

MANUAL
OF
INSTRUCTIONS
ON
SERVICE MATTERS
VOLUME II

(Short title: M. S. M. Vol. II)



(Containing Instructions from 13-9-1976 to 30-6-1986)

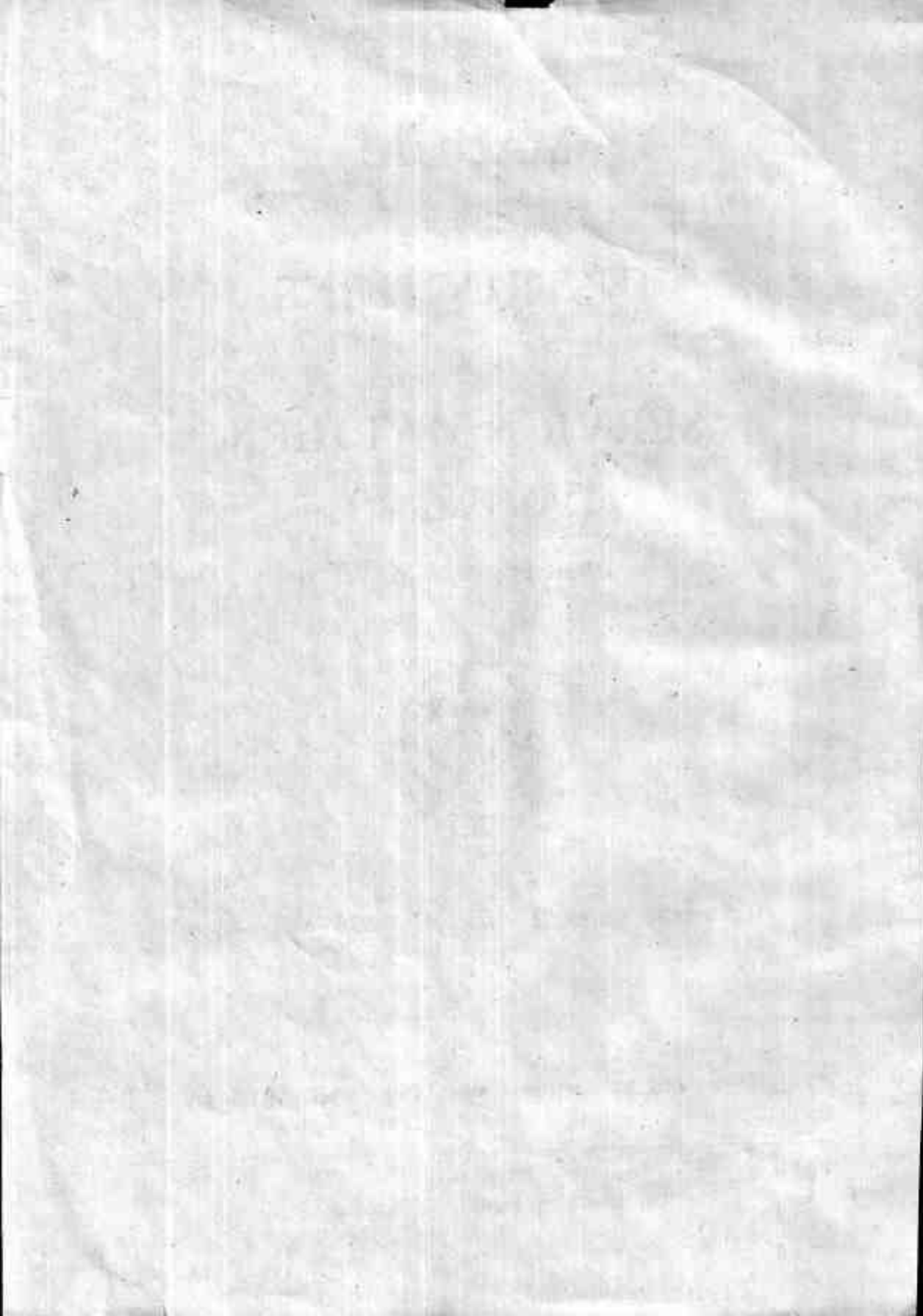
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PREFACE

Department of Personnel and Administrative Reforms has, in this Volume II of the Manual of Instructions on service matters, consolidated instructions on service matters issued from 13th September, 1976 up to 30th June, 1986. Very often individual cases are delayed as the Government officials are not aware of the latest instructions. This Volume will also be useful in obviating, to a major extent, the need for seeking clarifications from the Department.

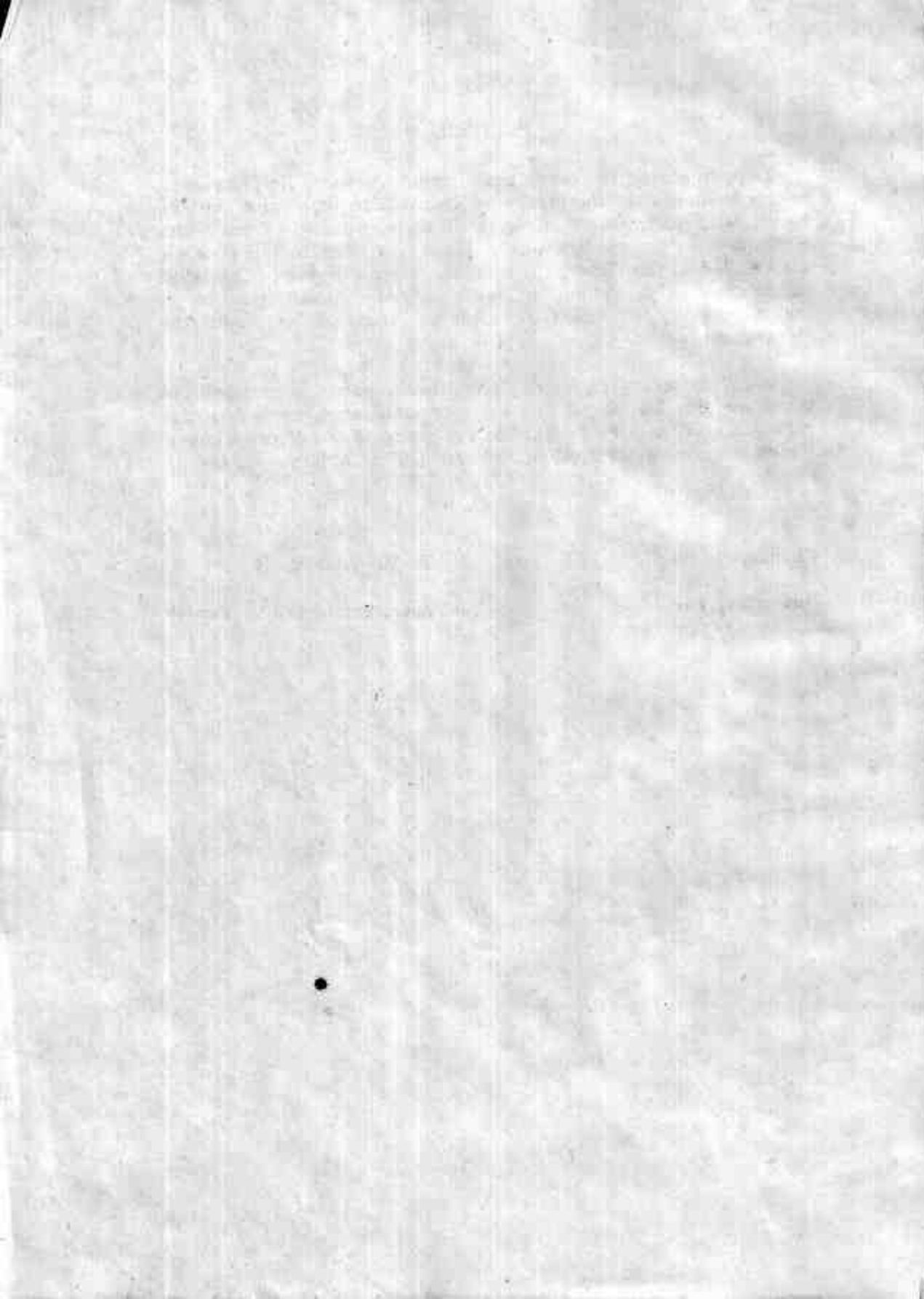
2. While every care and precautions have been taken in compiling this Manual, if any error or omission is noticed in this compilation, it may be brought to the notice of the Department of Personnel and Administrative Reforms (PP I Branch).

Chandigarh :

P. H. VAISHNAV,

November, 1986.

Chief Secretary to Govt., Punjab.



