਂ ਕਰਕੇ ਹੀ ਮਿਆਦ ਵਿਚ ਵਾਧੇ ਦੀ ਆਗਿਆ ਦਿੱਤੀ ਜਾਇਆ ਕਰੇ ਅਤੇ ਇਸ ਸਬੰਧੀ ਆਮ ਰੁਚੀ ਵਾਲਾ ਰਵੱਈਆ ਨਾ ਅਪਣਾਇਆ ਜਾਵੇ।

ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੇ ਸੇਵਾ ਸਬੰਧੀ ਅਰਥਾਤ ਸੀਨੀਅਰਤਾ ਤੇ ਕਨਵਰਮੇਸ਼ਨ ਬਾਰੇ ਮਾਮਲਿਆਂ ਨੂੰ ਨਜ਼ਿਠਣ ਦੇ ਸਿਲਸਿਲੇ ਵਿਚ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ ਨੂੰ ਮਾਸਿਕ ਰਪੋਰਟ ਭੇਜਣ ਲਈ ਵਾਰਮ

(1)	(2)	(3)	(4)	(5)	(6)
ਮਦ	ਕਰਮਚਾਰੀ ਦਾ	ਪ੍ਰਤੀਬੰਧਨ/ਅਪੀਲ	ਮਸਲੇ ਦੇ ਆਰਡਰ ਨਿਸ਼ਠਾ ਦੀ	ਵਿਸ਼ੇਸ਼ ਕਰਨ	
ਨੰ:	ਨਾਓ ਅਤੇ ਔਰਦਾ	ਆਦਿ ਦਾ ਵੇਰਵਾ	ਹੋਣ ਦੀ ਮਿਤੀ	ਮਿਤੀ	
		ਅਰਥਾਤ ਮਸਲੇ ਦਾ			
		ਵਿਸ਼ਾ			

ਵਿਭਾਗੀ ਅਧਿਕਾਰੀ ਦੇ ਹਸਤਾਖਰ ।

Copy of Punjab Government Circular letter No. 3228-SII (2)-71, dated 3rd June, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject: Age of Compulsory retirement—change in the criteria for retention of Government employees in service beyond the age of 55 years.

I am directed to invite a reference to Punjab Government letter No. 4776-3GS(I)-64/15823, dated the 19th/21st May, 1964 on the subject noted above and to say that the matter has been considered further by Government. The aforesaid instructions provide *inter alia* that a Government employee whose record of service is assessed as 'average' (or better) should not be retired at the age of 55 years but should be allowed in service beyond that age. It has now been decided that those instructions should be modified to the extent that only employees with

'very good' (or better) record for the last five years immediately preceding their attainment of the age of 55 years should be retained in service beyond 55 years.

2. The above criteria would also apply to those Government employees whose cases for retention in service beyond the age of 55 years have already been decided on the basis of the previous instructions. Their cases should be reviewed in the light of the above mentioned revised policy of Government. In their case the record preceding five years at the date of review shall be taken into consideration.

3. As in the case of the original orders, the modified instructions are applicable to all Departments of Government and may be noted for careful compliance.