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388.	No. 8/8/84-4PP/14092, dated 18-10-1985.	Mid-term transfers—Ban on.	592
389.	No. 12/60/85-1GE/14096, dated 18-10-1985.	Temporary ban on recruitment in all Departments/Corporations/Boards and Semi-Government Institutions.	592
390	ਨੰ: 4/26/84-2 ਪੀਪੀ/14177, ਮਿਤੀ 21-10-1985	ਪੰਜਾਬ ਰਾਜ ਸਹਾਇਕ ਗਰੇਡ ਪ੍ਰਮਿਤਿਆ ਰੁਲਜ਼, 1984 ਵਿਚ ਸੋਧ ਕਲਰਕਾਂ ਆਦਿ ਨੂੰ ਚਾਰ ਮੋਕੇ ਦੇਣ ਬਾਰੇ ।	593
391	ਨੰ: 16/26/81-2 ਪੀਪੀ/14723, ਮਿਤੀ 4-11-1985	ਪੰਜਾਬ ਸਿਵਿਲ ਸਰਵਿਸਜ਼ (ਪ੍ਰੋਮੋਸ਼ਨਿਓਰ ਰਿਟਾਇਰ-ਮੈਂਟ) ਰੁਲਜ਼, 1975 ਵਿਚ ਸੋਧ ।	594
392.	8/8/84-4PP/17739, dated 17-12-1985.	Mid-term transfers—Ban on.	595
393.	ਨੰ: 14/4/85-ਜੀ.ਈ./556, ਮਿਤੀ 15-1-1986	ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਦਫਤਰਾਂ/ਨਿਗਮਾਂ/ਬੋਰਡਾਂ ਅੰਦਰ ਸਿਗਰਟ ਪੀਣ/ਤਮਾਕੂ ਦੀ ਵਰਤੋਂ ਕਰਨ ਦੀ ਮਨਾਹੀ ਕਰਨਾ ।	596
394.	No. 12/60/85-1GE/1433, dated 30-1-1986.	Temporary ban on recruitment in all Departments/Corporations/Boards and Semi-Government Institutions.	596
395.	No. 1/186-3GE/2360, dated 19-2-1986.	Employment to specified categories and widows on Class IV posts in Education and Health Departments.	597
396.	No. 1/11/86-5PP/1168/ 4360, dated 2-4-1986.	General relaxation in general age limit for recruitment to the various services under the Punjab Government.	598

Sr. No.	Number and date of Government Instructions	Subject	Page No.
397.	No. 8/9/86-4PP/4668, dated 9-4-1986.	Policy regarding postings and transfers of Punjab Government employees for the year 1986-87.	599
398.	No. 4/17/79-1PP/5403, dated 17-4-1986.	Proficiency in typewriting for direct - recruitment to the post of Clerk.	605
399.	No. 18/14/86-5PP/(1703)/5964, dated 24-4-1986.	Priority list for various categories of persons for employment in the State Services—Consolidated Instructions.	606
400.	ਨੰ: 7/2/84-2 ਪੀਪੀ-86/7524 ਮਿਤੀ 13-5-1986	ਪੰਜਾਬ ਸਿਵਲ ਸੇਵਾਵਾਂ (ਦੰਡ ਅਤੇ ਅਪੀਲ) ਹੁਲਜ਼, 1970 ਅਪੀਲ ਭਵਿੱਖੀ ਅਸਰ ਸਹਿਤ ਵਾਰ-ਸ਼ਕ ਤਰੱਕੀ ਬੰਦ ਕਰਨ ਦੀ ਸਜ਼ਾ ਆਦਿ ਬਾਰੇ।	612
401.	ਨੰ: 18/20/78-5 ਪੀਪੀ(2117)/9035, ਮਿਤੀ 17-6-1986	ਪਰਮ ਅਗੇਤ ਪੱਧਰ ਤੇ ਨਕਾਰਾ ਸਾਬਕਾ ਫੌਜੀਆਂ ਅਤੇ ਸਰਕਾਰੀ ਸੇਵਾ ਵਿਚ ਕੰਮ ਕਰ ਰਹੇ ਸੁਵਰਗਵਾਸੀਆਂ ਦੀਆਂ ਵਿਧਵਾਵਾਂ ਅਤੇ ਉਨ੍ਹਾਂ ਦੇ ਹੋਰ ਆਸ਼ਰਤਾਂ ਆਦਿ ਨੂੰ ਮੁੜ ਵਸਾਉਣ ਸਬੰਧੀ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਮਿਤੀ 18 ਅਪ੍ਰੈਲ, 1973 ਨੂੰ ਜੋਪਣ ਬਾਰੇ (24 ਅਪ੍ਰੈਲ, 1986 ਨੂੰ ਨਵੀਆਂ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕੀਤੀਆਂ ਜਾ ਚੁਕੀਆਂ ਹਨ)।	612
402.	ਨੰ: 13/41/85-2 ਪੀ.ਪੀ.-86/9082, ਮਿਤੀ 18-6-1986	ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਵਿਰੁੱਧ ਅਨੁਸ਼ਾਸਨੀ ਕਾਰ-ਵਾਈ ਕਰਨ ਹਿਤ ਸੂਚਨਾ ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਨੂੰ ਭੇਜਣ ਬਾਰੇ।	613
403.	ਨੰ: 13/5/85-2 ਪੀਪੀ/9515, ਮਿਤੀ 25-6-1986	ਪੰਜਾਬ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਵਲੋਂ ਅਨੁਸ਼ਾਸਨੀ ਕਾਰਵਾਈ ਦੇ ਕੇਸਿਜ਼ ਵਿਚ ਸਲਾਹ ਦੇਣ ਬਾਰੇ ਸਮਾਂ ਨਿਸ਼ਚਿਤ ਕਰਨਾ।	619
404.	Alphabetical Index		621—648

Copy of letter No. 8461-6GS-76/38731, dated 13th September, 1976, from the Chief Secretary to Government, Punjab, to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Session Judges, Registrar, Punjab and Haryana High Court and Sub-Divisional Officers in the State.

Subject.—Ex-gratia grants and other facilities for families of Government employees who die while in Services.

I am directed to invite a reference to the instructions issued with Punjab Government circular letter No. 3906-SII (3)-71/17723, dated the 9th July, 1971, on the subject noted above wherein it has been mentioned that the concessions/facilities indicated therein will have effect from 1st November, 1970. The question of granting the said concessions from a date prior to 1st November, 1970, has been engaging the attention of the government for some time past. It has now been decided to allow the benefit of *ad hoc* ex-gratia grant equal to 10 months' pay subject to minimum of Rs. 5,000 and a maximum of Rs. 15,000 to the families of those Government employees also who died during the period from 1st November, 1966 to 31st October, 1970 as well. Such families will not, however, be eligible for any other benefits allowed from time to time to the family members of a deceased Government employee who died on or after 1st November, 1970.

3. This issues with the concurrence of the Finance Department conveyed,—vide U.O. No. 4161-6FR-76, dated the 3rd August, 1976.

Copy of Punjab Government circular letter No. 9128-2SII-76/dated 13th October, 1976, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Writing of confidential reports-work connected with the Family Planning Programme.

No. 14102/GI-57/22998, dated 15th November, 1957.

2. No. 10542-GII-59/26741, dated 17th December, 1959.

3. No. 6789-Services 2(1) 69/28237, dated 28th November 1969.

I am directed to invite your attention to Punjab Government instructions contained in circular letters noted in the margin. In the said instructions the Divisional Commissioners, Deputy Commissioners and S.D.Os.(C) were authorised to write annual confidential reports of the departmental officers at divisional, district and sub divisional level respectively on the following aspects of their work :—

- (i) Reputation for honesty ;
- (ii) Relationship with public ;
- (iii) Implementation of development schemes and policies of Government.

2. As already emphasised,—vide demi-official communication No. 4421-IHB-IV-76/15906—09, dated 19th May, 1976, Government attaches great importance to the Family Planning Programme and desires to achieve maximum targets with the co-ordination of all departmental officers. It has, therefore, been decided that the S.D.Os (C) the Deputy Commissioners and the Divisional Commissioners will record in the annual confidential reports the performance of various departmental officers functioning in their respective jurisdiction in achieving the Family Planning targets entrusted to them. These remarks will be covered under the broad category (iii) mentioned in paragraph I above.

Kindly ensure meticulous compliance of these instructions and acknowledge receipt of this letter.

Copy of Punjab Government circular letter No. 7022-3GS-76/43780, dated 29th October, 1976, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Criteria to determine the domicile of a person for various purposes.

It has been observed that the dependents of the Permanent Punjab Government employee stationed at Chandigarh, including those on deputation with various autonomous bodies and other

organisations located there, have been experiencing considerable difficulty in obtaining the certificate of domicile in terms of the instructions issued with Punjab Government circular letter No. 3142-3SII-75/49482, dated the 24th November, 1975, because the district authorities in the Punjab have been reluctant in entertaining their requests for such certificates due to their being stationed at Chandigarh. Government have thus considered the matter carefully, and in order to eliminate the hardship being faced by genuine applicants for the issue of the certificate of domicile, it has been decided that a certificate to the effect that the concerned permanent employee is a Punjab Government employee serving under him, should henceforth be issued by the Head of Department concerned and the same be deemed to be certificate of Punjab domicile for all intents and purposes of admission to various colleges, educational institutions and Universities located within the State of Punjab.

2. I am accordingly directed to request you that such certificates, where applied for by the permanent employees of the Punjab Government working in Punjab Government offices or on deputation with the Central Government departments/offices or in any of the Corporations, Public Undertakings, autonomous bodies located at Chandigarh and Urban Estate, Sahibzada Ajit Singh Nagar (Mohali) under the control of the Punjab State or the Central Government, including the Post-Graduate Institute of Medical Education and Research, Chandigarh, may, in future, be issued by you so that the dependents of Permanent employees of the Punjab Government do not have to face any hardship in securing admission in Colleges, Universities, and other educational institutions in the Punjab State. These instructions may also kindly be brought to the notice of all permanent Government employees working under your administrative control at Chandigarh and Sahibzada Ajit Singh Nagar (Mohali) Urban Estate for future guidance.

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

Yours faithfully,

Sd/-

Deputy Secretary Personnel,
for Chief Secretary to Government, Punjab.

No. 7022-3GS-76/43781, dated, Chandigarh, the 29th October 1976.

A copy is forwarded to the Director, Information and Publicity, Punjab, Chandigarh for information and giving wide publicity to the above decision of Government.

Sd/-

Deputy Secretary Personnel,
for Chief Secretary to Government, Punjab.

A copy forwarded to all the Financial Commissioners and the Administrative Secretaries to Government, Punjab for information and communication to the Punjab Government Departments/Offices and the autonomous bodies working under their control in Punjab State.

2. For Secretary to Government, Punjab, Health and Family Planning/Education Department, Chandigarh, only.

It is requested that suitable instructions may kindly be issued to the Principals of various Medical/Educational/Engineering Colleges and such other Institutions under their control to recognise such certificates issued by a Head of Department/Office of the Punjab Government located in Chandigarh as valid domicile certificate in connection with the admission of Children/dependents of the permanent Punjab Government employees posted at Chandigarh and Urban Estate, Sahibzada Ajit Singh Nagar (Mohali).

Sd/-

Deputy Secretary Personnel,
for Chief Secretary to Government, Punjab.

To

All Financial Commissioners and the Administrative Secretaries to Government, Punjab.

U.O. No. 7022-3GS-76/ dated Chandigarh, the 29th October, 1976.

ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ : 111082-2ਅਸ-76/44935, ਮਿਤੀ 8 ਨਵੰਬਰ, 1976 ਦਾ ਉਤਾਰਾ—
ਵੱਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲ ਸਾਰੇ ਵਿਭਾਗ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬੀ ਭਾਸ਼ਾ ਦਾ ਪ੍ਰਚਾਲਣ—ਗਿਆਨੀ ਜਾਂ ਪੰਜਾਬੀ ਭਾਸ਼ਾ ਵਿਚ ਐਮ.ਏ. ਦੀ ਯੋਗਤਾ ਪ੍ਰਾਪਤ ਕਰਨ ਵਾਲੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਉਤਸ਼ਾਹ ਦੇਣ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ : 3600-2ਸ 11-75/22209, ਮਿਤੀ 24 ਜੂਨ, 1975 ਵੱਲ ਮੈਨੂੰ ਆਪ ਜੀ ਦਾ ਧਿਆਨ ਦਿਵਾਉਣ ਅਤੇ ਇਹ ਸਪਸ਼ਟੀਕਰਨ ਦੇਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ 100 ਰੁਪਏ ਦਾ ਇਨਾਮ ਤਦ-ਅਰਥ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਨਹੀਂ ਦਿੱਤਾ ਜਾਣਾ ਹੈ ਅਤੇ ਇਹ ਕੇਵਲ ਉਨ੍ਹਾਂ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਹੀ ਦਿੱਤਾ ਜਾਣਾ ਹੈ ਜਿਨ੍ਹਾਂ ਦੀ ਨਿਯੁਕਤੀ ਰੈਗੂਲਰ ਹੋਵੇ ਅਤੇ 24 ਜੂਨ, 1975 ਜਾਂ ਇਸ ਮਿਤੀ ਤੋਂ ਬਾਅਦ ਗਿਆਨੀ ਜਾਂ ਪੰਜਾਬੀ ਵਿਚ ਐਮ.ਏ. ਦੀ ਪ੍ਰੀਖਿਆ ਪਾਸ ਕੀਤੀ ਹੋਵੇ, ਭਾਵੇਂ ਉਨ੍ਹਾਂ ਨੇ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਜਾਰੀ ਹੋਣ ਦੀ ਮਿਤੀ ਤੋਂ ਪਹਿਲਾਂ ਪ੍ਰੀਖਿਆ ਦਿੱਤੀ ਸੀ। ਅਰਥਾਤ ਸਰਟੀਫੀਕੇਟ ਦੀ ਮਿਤੀ 24 ਜੂਨ, 1975 ਜਾਂ ਇਸ ਤੋਂ ਬਾਅਦ ਦੀ ਹੋਣੀ ਚਾਹੀਦੀ ਹੈ। ਜਿਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਨੇ 24 ਜੂਨ, 1975 ਤੋਂ ਪਹਿਲਾਂ ਗਿਆਨੀ ਦੀ ਪ੍ਰੀਖਿਆ ਪਾਸ ਕੀਤੀ ਸੀ ਅਤੇ 24 ਜੂਨ, 1975 ਤੋਂ ਬਾਅਦ ਪੰਜਾਬੀ ਵਿਚ ਐਮ.ਏ. ਦੀ ਪ੍ਰੀਖਿਆ ਪਾਸ ਕਰਦੇ ਹਨ, ਤਾਂ ਉਨ੍ਹਾਂ ਨੂੰ ਵੀ ਉਪਰੋਕਤ ਇਨਾਮ ਦਿੱਤਾ ਜਾਵੇਗਾ।

2. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਜ਼ੀਦ ਭੇਜੀ ਜਾਵੇ ਜੀ।

Copy of letter No. 11102-8GS-76/44683, dated the 10th November, 1976 from the Chief Secretary to Government Punjab, to all Heads of Departments, Commissioner of Divisions, Deputy Commissioners etc., etc.

Subject.—*Ad hoc appointments—Checking up of work and conduct at the time of extending the terms of appointment.*

I am directed to refer to Punjab Government instructions issued, —vide letter No. 3737-S11(ASO)-74, dated the 29th August, 1974, on the subject noted above and to state that instances have come to the notice of the Government where the employees working on *ad hoc* basis have been allowed to continue in service by extending the terms of appointment by the Heads of Departments/Competent authorities in spite of the fact that the work and conduct of the concerned employees had not been satisfactory. This action of the Departments besides creating unnecessary complications/liability, is also not in the interest of administrative efficiency. It is, therefore, emphasised that while considering the proposals for the extension in the term of appointment of persons appointed on *ad hoc*

basis, apart from Punjab Government instructions contained in circular letter dated the 29th August, 1974 referred to above, the appointing authorities should also satisfy themselves that the work and conduct of the concerned employees have been satisfactory.

Copy of Punjab Government circular letter No. 12160-6GS-76/47907, dated 1st December, 1976, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Grant of over-time 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. 1211-SII(6)69/5432, dated 27th February, 1969, on the subject noted above and to state that Government have reconsidered the matter afresh and have decided that over time allowance should be paid to peons including jamadars in 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 at the following revised rates from the date of issue of this letter :—

(i) 60 paise per hour for the period spent in a day in excess of one hour, with a maximum of Rs. 2 per day.

(ii) Rs. 3 as honorarium for a holiday.

2. This issues with the concurrence of Finance Department,—
vide their U.O. No. 4669-5FR-76, dated 15th October, 1976.

Copy of Punjab Government circular letter No. 9848—7GS-76/48141 dated 1st December, 1976, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Principles to be observed in making postings and transfers/
Mid-term transfer.

I am directed to address you on the subject noted above and to say that although the State Government have laid down a definite policy regarding postings and transfers of various classes of

employees and issued comprehensive instructions from time to time on various aspects of the policy, yet it has come to notice that the policy is not being adhered to meticulously. This results in the dislocation of the administrative work, and undue hardship to the employees concerned. Certain un-healthy practices have also crept in some of the departments especially those with bigger establishments.

2. Government have reconsidered the whole matter in the context of the instructions issued from time to time and have decided that the following principles should invariably be followed while issuing posting/transfer orders of Government employees in future :—

NORMAL MODE OF TRANSFER

- (i) The transfers and postings of any category of employees should normally take place only once a year during the period from March 15 to April 30 (hereinafter referred to as the "prescribed period"). If any transfer is to be made outside this period, the competent authority should not issue orders without obtaining the prior approval of the next higher authority. The authorities concerned should, after careful consideration, draw out by the end of February, a plan of general postings and transfers, with a view to making arrangements lasting the whole of that year, so as to ensure issuance of necessary orders promptly, during the prescribed period.

NORMAL TENURE ON A POST

- (ii) A Government employee should normally be kept on one post for a period of 3 years or the period of the tenure prescribed. Transfer prior to this period should be made only in compelling circumstances and when exigencies of service so demand.

ALTHOUGH the three years tenure 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 be posted in some other department in the Secretariat also, after completion of his tenure in one Department on account of exigencies of public service. However, special care should be taken generally that

officers should circulate in the field and Secretariat reasonably.

EXCEPTION TO TENURE

- (iii) If any employee posted in a particular area has earned laurels from all quarters concerned and the service rendered by him has proved of maximum value to the public he may be allowed to work in the same area even beyond the period of 3 years.