4. The receipt of this letter may please be acknowledged.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਲਤੀ ਪੱਤਰ ਨੰ: 1724-SII(3)-71, ਮਿਤੀ 8 ਜੂਨ, 1971 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਚਿਤਾਵਨੀ ਅਰਥਾਤ ਵਾਰਨਿੰਗ ਦਾ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਜ਼ਾਤੀ ਮਿਸਲਾਂ ਵਿਚ ਰਖਣ ਤੇ ਪਹਿਲਾਂ ਮਿਥੀ ਵਿਧੀ ਦੀ ਪਾਲਣਾ ਕਰਨ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਨੂੰ ਸੰਬੰਧਤ ਕਰਦਿਆਂ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਭਾਵੇਂ ਕਿਸੇ ਕਸੂਰਵਾਰ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਦਿੱਤੀ ਚਿਤਾਵਨੀ (ਜ਼ਬਾਨੀ ਜਾਂ ਲਿਖਤੀ ਰੂਪ ਵਿਚ), ਪੰਜਾਬ ਸਿਵਲ ਸੇਵਾਵਾਂ (ਦੰਡ ਅਤੇ ਅਪੀਲ) ਨਿਯਮਾਵਲੀ, 1970, ਅਨੁਸਾਰ ਇਕ ਦੰਡ ਨਹੀਂ ਗਿਣਿਆ ਜਾਂਦਾ ਪਰ ਜਦੋਂ ਅਜਿਹੀ ਚਿਤਾਵਨੀ ਦੀ ਇਕ ਨਕਲ ਕਿਸੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਦੀ ਨਿੱਜੀ ਮਿਸਲ ਵਿਚ ਰਖੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਕਾਨੂੰਨੀ ਦ੍ਰਿਸ਼ਟੀਕੋਣ ਤੋਂ ਇਹ ਇਕ ਦੰਡ ਬਣ ਜਾਂਦਾ ਹੈ ਕਿਉਂਕਿ ਇਸਦਾ ਸੰਬੰਧਤ ਕਰਮਚਾਰੀ ਦੇ ਸੇਵਾ ਮਾਮਲਿਆਂ ਤੇ ਬੁਰਾ ਅਸਰ ਪੈ ਸਕਦਾ ਹੈ। ਇਸ ਲਈ ਅਜਿਹੀ ਚਿਤਾਵਨੀ ਸੰਬੰਧਤ ਕਰਮਚਾਰੀ ਦੀ ਜ਼ਾਤੀ ਮਿਸਲ ਵਿਚ ਰਖਣ ਤੇ ਪਹਿਲਾਂ ਇਹ ਸੰਵਿਧਾਨਕ ਤੌਰ ਤੇ ਜ਼ਰੂਰੀ ਸਮਝਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਸ ਨੂੰ ਆਪਣੀ ਸਥਿਤੀ ਸਪਸ਼ਟ ਕਰਨ ਦਾ ਯੋਗ ਮੌਕਾ ਦਿੱਤਾ ਜਾਵੇ।

Copy of U.O. Circular letter No. 1683-SII(3)-71, dated 15th June, 1971, from the Chief Secretary to Government, Punjab, to all the Administrative Secretaries to Government, Punjab.

Subject : Classification of posts/Services—Criteria thereof.

Will all the Financial Commissioners and Administrative Secretaries kindly refer to Services Department's

U.O. No. 1683-SII-(3)-71, dated 26th/29th April, 1971, on the subject noted above ?

2. In paragraph 2 thereof, the word and figure "Rs. 121" appearing against the category of Class III posts, under the column "Minimum of the time scale" are hereby deleted, being superfluous.

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ੈਰ ਸਰਕਾਰੀ ਗ਼ਜ਼ਟੀ ਪੱਤਰ ਨੰ: 1871-ਸII(3)-71, ਮਿਤੀ 20 ਜੂਨ, 1971 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲੋਂ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਤੱਦਅਰਥ ਨਿਯੁਕਤੀਆਂ-ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ, ਬੋਰਡ ਜਾਂ ਹੋਰ ਕਿਸੇ ਸਿਲੈਕਸ਼ਨ ਕਮੇਟੀ ਦੀ ਪਰਵਾਨਗੀ ਦੇ ਬਿਨਾਂ-ਅਜਿਹੀਆਂ ਨਿਯੁਕਤੀਆਂ ਦੀ ਉਚਿਤਤਾ ਦਾ ਪ੍ਰਸ਼ਨ।

ਸਮੂਹ ਵਿੱਤੀ ਕਮਿਸ਼ਨਰਾਂ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰਾਂ ਦਾ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਵੱਲ ਧਿਆਨ ਦਿਵਾਇਆ ਜਾਂਦਾ ਹੈ।