THIS three years principle should also not apply in respect of those employees who are working in Colleges, Schools and Laboratories, as in such places the continuous association of such like employees whose work is commendable greatly helps building up good traditions which are quite healthy and lead to the success of such institutions.

INDEX CARDS

- (iv) IN order that a competent authority is able to know at a glance how long an employee has stayed at a particular place index cards should be prepared. These cards may be maintained alphabetically in the following prescribed form:—

- (i) Name.
- (ii) Home District of the employee.
- (iii) Name of the District in which the employee has his property.
- (iv) Date of entry into service.
- (v) If the husband/wife of the employee is also in Government service if so, date and place of posting.

(a)

(b)

(c)

		Date of posting	
Post	Place of posting	From	to

TRANSFERS IN LOT

- (v) Orders of transfers should be issued in one lot and not in piece meal.

RESTRICTION ON POSTING IN HOME DISTRICTS, ETC.

- (vi) Gazetted officers should not be posted in their home districts or places less than 25 miles from their native village/town or in a district where they or any member of the family held immovable property. Exemption from the application of this principle is, however, made in case of the categories of posts enumerated below :—

- (1) Assignments in the Secretariat.
- (2) Heads of Departments.
- (3) Commissioners of Divisions.
- (4) Superintending Engineer and similar Officers in other Departments whose jurisdiction is in more than one District.
- (5) Assignments available in the office of (2), (3) and (4) above.
- (6) Professors and Lecturers in Education Department.
- (7) Doctors serving in backward areas.
- (8) Doctors posted in Medical Colleges of the State.

TRANSFERS ON COMPASSIONATE GROUNDS

- (vii) If any employee wants transfer on compassionate grounds he must put in an application to the competent authority through proper channel. The competent authority should satisfy itself regarding the bona fides of the request and decide the case on merits keeping in view the public interest.

TRANSFER AT THE INSTANCE OF A LEGISLATOR

- (viii) Where a proposal for the transfer of a Government employee is initiated by or at the instance of a legislator,

prior approval of Chief Minister is necessary before effecting the transfer.

RESTRICTIONS ON TRANSFERS OF OFFICERS ON ELECTION DUTY

- (ix) Government employees who were appointed on election duty should not be transferred until the election or bye-election has been completed. Those employees who acquired good working knowledge of Civil Defence work may not be transferred as far as possible.

The Deputy Commissioner concerned should be informed about such changes as may be strictly necessary, so that immediate alternative arrangement can be made by the Deputy Commissioner.

RESTRICTION ON POSTING OF CLOSE RELATIVES IN THE SAME OFFICE

- (x) Normally father and son and very close relatives should not be posted in the same office. However, in respect of lower grade employees or in small offices where this principle cannot be followed rigidly effort should be made to appoint persons in relationship of this kind to work in different branches of the same office.

POSTINGS IN COUPLE CASE

- (xi) When husband and wife are in the Government service an attempt should be made to keep them together at one station as far as possible. Even in cases where the wife is in government service and husband is under a private employment, efforts are to be made to post the wife near or at the same place. Efforts should also be made to post unmarried girls and widows at stations suitable to them as far as practicable.

POSTINGS ON ESTABLISHMENT SEATS

- (xii) Since the establishment staff and officials posted on the public dealing seats in all departments have great scope for resorting to corruption, officials of proven integrity should only be posted to such posts.

POSTINGS ON RESUMPTION OF DUTY AFTER ILLNESS

- (xiii) The demand of a Government employee for appointment/posting on a light duty seat on the plea of his having suffered from serious illness should not be accepted.

In fact 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.

SIFARASH TO BE DISCOURAGED

- (xiv) Approach/sifarash for posting at a particular place either through MLAs/MPs or any other source should be discouraged. Severe disciplinary action be taken against employees who bring political or outside influence to bear upon the Chief Minister or other Ministers in respect of transfers.

DISCOURAGEMENT TO TENDENCY TO AVOID INCONVENIENT POSTS

- (xv) The tendency amongst the Government employees to apply for leave on medical certificate after receiving orders of transfer from a particular place merely to avoid inconvenient posting must be discouraged. To deal with such cases the following procedure should be adopted :—

(a) The Medical Certificate issued by a Civil Surgeon or Assistant Civil Surgeon Class I (Gazetted) to a gazetted officer recommending him leave for a period not exceeding one month, when he is under transfer orders should be got countersigned from the Director of Health Services, Punjab. If the leave applied for exceeds one month, the Medical Certificate issued by a Medical Board or a Medical Committee alone should be accepted.

(b) Similarly the Medical Certificate issued by a Medical Officer to a non-gazetted official drawing more than Rs. 125 as basic pay per mensem should be got countersigned by the Civil Surgeon of the district. In this connection it may be made clear that in such cases it will be necessary to have Medical Certificate from a Government Medical Officer and the Medical

Certificate issued by a private medical practitioner should not be entertained.

- (c) A Government servant is required to send telegraphic information if he proceeds on medical leave.
- (d) On receipt of telegraphic intimation, the authority issuing the transfer orders, if it has reasons to suspect the bonafides of the officer, should make a telegraphic request to the Director of Health services for enquiring whether the medical certificate granted to the Government employee is genuine. The Director of Health Services should find out the truth promptly and intimate the result to the authority concerned.

MID TERM TRANSFERS

(xvi) In general, the mid-term transfers are not to be made. However, if such a transfer is indispensable in the administrative interest, the under mentioned principles and the procedure should invariably be followed:—

- (a) If the transfer of any employee is to be made outside the prescribed period, i.e. March 15 to April 30, the competent authority should obtain the approval of the next higher authority.
- (b) In case of non-gazetted employees, where the Head of the Department is competent authority to carry out the transfers, it would be necessary to obtain the approval of the next authority i.e. the Administrative Secretary.
- (c) In case of gazetted employees, where the Administrative Secretary/Minister Incharge is the competent authority to order the transfer, such cases shall be approved by the Chief Minister through the Chief Secretary to Government, Punjab (in General Services Branch).
- (d) In case of mid-term transfer proposed at the Ministers level, the approval of the Chief Minister is to be obtained through the Chief Secretary to Government, Punjab (in General Services Branch).

3. The above restrictions will not apply to mid-term postings and transfers arising directly as a result of promotion, grant of long leave, suspension, retirement, removal from service, etc.

4. These instructions may kindly be brought to the notice of all concerned under your control for strict compliance. Any departure from this policy will be viewed seriously.

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

Copy of Punjab Government circular U.O. No. 11987-2GS-76, dated 3rd December, 1976, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Amendment of rules 6 and 16 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

Will the Financial Commissioners and all Administrative Secretaries to Government, Punjab, kindly refer to the subject noted above.

2. On the analogy of corresponding rules of the Central Civil Services (C.C. & A.) Rules, 1965, the State Government proposes to amend rules 6 and 16 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 so as to specify punishing and appellate authorities even if a particular service or a post is not covered by any specific service rules. The proposed rules will have the following terminology:—

“Rule 6 : Punishing authorities.—(1) The Governor may, impose any of the penalties specified in rule 5 on any Government employee.

(2) Without prejudice to the provisions of sub-rule (1), but subject to the provisions of sub-rule (3), any penalties specified in rule 5 may be imposed on Government employee by the appointing authority or by any authority empowered in this behalf by a general or special order of the Governor or as specified in the rules regulating the appointment and conditions of service of the employee concerned.

- (3) Notwithstanding anything contained in this rule—no penalty specified in clauses (v) to (ix) of rule 5 shall be imposed by any authority subordinate to the appointing authority."

"Rule 6 (a).—An appointing authority is empowered to delegate its powers to any authority subordinate to it to impose any of the penalties specified in Clauses (i) to (iv) of rule 5."

"Rule 16 : *Appellate Authorities*.—(1) 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 by a general or special order of the Governor or as specified in the rules regulating his appointment and conditions of service, or where no such authority is specified :—

- (a) to the Governor, where he is the appointing authority and the order appealed against is passed by any other authority; or
- (b) to the appointing authority, where the order appealed against is made by an authority immediately subordinate to it; or
- (c) to the authority to which the authority making the order appealed against is immediately subordinate.

(2) Notwithstanding anything contained in sub-rule (1),—

- (i) an appeal against an order in a common proceedings held under rule 12 shall lie to the authority to which the authority functioning as the punishing authority for the purpose of that proceedings is immediately subordinate;
- (ii) Where the person who made the order appealed against becomes, by virtue of his subsequent appointment or otherwise, the appellate authority in respect of such order, an appeal against such order shall lie to the authority to which such person is immediately subordinate.

3. Before the above amendment is carried out it has been considered appropriate to obtain the views of the Administrative

Departments in this behalf. It is, therefore, requested that views/comments in the matter, if any, of the Administrative Departments be sent to this Department within three weeks. If no comments are offered within this period it will be presumed that they have no comments to offer in the matter.

Copy of Punjab Government circular letter No. 12213-2GS-76/48734, dated 8th December, 1976, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Rule 20 of Punjab Government Employees (Conduct) Rules, 1966—Convassing of non-official or other influence by Government Employees—Strict observance of.

I am directed to invite your attention to the instructions contained in Punjab Government Circular letter No. 5283-2SII-76/, dated the 11th May, 1976,—*vide* which it was reiterated that convassing of non-official or other influence by the Government employees upon the superior authorities (including Ministers etc.) in furtherance of their service interests involves breach of Rule 20 of the Punjab Government Employees (Conduct) Rules, 1966, and the instructions issued from time to time in this behalf. It was emphasised that strict disciplinary action be taken against the employees who circumvent the statutory provisions of the Rules *ibid*.

2. Your attention is also invited to Punjab Government instructions No. 5201-8GS-62/12393, dated the 24th April, 1962, whereby a decision was conveyed to the effect that all letters/representations addressed to the higher authorities by the wives or members of the families of Government employees for redressing their grievances in service matters should be ignored, unless there are unusual circumstances such as illness of an acute type because of which the official cannot normally be expected to write a letter or explain the position himself.

3. Despite the above instructions it has been observed that numerous applications are submitted to the Ministers etc. by the employees or their relatives requesting for transfers, posting etc. Government views such a tendency on the part of the Government employees with serious concern and desire that strict view be taken in this behalf by initiating disciplinary proceedings under the Punjab Civil Services (Punishment and Appeal) Rules, 1970. They are further requested to ignore all such requests put forth by the relatives of the

employees where these are not according to the instructions referred to in para 2 above.

Kindly acknowledge its receipt.

Copy of Punjab Government circular letter No. 9193-2GS-76, dated 9th December, 1976, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Punjab Civil Services (Premature Retirement) Rules, 1975—Weeding out corrupt, dishonest or in-efficient officials/officers from Services—Quarterly return—submission of.

I am directed to invite a reference to the Punjab Government Circular letter No. 4431-2SII-76/, dated the 28th April, 1976, on the subject noted above,—vide which quarterly return in the prescribed proforma in regard to premature retirement cases in your Department is required to be sent to the Administrative Department with a copy to this Department by the 3rd of the month following the quarter to which the return may relate. A consolidated return in respect of all the Departments under the control of each Administrative Department is further to be sent to this Department by the 7th of the month following each quarter.

2. It has been observed that the Departments either send the return in question very late or do not supply at all. Such incomplete and delayed reports hamper the transmission of a consolidated report to the Government of India in time as required by them.

3. As a result of review of the premature retirement cases by the higher authorities as enjoined in Punjab Government instructions No. 6106-2GS-76, dated the 27th August, 1976, some of the employees have reinstated. The proforma previously prescribed,—vide instructions dated the 28th April, 1976 referred to above has therefore been revised so as to cover the information regarding review of the premature retirements.

4. You are, therefore, requested to supply the requisite information in the enclosed revised proforma for the period from July, 1975 to 30th September, 1976 in respect of all the employees working in your Department to your Administrative Department with a copy to the Chief Secretary (in General Services Branch) within 15 days, without fail.

5. You are further requested to ensure that the returns for the quarter from 1st October, 1976 to 31st December, 1976 and subsequent quarters are sent by the 3rd of the month following the completion of each quarter i.e. 3rd January, April, July and October.

6. To ensure the timely submission of the quarterly return, you are requested to nominate one officer in your Department to coordinate in this work and make him responsible for sending the returns by due date without fail.

7. Government will take very serious view of the defaulters and late submission of the return.

Kindly acknowledge receipt of this letter.

PROFORMA

Information regarding the number of employees who have been retired prematurely in public interest under the Punjab Civil Services (Premature Retirement) Rules, 1975, for the quarter ending.....

Class I, Class II, Class III, Class IV

1. Number of employees whose cases have been reviewed for premature retirement.
2. Number of employees who have been actually retired in Public interest during the quarter under report.
3. Number of employees who have been reinstated as a result of enquiry during the quarter under report.

Notes :—

- (1) The names and designation of the employees prematurely retired may be indicated in a separate list to be enclosed with this proforma.
- (2) The names and designation of the employees reinstated as a result of review by the Higher Authority alongwith

grounds for reinstatement may be indicated in separate list to be enclosed with this proforma. This list should also indicate the date of premature retirement of the employees concerned.

- (3) The number of the employees who have only been served with three months' notice during the quarter under report but not actually retired should be shown against column 1 in the proforma. Their retirement if effected should be shown in the next quarter.
- (4) It has to be ensured that the return in the above proforma is invariably sent to the Chief Secretary with a copy to the Administrative Secretary concerned by the 3rd of the month following the quarter to which the return relates.

Copy of Punjab Government circular letter No. 86(GOI)-2GS-76/ , dated 23rd December, 1976, from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Principles to be followed in regard to action to be taken in cases where Government employees are convicted on a criminal charge.

I am directed to address you on the subject noted above and to say that with the intention of laying down clear and self-contained guidelines for the Departments as to how to proceed in the cases of employees convicted on a criminal charge, Government have determined the following principles *inter-alia* on the lines of Government of India's policy:—

- (a) Under Rule 13(i) of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 "the Punishing Authority may consider circumstances of the case and make such orders thereon as it deems fit where any penalty is imposed on a Government employee on the ground of conduct which has led to his conviction on a criminal charge, provided that the commission shall be consulted, where such consultation is necessary, before any orders are made in any case." In accordance with the aforesaid rule, therefore, the Punishing Authority "may consider the circumstances of the case and make such orders thereon as it deems fit." It is not necessary that in every case where a Government employee is convicted by a court of

law, he is required to be dismissed or removed from service. Whether an element of moral turpitude involves or not is not the sole criteria to determine the punishment of dismissal or removal from service of a Government employee. The facts of each case are to be seen by the Punishing Authority before inflicting any punishment on a Government employee who is convicted on a criminal charge. In cases where the offence is of such a nature as to render further retention in public service of the Government employee *prima-facie* undesirable, action to dismiss, remove or compulsorily retire him from service should be taken forthwith without waiting for the lapse of the period for filing an appeal by the Government employee (Standard Form No. 1 for such an order is annexed).

- (b) In a case where the conviction of a Government employee is not for an offence which may render his further retention in public service *prima-facie* undesirable, a copy of the judgement should be called for and examined with a view to decide about taking such further departmental action, as might be deemed appropriate in the circumstances of the case.

2. (i) If an appeal/revision in higher Court against conviction succeeds and the Government employee is acquitted, the order imposing a penalty on him on the basis of conviction which no longer stands, becomes liable to be set aside.

A copy of the judgement of the higher court should therefore, be immediately procured and examined with a view to decide :—

- (a) Whether the acquittal should be challenged in a still higher court; or
- (b) Whether, despite the acquittal, the facts and the circumstances of the case are such as to call for a departmental enquiry against the Government employee on the basis of the allegations on which he was previously convicted.

(ii) If it is decided to take the matter to a still higher court, action to institute proper proceedings should be taken with the least possible delay and the penalty imposed should not be set aside during the pendency of such proceedings.

(iii) If, on the other hand, it is decided that a departmental inquiry may be held, a formal order should be made for setting

aside the order imposing the penalty on the basis of the conviction; and ordering the departmental enquiry (Standard Form No. II for such an order is annexed.)

In cases where the penalty imposed on the basis of the conviction was dismissal, removal or compulsory retirement from service, and a decision has been taken to institute departmental proceedings against him, the order (Form No. II) should also state that under rule 4 (3) of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, the Government employee is deemed to be under suspension with effect from the date of dismissal, removal or compulsory retirement from service.

3. For appreciating properly the scope and implications of the words "on the basis of the allegations on which he was previously convicted" occurring in para 2(i)(b) above, the point to be taken note of is that one identical set of facts and allegations might be sufficient to constitute a criminal offence as well as misconduct not amounting to criminal offence but it may still be punishable under the Punjab Civil Services (Punishment & Appeal) Rules, 1970 or similar other rules. If the facts or allegations had already been examined by the Court of competent Jurisdiction and has given a finding that the allegations are not true, then it is not permissible to hold a departmental enquiry in respect of charge(s) based on the same facts or allegations, if on the other hand, the Court has merely expressed a doubt as to the correctness of the allegations, then there may not be any objection to hold a departmental enquiry on the same allegations if better proof than what was produced before the Court or was then available is forthcoming. Further, if the Court has held that the allegations are proved but do not constitute the criminal offence for which Government employee has been charged, in that case also there may not be any objection to hold a departmental enquiry on the basis of the said allegations, if such proved allegations are of such nature which justify departmental disciplinary action. Similarly, a departmental enquiry is permissible after the acquittal in respect of a charge which is not identical with or similar to the charge in the criminal case, and is not based on any allegations which have been negatived by the criminal court. Further more, if the allegations had not yet been examined by the Court of Law but are considered good and sufficient grounds for departmental disciplinary action, there is no bar to taking such action.

4. In cases, where neither of the courses mentioned in para 2 is followed a formal order should be issued setting aside the previous order imposing the penalty (Standard Form III for such an

order is annexed). In cases where the penalty imposed was dismissal, removal or compulsory retirement from service, full pay and allowances will be paid from the date of acquittal to the date of re-joining duty and the period counted as duty for all purposes whereas for the period from the date of suspension/removal/dismissal to the date of acquittal, pay and allowances will be allowed as directed by the competent authority and the period treated as duty or non-duty under Rule 7.3 of Punjab Civil Service Rules, Volume I, Part 1.