2. ਭਾਰਤ ਦੇ ਸੰਵਿਧਾਨ ਦੇ ਆਰਟੀਕਲ 320 ਅਨੁਸਾਰ ਅਤੇ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਦੇ "ਲਿਮੀਟੇਸ਼ਨ ਆਫ ਫੰਕਸ਼ਨਜ਼" ਦੇ ਹੇਠਲੇ ਸ਼ਬਦਾਂ ਅਨੁਸਾਰ ਰਾਜ ਸੇਵਾਵਾਂ ਵਿੱਚ ਨਿਯੁਕਤੀ ਲਈ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਦੀ, ਜਾਂ ਜਿੱਥੇ ਇਹ ਨਿਯੁਕਤੀ ਉਨ੍ਹਾਂ ਦੀ ਵਿਧੀ ਤੋਂ ਬਾਹਰ ਹੋਵੇ, ਅਧੀਨ ਸੇਵਾਵਾਂ ਚੋਣ ਬੋਰਡ ਜਾਂ ਉਨ੍ਹਾਂ ਦਾ ਕੰਮ ਕਰਨ ਵਾਲੇ ਹੋਰ ਚੋਣ ਹਲਕੇ। ਅਥਾਰਟੀ ਦੀ ਸਿਫਾਰਸ਼ ਜਾਂ ਪ੍ਰਵਾਨਗੀ ਦੀ ਲੋੜ ਹੈ। ਪ੍ਰੰਤੂ ਜਰੂਰੀ ਹਾਲਾਤ ਵਿੱਚ ਨਿਯੁਕਤੀ ਅਧਿਕਾਰੀਆਂ ਨੂੰ 6 ਮਹੀਨੇ ਲਈ ਤੱਦਅਰਥ ਆਧਾਰ ਤੇ ਆਸਾਮੀਆਂ ਭਰਨ ਦੀ ਆਗਿਆ ਦਿੱਤੀ ਗਈ ਹੈ। ਇਸ ਸੀਮਤ ਸਮੇਂ ਅਰਥਾਤ 6 ਮਹੀਨੇ ਦੇ ਅੰਦਰ ਅੰਦਰ ਨਿਯਮਤ ਤੌਰ ਤੇ ਨਿਯੁਕਤੀ ਕਰਨ ਦਾ ਸਾਰਾ ਕੰਮ ਮੁਕੰਮਲ ਕਰਨਾ ਜਰੂਰੀ ਹੁੰਦਾ ਹੈ। ਪ੍ਰੰਤੂ ਇਹ ਵੇਖਣ ਵਿੱਚ ਆਇਆ ਹੈ ਕਿ ਨਿਯੁਕਤੀ ਅਧਿਕਾਰੀ ਆਮ ਤੌਰ ਤੇ ਕਮਿਸ਼ਨ ਜਾਂ ਬੋਰਡ ਦੀ ਪਰਵਾਨਗੀ ਲੈਣ ਵਿੱਚ ਅਣਗਹਿਲੀ ਕਰਦੇ ਹਨ, ਜਿਹੜਾ ਕਿਸੇ ਤਰ੍ਹਾਂ ਵੀ ਉਚਿਤ ਨਹੀਂ ਜਾਪਦਾ। ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਨੇ ਭਿੰਨ ਭਿੰਨ ਵਿਭਾਗਾਂ ਵੱਲੋਂ ਅਜਿਹੀਆਂ ਖੋਜਾਇਆ ਨਿਯੁਕਤੀਆਂ ਦੇ ਅਜਿਹੇ ਮਸਲੇ ਸਰਕਾਰ ਦੇ ਨੋਟਿਸ ਵਿੱਚ ਲਿਆਏ ਹਨ, ਜਿਹੜੇ ਕਈ ਸਾਲਾਂ ਤੋਂ ਤੱਦਅਰਥ ਆਧਾਰ ਤੇ ਚਲੇ ਆ ਰਹੇ ਹਨ। ਅਧੀਨ ਸੇਵਾਵਾਂ ਵਿੱਚ ਤਦ ਅਰਥ ਤੌਰ ਤੇ ਕੀਤੀਆਂ ਨਿਯੁਕਤੀਆਂ ਦੀ ਸਥਿਤੀ ਹੋਰ ਵੀ ਭੈੜੀ ਹੈ। ਅਜਿਹੇ ਪ੍ਰਬੰਧ ਨਾ ਹੀ ਕੇਵਲ ਅਸੰਵਿਧਾਨਕ ਹਨ ਬਲਕਿ ਅਣਉਚਿਤ, ਅਤੇ ਪੱਖਪਾਤੀ ਰੁਚੀ ਦਰਸਾਉਂਦੇ ਹਨ।