5. It has been decided that the Punjab Public Service Commission should continue to be consulted, wherever such consultation is necessary, in all cases of conviction in a court of law including conviction for an offence involving corruption. Although in such cases, departmental action is taken on the ground of conduct which has led to an employee's conviction on a criminal charge, the quantum of punishment to be imposed on the convicted employee has to be considered in consultation with the commission on the merits of each case as per requirements of the Punjab Public Service Commission (Limitation of Functions) Regulations, 1955.

6. Punjab Government instructions No. 4809-GII-57/11919, dated the 8th July, 1957 may be considered to have been modified accordingly.

7. It is requested that these instructions may be brought to the notice of all concerned for guidance and necessary action.

8. Kindly acknowledge receipt.

FORM No. I.

ORDER

WHEREAS SHRI (here enter name and designation of the Government employee), has been convicted on a criminal charge, to wit, under section (here enter the section or sections under which the Government employee was convicted) of (here enter the name of the statute concerned).

AND WHEREAS it is considered that the conduct of the said Shri (here enter name and designation of the Government employee) which has led to his conviction is such as to render his further retention in the public service undesirable,

NOW, THEREFORE, in exercise of the powers conferred by rule 13 (i) of the Punjab Civil Service (Punishment and Appeal) Rules, 1970, and in consultation with the Punjab Public Service Commission, the Governor/undersigned hereby dismisses/removes the said Shri (here enter name and designation of the Government employee) from service or direct that the said Shri (here enter name and designation of the Government employee) shall be compulsorily retired from service with effect from (here enter the date of dismissal/removal/compulsory retirement).

*(by order and in the name of the
Governor)

Station : Punishing Authority

Dated :

(N.B.—In the above form, portions not required should be struck out according to the circumstances of each case.)

FORM No. II

ORDER

WHEREAS Shri (here enter name and designation of the Government employee) was dismissed/removed/compulsorily retired from service with effect from (here enter the date of dismissal/removal or compulsory retirement) on the ground of conduct which led to his conviction on a criminal charge ;

OR

WHEREAS THE PENALTY OF (name the penalty imposed) was imposed on Shri (here enter the name and designation of the Government employee) on the ground of conduct which led to his conviction on a criminal charge ;

AND WHEREAS the said conviction has been set aside by a competent court of law and the said Shri (here enter the name and designation of the Government employee) has been acquitted of the said charge;

AND WHEREAS in consequence of such acquittal the Governor/undersigned has decided that the said order of dismissal/removal/compulsory retirement imposing the penalty of (here enter the name of the penalty) should be set aside;

*Only when the Governor is the competent authority.

AND WHEREAS the Governor/undersigned on a consideration of the circumstances of the case has also decided that a further inquiry should be held under the provisions of Punjab Civil Services (P & A) Rules, 1970 against the said Shri (here enter the name and designation of the Government employee) on the allegations which led to the dismissal/removal/compulsory retirement from service by imposing the penalty of (here enter the name of the penalty imposed).

NOW THEREFORE, the Governor/undersigned hereby :—

- (i) sets aside the said order of dismissal/removal/compulsory retirement from service by imposing the penalty of (here enter the name of the penalty imposed).
- (ii) direct that a further enquiry should be held under the provisions of the Punjab Civil Service (P & A) Rules, 1970 against Shri (here enter the name of the Government employee) on the allegations which led to his dismissal/removal/compulsory retirement from service by imposing the penalty of (here enter the name of the penalty imposed).
- (iii) directs that the said Shri (here enter the name of the Government employee) shall, under sub-rule (3) of rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, be deemed to have been placed under suspension with effect from (here enter the date of the dismissal or removal or compulsory retirement from service) and shall continue to remain under suspension untill further orders.

*(By order and in the name of
Governor)

PUNISHING AUTHORITY

FORM No. III

ORDER

WHEREAS SHRI (here enter the name and designation of the Government employee) was dismissed/removed/compulsory retired

*For cases involving dismissal/removal/compulsory retirement only [see para 2 (iv) of the instructions] when Governor is the competent Authority.

from service with effect from (here enter the date of dismissal removal/compulsory retirement); on the ground of conduct which led to his conviction on a criminal charge;

OR

WHEREAS the penalty of (here enter the name of the penalty) was imposed on Shri (here enter the name and designation of the Government employee) on the ground of conduct which led to his conviction on a criminal charge;

AND WHEREAS the said conviction has been set aside by a competent court of law and the said Shri (here enter the name and designation of the Government employee) has been acquitted of the said charge;

NOW THEREFORE, the Governor/undersigned hereby sets aside the order of dismissal/removal/compulsory retirement from service by imposing the penalty of (name of the penalty imposed).

*(By order and in the name of the
Governor)

PUNISHING AUTHORITY

Copy of Punjab Government circular letter No. 5456-6GS-76/171, dated 13th January, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Leave Travel Concession to Government Employees.

No. 2892-
GI-57, dated
26th 28th
May, 1957.

I am directed to invite your attention to instructions on the subject noted above as contained in the circular letter quoted in the margin. Since Leave Travel Concession is one of the prominent facilities afforded to the Government employees, the question of imposing a rider thereon in the context of a need by Government employees to observe family planning has been considered. Accordingly, the Government have decided that in future the Leave Travel

*Only when Governor is the competent authority.

Concession will be given as enunciated in the instructions, referred to above, subject to the following conditions:—

1. The Leave Travel Concession will be admissible to an employee who has three or more children at the time of issue of these instructions provided he gets himself/herself sterilized within six months or furnishes a guarantee to Government that he/she would not have any further children.

2. (i) The Leave Travel Concession will in future be restricted to only two children of a Government employee unless he/she furnishes a guarantee to Government; that he/she would not have any further children.

(ii) The Leave Travel Concession in question will be admissible up to three children only in the following type of cases:—

(a) In case the employee concerned has a third child after the issue of these instructions in the eventuality that neither of his existing two children, is male or female. The concession for the third child shall also be admissible in which either of the two existing children is a handicapped person.

(b) The Concession in question will be admissible in those cases also in which the Government employee concerned:—

(i) having no living child becomes parent of three or more children in one delivery; or

(ii) having one living child becomes a parent of two or more children in a subsequent delivery, or

(iii) having two either male or female living children becomes parent of one child or more children in a subsequent delivery : or

(iv) Becomes parent of an "additional child" (defined here-under)

"provided the person or the spouse of that persons gets sterilised or expresses willingness to be subjected to sterilisation but the civil surgeon of the District certifies that sterilisation of that person will not be possible within six months following without danger to his or her life."

The term "additoinal child" in relation to a person would have the meaning as explained hereunder :—

- (i) other than a remarried widow, widower or divorcee, having two or more living children means a child born after two hundred and eighty days from the date of issue of these instructions ;
- (ii) other than a remarried widow, widower or divorcee, having two living children both of whom are or one of whom is born after the issue of these instructions, means a subsequent child;
- (iii) being a remarried widow, widower or divorcee and having two or more living children from such remarriage at the time of issue of these instructions means a child born after two hundred and eighty days of aforesaid instructions .
- (iv) being a remarried widow, widower or divorcee and having two living children from such remarriage both of whom are or one of whom is born after the issue of these instructions means subsequent child.

3. In case of a remarried widow, widower or divorcee, the terms and conditions stated in para 1 & 2 above, would apply in his/her case, *mutatis mutandis* but the number of children in case of such an employee will be reckoned with reference to the children he/she has from such remarriage at the time of commencement of these instructions.

Copy of Punjab Government circular letter No. 534-(GOD)-rGS-76, dated 17th January, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Punjab Government Employees (Conduct) Rules, 1966—
Clarification regarding Rule 22—Consumption of intoxicating drinks and drugs.

I am directed to address you on the subject noted above and to say that Rule 22 of the Punjab Government Employees (Conduct)

Rules, 1966 lays down as under:—

"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;
- (c) not appear in a public place in a state of intoxication ; and
- (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."

2. With reference to rule 22 of the Central Civil Services (Conduct) Rules, 1964 which is similar to the above quoted rule, the following points have been clarified by the Government of India:—

Point

- (i) Whether the definition of public place would include a club meant exclusively for members where it is permissible for the members to invite non-members as guests.

Clarification

- (i) The club of the nature mentioned above would be a public place not only for the non-member guests but also for member who may be Government employees.

Point

- (ii) Whether a hotel would be a public place or not for purpose of the said rule,

Clarification

- (ii) Drinking in the lodging room in a hotel will not attract the provisions of rule 22 but drinking at the bar or restaurant where the public is permitted would attract the aforesaid rule.

3. In the context of the programme for reducing consumption of alcoholic beverages, the following special provisions were suggested by the Government of India in relation to Foreign Missions, foreign visitors, tourists and others.

- (a) There need be no restriction on serving of liquor in the precincts of foreign embassies. The foreign embassies may also be allowed to serve liquor in halls/lounges of hotels and clubs provided such halls/lounges are exclusively reserved or taken on hire by them to entertain a select number of invitees.
- (b) The exemption referred to in (a) above may also be extended to parties hosted by others in honour of foreigners, subject to the condition that the number of invitees does exceed 100, and those hosting such parties obtain permits from the Deputy Commissioner/District Magistrate concerned.
- (c) Service of drinks to foreigners in bars or special rooms earmarked for the purpose in hotels and restaurants approved by the Ministry of Tourism and Civil Aviation might be permitted. In such approved hotels, there may not be any objection to the service of beer both to foreigners and Indians, but the facility of service of wine in dining rooms should be restricted to foreigners only.
- (d) Clubs may be permitted to provide for service of drinks in their bar rooms only. Beer, however, may be permitted to be served anywhere within the precincts of such clubs.
- (e) Alcoholic beverages may be permitted to be served in official parties hosted by the Government of India/State Government in "closed lounges" in hotels, clubs etc., where important foreign visitors are required to be entertained.

4. The Government of India have further clarified *adseriatum*, as under, the extent to which the consumption of intoxicating drinks by Government employees in the places and under the circumstances mentioned in the preceding paragraph would amount to violation of rule 22 of the CCS (Conduct) Rules, 1964:—

- (a) In terms of the clarifications given in para 2 above, a Government employee cannot take drinks in the clubs or in the Halls/Lounges. However, where officers are required to attend official entertainments arranged by Foreign Missions in Halls/Lounges of Hotels and clubs, in the discharge of their official duties, taking drinks at such official entertainment will not attract rule 22 of the CCS (Conduct) Rules, 1964, provided the places where the entertainments are arranged are exclusively reserved or taken on hire by the Foreign Missions to entertain a select number of invitees.
- (b) The clarification at (a) above should apply to this circumstance also, subject to the condition that the parties are hosted by Government or any Organisation controlled by Government, like autonomous bodies, public sector undertakings etc.
- (c&d) Government employees will not be exempt from the operation of rule 22 of the CCS (Conduct) Rules, 1964 in the places and circumstances, referred to.
- (e) The provisions of Rule 22 of the CCS (Conduct) Rules, 1964 would not apply to Government employees invited to such parties in their official capacity.

5. The State Government have decided to adopt the above clarifications issued by the Government of India and accordingly I am directed to request you to bring to the notice of all the Government employees the contents of this letter and keep them in view while dealing with the various situations mentioned above.

6. Kindly acknowledge its receipt.

Punjab Government circular letter No. 13201-2GS-76/dated 21st January, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Punjab Government Employees (Conduct) Rules, 1966—
Proviso to sub-rules (2) and (3) of Rule 18—Clarification
of the term 'regular or reputed dealer' regarding.

I am directed to address you on the subject noted above and to clarify that the term 'regular or reputed dealer' used in proviso to sub-rules (2) and (3) of Rule 18 of the Punjab Government Employees (Conduct) Rules, 1966 should be interpreted to mean one who has regular business premises, who keeps regular accounts for his transactions and the transactions done through whom can be verified any time.

2. Kindly acknowledge receipt of this letter.

Copy of Punjab Government circular letter No. 13296-2GS-76/4490, dated 2nd February, 1977, from the Chief Secretary to Government, Punjab addressed to all Heads of Departments etc., etc.

Subject.—*Ad hoc* appointments—Question of propriety of such appointments made with the approval of the Punjab Public Service Commission/Subordinate Services Selection Board.

U.O. No. 3737-
SII (ASO)-74,
dated 29th
August, 1974.

No. 9827-SII-
(ASO)-75, dated
27th January,
1978.

I am directed to address you on the subject noted above and to say that it has been observed that the instructions issued,—vide communications noted in the margin are not being complied with in letter and spirit. As you are aware the Subordinate Services Selection Board is already functioning in the State since October, 1974 and all the regular appointments to posts carrying minimum scale between Rs. 99 to Rs. 299 are required to be made through the Board. It has been brought to the notice of the Government that a large number of Departments evade notifying the vacancies available with them to the Board and there is a general tendency of continuing the *ad hoc* appointments made by them for quite long periods without even sending necessary requisition to the Board for filling up of these vacancies on regular basis. This action of the Departments besides being in violation of the Government instructions, also hampers the proper functioning of the Subordinate Services Selection Board. Besides the administrative interest suffers when properly selected suitable candidates are not put in position while

candidates selected on *ad hoc* basis continue working. *Vide instructions* referred to in the margin it was emphasised that *ad hoc* appointments should not be resorted to except in the prescribed manner, i.e., after placing requisition with the Punjab Public Service Commission/Subordinate Services Selection Board simultaneously; intimation should be sent to the Commission or Board as the case may be about *ad hoc* appointments and a certificate should be furnished to the Accountant-General, Punjab and be appended with the Pay Bill indicating that the extension (with or without a notional break) in the first tenure of 6 months of the *ad hoc* appointment has been made in the administrative interest and the requisition placed with or the case referred to the Commission/Board or the Departmental Recruitment Committee as the case may be, mentioning the number and date of such requisition. Even these measures have failed to elicit proper response and the tendency of resorting to *ad hoc* appointments and of continuing the same for long periods without placing necessary requisition with the Commission/Board still continues. In view of this position the matter has again been considered by the Government and the following decisions have been taken :—

- (i) all kinds of vacancies, including those on which *ad hoc* employees are working, and those likely to occur within the next six months, should be intimated to the Subordinate Services Selection Board or Punjab Public Service Commission as the case may be by 28th February, 1977.
- (ii) in case *ad hoc* appointments are required to be made in the administrative interest, the instructions referred to in the margin above, should be observed meticulously; and a requisition placed with the Board/Commission simultaneously.
- (iii) *ad hoc* appointments made in administrative interest should be allowed to continue beyond one year (irrespective of notional break, if any) only with the specific approval of Department of Personnel and Administrative Reforms (General Services Branch). While referring cases to this organisation for approval, complete information as per *pro forma* enclosed must be supplied.
- (iv) a copy of the sanction regarding creation of new posts should be endorsed to the Commission/Board.
- (v) strict action should be taken against those who allow the *ad hoc* appointments to continue without proper justification and without placing a requisition with the Commission/Board for regular appointment.

(vi) a complete/up to date list of persons working on *ad hoc* basis showing the date of their appointment may be sent to the Commission/Board, immediately. The reasons for not notifying the vacancies to the Commission/Board and the justification for continuance of this arrangement, should be clearly indicated within the frame work of the instructions referred to above.

(vii) a monthly statement showing the *ad hoc* appointments made during the month and those allowed to continue beyond six months (with or without a notional break) should be sent to the General Services Branch/Commission/Board.

Note.—The above process/conditions also apply to cases of *ad hoc* appointments and promotions made in anticipation of approval of the Commission as is necessary according to the Punjab Public Service Commission (Limitation of Function) Regulations, 1955.

2. You are requested that these instructions may please be observed meticulously. Any violation of the instructions will be taken seriously by the Government.

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

A copy is forwarded to all the Financial Commissioners, Punjab and Administrative Secretaries to Government, Punjab, for ensuring a strict compliance of the aforesaid instructions.

FOR SECRETARY TO GOVERNMENT, PUNJAB, FINANCE DEPARTMENT

He is requested to kindly issue necessary instructions to all the Treasury Officers in the State to ensure compliance of instructions already issued,—*vide* U.O. No. 3737-SII(ASO)-74, dated the 29th August, 1974, requiring them not to make payment regarding salary to *ad hoc* employees beyond six months unless a certificate is appended with the pay bill to the effect that the extension has been allowed beyond six months due to administrative interest and that a requisition for regular appointment to the post has been sent to the Punjab Public Service Commission/Subordinate Service Selection Board/Departmental Selection Committee, as the case may be, mentioning the number and date of such a requisition.

2. The Treasury Officers may also be asked to ensure that in the cases of *ad hoc* appointments extending beyond one-year, the payment on account of salary is not allowed if approval of the Services Department has not been obtained for their continuation in service beyond one year.

3. He is also requested to issue instructions to the Director, Staff Inspection Units, Punjab that while assessing the work load of any office/Department, he may please specifically check up if any *ad hoc* appointments have been made by the Department without placing the requisition with the Commission or Board. If any such case comes to his notice, an intimation should immediately be sent to the Chief Secretary to Government, Punjab (in General Services Branch) with necessary details.

Y. S. RATRA,

Joint Secretary Personnel,
for Chief Secretary to Government, Punjab.

No. 13296-8GS-76/4492, dated Chandigarh, the 2nd February, 1977.

A copy is forwarded to the Chairman, Subordinate Services Selection Board, Punjab, for information with reference to his D. O. letter No. 7121-IE-76/7089, dated the 21st December, 1976. The matter may further please be pursued with the departments for timely supply of the requisition and the statements.

2. It may also please be ensured that no avoidable delay occurs in the selection of candidates for regular appointment and that persons selected for regular appointment by the Board, but working on *ad hoc* basis in some Department, are recommended against those posts only which had been notified to the Board.

PROFORMA

Name of the Department _____

Serial No.	Name of the employee along with designation	Date of <i>ad hoc</i> appointment	Whether requisition to the S.S.S.B./P.S.C. sent within the prescribed period, if not, detailed reasons therefor or whether the case has been referred to P.S.C. for approval, as the case may be. Progress in respect thereof	Justification for extension beyond one year
1	2	3	4	5

Head of Department.
Appointing Authority.