3. ਇਸ ਲਈ ਇਹ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਤੱਦਅਰਥ ਆਧਾਰ ਤੇ ਕੀਤੀਆਂ ਗਈਆਂ ਨਿਯੁਕਤੀਆਂ ਨੂੰ 6 ਮਹੀਨੇ ਤੋਂ ਵੱਧ ਨਾ ਚੱਲਣ ਦਿੱਤਾ ਜਾਵੇ ਅਤੇ ਇਸ ਸਮੇਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਜਾਂ ਅਧੀਨ ਸੇਵਾਵਾਂ ਚੋਣ ਬੋਰਡ, ਜਿਹੜਾ ਕਿ ਪਹਿਲਾਂ ਹੀ ਸਥਾਪਿਤ ਕੀਤਾ ਜਾ ਚੁੱਕਾ ਹੈ, ਰਾਹੀਂ ਨਿਯੁਕਤੀ ਦਾ ਕੰਮ ਪੂਰਾ ਕੀਤਾ ਜਾਵੇ। ਆਸਾਮੀਆਂ ਭਰਨ ਲਈ ਜੇ ਵਕਤ ਸਿਰ ਕਾਰਵਾਈ ਸ਼ੁਰੂ ਕੀਤੀ ਜਾਵੇ ਤਾਂ ਤੱਦਅਰਥ ਨਿਯੁਕਤੀ ਦਾ ਸਵਾਲ ਹੀ ਪੈਦਾ ਨਹੀਂ ਹੋਵੇਗਾ। ਅਤੇ ਜੇ ਕਿਸੇ ਯੋਗ ਕਾਰਣ ਅਜਿਹੀ ਨਿਯੁਕਤੀ ਕਰਨੀ ਹੋਵੇ ਤਾਂ ਹੁਕਮ ਜਾਰੀ ਕਰਨ ਦੇ ਨਾਲ ਨਾਲ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਜਾਂ ਅਧੀਨ ਸੇਵਾਵਾਂ ਚੋਣ ਬੋਰਡ ਨੂੰ ਨਿਯੁਕਤੀ ਹੁਕਮ ਇਤਲਾਹ ਲਈ ਭੇਜ ਦਿੱਤਾ ਜਾਵੇ ਅਤੇ ਨਿਯਮਤ ਨਿਯੁਕਤੀ ਲਈ ਲੋੜੀਂਦਾ ਮੰਗ-ਪੱਤਰ (ਰਿਕਵੀਰੀਸ਼ਨ) ਭੇਜ ਦਿੱਤਾ ਜਾਵੇ। ਅਜਿਹੀ ਕਾਰਵਾਈ

ਦੁਬਾਰਾ ਵੀ ਭੀਤੀ ਜਾਂਵੇ, ਜਦੋਂ 6 ਮਹੀਨੇ ਤੋਂ ਜਿਆਦਾ ਸਮੇਂ ਲਈ ਤੱਥ ਅਰਥ ਨਿਯੁਕਤੀ ਲਾਰੀ ਰੱਖਣ ਦੀ ਲੋੜ ਹੋਵੇ।

ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਵਿਸ਼ੇਸ਼ ਪਾਲਣਾ ਕਰਵਾਈ ਜਾਂਵੇ ਅਤੇ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਂਵੇ।

Copy of Punjab Government Circular letter No. 2018-SH (2)-71/16458, dated 30th June, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject : Age of compulsory retirement-raising of.

I am directed to invite reference to Punjab Government letter No. 4776-3GS (1)-64/15823, dated 19th/21st May, 1964, on the subject noted above, wherein it is laid down that six months before a Government employee attains the age of 55 years, his record should be carefully examined by the appointing authority, and a provisional judgment formed as to whether he should be retired on attaining the age of 55 years or allowed to continue in service upto 58 years. A decision in this behalf, has to be taken well in advance so that in the event of retirement being finally decided upon, a notice could be given to the Government employee concerned, at least three months before the date on which he is to attain the age of 55 years, and his retirement, given effect to at that age.

2. It has been noticed that these instructions are not being observed meticulously by some of the departments and the cases are sometimes submitted to the competent authority for passing orders even after the Government employee concerned has attained the age of 55 years. In some cases the period of notice to be served on the Government employee also falls short of three months. Government takes a serious view of such lapses/delays on the part of officers/officials concerned. Moreover it is not in public interest to keep the Government employee concerned in suspense unnecessarily. It is, therefore, once again emphasised that action regarding examining of the record of a Government employee should be initiated six months before he attains the age of 55 years and the case submitted to the competent authority for final orders well in advance so that in the event of retirement being finally decided upon, the Government employee concerned could be served with the notice at least three months before his attaining that age.

3. The instructions referred to above further provide that when the appointing authority has reasonable cause to believe that a Government employee is lacking in integrity, it would be appropriate to consider him for premature retirement irrespective of the assessment of his ability or efficiency in work. It is clarified that even a single adverse remark on the integrity of a Government employee should be sufficient for retiring him prematurely on attaining the age of 55 years.

4. The contents of this letter may kindly be brought to the notice of all concerned for strict compliance.

5. The receipt of this letter may please be acknowledged.

Copy of U.O. Circular letter No. 3778-SII(1)-71/17239, dated 5th July, 1971, from the Chief Secretary to Government, Punjab to all the Administrative Secretaries to Government, Punjab.

Subject : Writing of confidential reports—meticulous observance of Government instructions.

I am directed to invite your attention to consolidated instructions issued,—*vide* Punjab Government circular letter No. 2334-ASI-60/15708, dated the 3rd May, 1960, on the subject noted above, and to say that there has been a growing laxity in regard to writing of annual confidential reports for some time past. Allowing for difference of opinions genuinely held by different reporting/accepting authorities, it has been observed that the reports are generally very much on the liberal side. Quite often these contain non-committal remarks, with the result that the reports do not reflect a correct and objective assessment of the work and conduct of the Government employees. In this connection, your attention is invited to paragraphs 3 and 4 of the above noted circular letter, wherein guide lines have been laid down both with regard to the contents of the reports and the manner in which these should be written. It is *inter-alia* stressed therein that:—

- (i) instead of multiplicity of columns in the A.C.R.'s., a simple form (annexure 'C' thereto) on the aspects of satisfactory discharge of duties, ability, conscientiousness and hard-work and the degree of these qualities, control on the establishment

under the Government employees concerned—capability of supervision, maintenance of punctuality and discipline, accessibility, proper dealing with the complaints, courtesy in behaviour, systematic and adequate touring (in the case of the touring officers), should be adopted ;

- (ii) the report should bring out specific defects, if any, remediable or otherwise, occurrence of any particular incident depicting the officer to be good or bad, letters of appreciation, if any, issued by the various authorities, the major event of work or special contribution to a particular scheme and accomplishment of a special campaign should be taken into consideration while making assessment of the officer/official's work ;
- (iii) while minor defects may be pointed out verbally, those of persistent/perpetual nature, should be mentioned in reports indicating therein remedial defects during the year, so that the official concerned may make an effort to improve or remove the same ;
- (iv) while indicating defects, an overall and balanced judgment be made in the respective columns instead of clubbing all the defects in one column relating to defects, if any, which is particularly meant for indicating significant defects of general nature ;
- (v) an entry about pending enquiry in the confidential report should invariably be followed by the entry about the result of the enquiry ; and
- (vi) a mention about complaints without shifting the truth thereof, should be avoided and the assessment be made on the basis of personal knowledge.

2. According to para 4 of the aforesaid letter the integrity of the Government employees, being of greatest importance, needs a special mention in the confidential reports. The reporting officer should give a definite, frank and honest opinion on the integrity of their subordinates and the practice of making non-committal/ill-considered remarks in this regard

should be discouraged. It was also stressed therein that the entries with regard to integrity should be forthright and realistic.

3. Attention is again invited to para 20 of the aforesaid letter wherein the need for writing confidential reports in a fair, impartial and objective manner was stressed. It is laid down therein that the officers recording confidential reports should realise the value and importance of such reports especially while making adverse remarks affecting the careers of the Government employees reported upon. While reporting/accepting authorities have the fullest freedom and the right to record their opinion about the work and conduct of their subordinates, but in doing so they are to be guided solely by the consideration of merit, justice and consistency. A confidential report should as such depict a true assessment about the work and conduct of the Government employees in an explicit and concise manner.

4. It is, therefore, requested that the necessity of writing confidential reports in a proper and impartial manner should be stressed again on all the reporting/accepting authorities and these instructions should be observed meticulously.

Copy of Punjab Government Circular letter No. 2960-SII (3)-71/17662, dated 7th July, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject : Taking of disciplinary action against the departmental authorities who fail to comply with Government orders regarding grant of anticipatory pension to retiring non-gazetted employees.

I am directed to invite a reference to sub-para (2) of para 1 of Punjab Government, Finance Department letter No. 8943-6F-68/27941, dated the 4th December, 1968, regarding simplification of pension rules and procedure,—vide which pension sanctioning authorities were authorised to allow anticipatory pension to the non-gazetted employees retiring from Government service on or after 1st November, 1968, up to 75 per cent of the amount calculated by them as due, pending scrutiny and authorisation by the Audit Office. The pension sanctioning authorities were also required to ensure that the Drawing and Disbursing Officers concerned actually start drawing the

amount of anticipatory pension from the month, following the month of retirement of the employee concerned. These orders were issued with the object of saving the retiring employees from unnecessary financial hardship on account of delay in the finalisation of their pension cases. These provisions have since been incorporated in the Punjab Civil Services Rules, Volume II, as rule 9.19(b). The necessity of careful observance of these provisions was reiterated by the Finance Department,—vide their letter No. 236-FD(Pen.)-70/18417, dated the 25th August, 1970.

2. The Audit Office has again brought to the notice of Government that in most of the cases the departmental authorities do not pay anticipatory pension to the retirees whose pension cases are not finalised by the date of their retirement, due to certain unavoidable reasons. Government consider that such a state of affairs is highly unsatisfactory. I am, therefore, to request that these instructions may be, again, brought to the notice of all the authorities concerned for strict compliance.

3. The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 3906-SII(3)-71/17723, dated the 9th July, 1971, from the Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.

Subject : *Ex-gratia* grants and other facilities for families of Government employees who die while in service.

I am directed to say that the question of giving appropriate *ex-gratia* grants and other facilities to the families of Government employees, who die while in service, has been under the consideration of Government and it has been decided to adopt the following general policy in this behalf:—

(a) *Adhoc Ex-gratia* grants

The *Ex-gratia* grant to be given to the family of deceased employee will be equivalent to ten (10) times the emoluments, which he was receiving immediately before his death, subject to a minimum of Rs. 5,000 and a maximum of Rs. 15,000. The term "emoluments" for this purpose shall mean the pay as defined in rule 2.44 of the Punjab Civil Services Rules, Volume I, Part I, and will include Dearness Pay also. The *Ex-gratia*

grant will be payable to the members of the family of a deceased employee mentioned below, in that order:—

- (i) Widow/Husband.
 - (ii) Dependent Sons/Daughters.
 - (iii) Dependent Father.
 - (iv) Dependent Mother.
 - (v) Dependent Brothers/Sisters.
- (b) *Free medical-aid*

Free medical-aid will be given to the family on the same basis as to pensioners except that facility will also be extended to minor children of the deceased employees.

(c) *Accommodation*

In case where the deceased employee was in possession of Government accommodation, his family will be allowed to retain the accommodation for one year after his death, the rate of rent being the same as was applicable to him at the time of his death. In other cases, the house rent allowance admissible to the deceased employee will continue to be given to the family for one year after his/her death.

(d) *Free Educational Facilities*

As already sanctioned under Punjab Government Circular letter No. 462-6(FR)-70/12757, dated 15th June, 1970, free educational facilities will be allowed to the unmarried children of all Government employees who die while in service subject to the following conditions :—

- (i) The benefit of free education shall be allowed upto Degree Courses (including Professional Courses); provided the children get admission in the said courses on merit and pass the examination held from time to time.
- (ii) Tuition fee at the rate as admissible in Government Institutions only shall be re-imbursed.
- (iii) The benefit will be admissible from the date of death of the Government employee concerned

to his children who are actually dependent upon their guardian.

2. As regards the procedure for granting these facilities necessary information in regard to the deceased employee and his family should be obtained in the enclosed proforma along with an affidavit, duly attested, and a reasonable proof of title to grant and other facilities as the case may be.

3. The *Ex-gratia* grant will be sanctioned by the respective pension sanctioning authorities and necessary authorisation in this behalf will be issued by the Accountant-General, Punjab.

4. The expenditure on this account shall be debitable to the budget provision in '65—Pensions and other retirement benefits'.

5. These concessions/facilities which will be admissible to Punjab Government employees as well as to All-India Services Officers serving under the Punjab Government will have effect from 1st November, 1970.

6. This issues with the concurrence of the Finance Department conveyed,—vide U.O. No. 1747-6FR-71, dated 30th June, 1971.

FORM OF APPLICATION FOR EX-GRATIA GRANT/ OTHER FACILITIES

Application from the family of late Shri/Shrimati _____,
employed as _____,
in the Office/Department of _____.

(1) Name and full address of applicant

(2) Relationship to the deceased
Government employee

(3) Circumstances and Date of death
of the Government employee.

(4) Name and ages of surviving rela-
tions of the deceased.

Name

Age

- (a) Widow/Husband
- (b) Sons
- (c) Unmarried daughters
- (d) Widowed daughters
- (e) Parents wholly dependent on the deceased Government employee
- (f) Widowed/Unmarried sisters.
- (5) The treasury from which *ex-gratia* grant is to be drawn.
- (6) Any other relevant information.

Place _____.

Date _____.

(Signature of applicant)

Copy of Punjab Government Circular letter No. 4147-SII (2)-71/17956, dated the 12th July, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject : Age of compulsory retirement—change in the criteria for retention of Government employees in service beyond the age of 55 years.

I am directed to invite reference to Punjab Government letter No. 4776-3GS(1)-64/15823, dated the 19th/21st May, 1964, on the subject noted above and to say that the matter has been reconsidered and it has been decided to restore the earlier position prevailing before 3rd June, 1971, and to allow Government employees with satisfactory/average record to continue in service upto the age of 58 years.