Copy of Punjab Government circular letter No. 57(GOI) 2GS-77/ , dated 3rd February, 1977, from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Guidelines for the conduct of the Government employees in relation to the forthcoming General Elections to the Lok Sabha.

I am directed to address you on the subject noted above and to say that the General Election to the Lok Sabha will be held in the month of March 1977 and the notification calling the General Election will be issued in the second week of February 1977. In relation to the last general elections held in March 1971, instructions regarding the conduct of government employees during election were issued by the State Government,—vide their communication noted in the margin (copy enclosed). These instructions stressed that all government employees should maintain an attitude of strict impartiality.

D.O. No. 140-SII
(3)-71/dated
5-2-1971, from
Sh. S. S. Grewal,
IAS, Chief Sec-
retary to Go-
vernment,
Punjab.

Government employees are required not only to remain impartial but also to behave in such a manner that their conduct as reflected in their dealings with the public and the performance of their duties, clearly depicts their impartiality with regard to the elections. In short, they are required so to conduct themselves as to inspire confidence of the public in regard to their impartiality so that there might not be any occasion for the people to think that the elections were not going to be held in a free, fair and impartial atmosphere. To do so, they are enjoined to avoid giving room for any suspicion that they are favouring any party or any candidate. The other points to be stressed are that a Government employee should not take part in any election campaign or canvassing and that he should take scrupulous care not to lend his name, official position or authority to assist one group as against any other.

3. With particular reference to the tours that the Ministers might have to undertake on the eve of the elections, Government officers/officials are instructed that while they should make all the usual arrangements to enable the ministers to carry out their responsibilities as ministers, the officers/officials should not themselves organise any election meetings or be present in person during any such meetings except only such officers who may have to be present to the extent necessary for maintaining law and order and making the necessary security arrangements. The question as to whether a public meeting addressed by a Minister was officially sponsored or was one held for election propaganda is left to be decided by the

Minister himself. If the meeting is an election meeting, the arrangements for organising it is to be made on the Minister's behalf non-officially and the expenditure in that connection is to be borne by him or his party. It is further made clear that public meetings held on the eve of the election would normally be considered to be election meetings and the expenses thereof are not to be borne from public funds. The preservation of law and order at every meeting would, however, be the responsibility of the Government.

The instructions also stipulate that while granting permission to hold any election meeting in a public place, no distinction should be made between one political party and another and if more parties than one applied for holding meetings at any place on the same day and same hour, only the party which had applied first should be allowed to hold meeting.

4. I am, therefore, directed to request you to bring these instructions to the notice of all Government employees working under you and to ensure meticulous compliance thereof.

Any disregard of these instructions would be considered by the Government as a serious act of indiscipline. In cases of doubt, a Government employee should not hesitate to consult his superior officer.

The above instructions are only illustrative and not exhaustive. Kindly acknowledge its receipt.

Yours faithfully,

Y. S. RATRA,

Joint Secretary, Personnel,

for Chief Secretary to Government, Punjab.

A copy with a copy of the enclosure is forwarded to the Financial Commissioners and all Administrative Secretaries to Government, Punjab for information and similar action.

Copy of D.O. No. 146-SII(3)-71/ , dated 5th February, 1971, from Sh. S. S. Grewal, IAS, Chief Secretary to Government Punjab, to all the Heads of Departments, Registrar, High Court for the State of Punjab and Haryana, Commissioners Jullundur and Patiala Division, Deputy Commissioners and District Sessions Judges in Punjab (by name) etc., etc.

Subject.—Guidelines for the conduct of the Government Servants in relation to the forthcoming General Elections to the Lok Sabha.

I am to invite your attention to the following communications previously issued on the subject:—

- (1) Shri H. B. Lal, the then Chief Secretary's D.O. letter No. Elec-68/R/7938, dated 3rd December, 1968 bringing to the notice of Government employees the provisions of sections 129, 134 and 134-A of the Representation of People Act, 1951 prohibiting all Government employees who have to perform any duty in connection with the conduct or management of any election, to do any act other than the giving of his own vote for the furtherance of the prospects of the election of a candidate and rule 5 of the Government Employees Conduct Rules, 1966, debarring Government employees from taking part in politics and elections.
- (2) Punjab Government circular letter No. 7239-SII(6)-68/25734, dated 4th September, 1968, emphasising the importance of the Government Officers/Officials not associating directly or indirectly with any political party.
- (3) Punjab Government letter No. 7904-SII(6)-68/28057, dated 26th August, 1968, enjoining *inter alia* that each Officer concerned with elections is personally responsible to ensure that elections are free and impartially conducted.

2. While reiterating the above instructions, I am to draw your attention specially to the following provisions of the Representation of People Act, 1951:—

“134A. Penalty for Government servants for acting as election agent, polling agent or counting agent:—

If any person in the service of the Government acts as an

election agent or a polling agent or a counting agent of a candidate at an election, he shall be punishable with imprisonment for a term which may extend to three months or with fine, or with both".

3. The Election Commission of India have intimated that they have received certain complaints from various parts of the country that Government employees, especially those appointed for election purposes such as Returning Officers, Assistant Returning Officers, Presiding and Polling Officers are not always as impartial as they ought to be and that these Officers sometime show particular favour to candidates of political parties of the choice even at the time of actual poll and the counting of votes. It has also been intimated by the Election Commission that some High Courts have commented severely on the conduct of some Officers appointed on election duty. While there is no doubt that the number of such Officers cannot be large, the Election Commission has taken this opportunity to re-emphasize to all Government employees, especially to the election officers, the need to be absolutely impartial and independent in the performance of their election duties, whether at the time of acceptance of scrutiny of the nomination papers or at the time of polling in the polling stations, or at the time of counting of votes.

4. I am to request you to bring these instructions to the notice of all Government servants working under you for strict compliance.

*Copy of Punjab Government circular letter No. 1131-7GS-77/
dated 7th February, 1977 from the Chief Secretary to Govern-
ment, Punjab, addressed to all Heads of Departments etc., etc.*

Subject.—Restrictions on Mid-term transfers.

I am directed to refer to the instructions contained in Punjab Government Circular letter No. 9848-7GS-76/48141, dated the 1st December, 1976 which, *inter alia* provides that mid-term transfers of Government employees is not to be made, unless such a transfer is indispensable in the administrative interest. As you are aware that General Election for the purpose of constituting a new Lok Sabha is to take place in the month of March, 1977. With a view to avoiding any dislocation that might be caused if mid-term transfers are allowed to take place now, it has been decided that no transfers should be made till the 31st March, 1977 unless it is absolutely necessary either as a result of promotion or on account of any disciplinary proceedings or for any other unavoidable reasons.

2. It is requested that these instructions may be brought to the notice of all Government employees and Local authorities for strict compliance.

*Copy of Punjab Government circular U.O. No. 8902-3GS-76/
dated 8th February, 1977 from the Chief Secretary to Govern-
ment, Punjab, addressed to all Heads of Departments etc., etc.*

Subject.—Deputation of Punjab Government employees to the Central Government, other State Governments, Companies, Corporations, Autonomous Bodies etc.—Review of policy.

Will the Financial Commissioners and the Administrative Secretaries to Government, Punjab, kindly refer to the instructions contained in Finance Department circular letter No. 6318-8FR-75/24183, dated the 19th November, 1976, on the subject noted above.

2. As laid down in the Business of the Punjab Government (Allocation) Rules, 1972, the 'Deputation of Government Employees'—which is a service matter of the State Government employees, shall be dealt with in the General Services Branch of the Chief Secretary's Organisation. This point was accordingly taken up with the Finance Department and they conceded the same.—*vide* their U.O. circular No. 6318-8FR-75, dated the 23rd September, 1975 also. In order, therefore, to comply with the statutory provisions of the aforesaid rules, all the Departments are requested to refer all matters arising out of the deputation including extension in the period of deputation of Punjab Government employees to the Central Government, other State Governments, Companies, Corporations, Boards, Autonomous Bodies, etc., invariably to the Chief Secretary (in General Services Branch) in the future.

*Copy of Punjab Government circular letter No. 12078-2GS-76/5473,
dated 9th February, 1977, from the Chief Secretary to Govern-
ment, Punjab, addressed to all Heads of Departments etc., etc.*

Subject.—Writing of annual confidential reports of the departmental officers posted at divisional, district and sub-divisional level by the Commissioner, Deputy Commissioner and Sub-Divisional Officer (Civil) respectively.

I am directed to invite your attention to Punjab Government instructions contained in their letter No. 9128-2SII-76/, dated the

13th October, 1976 according to which the Divisional Commissioners, Deputy Commissioners and Sub-Divisional Officers (Civil) are authorised to write annual confidential reports of the officers of all the Departments (except the police officers) functioning in their respective jurisdiction on the following aspects of their work:—

- (i) Reputation for honesty ;
- (ii) Relationship with public ; and
- (iii) Implementation of development schemes and policies of Government (including Family Planning Programme).

The above policy has been laid down to enable the Commissioners/Deputy Commissioners/Sub-Divisional Officers (C) to perform their coordinating role effectively.

2. It has come to the notice of Government that the Commissioners/Deputy Commissioners/Sub-Divisional Officers (C) are experiencing difficulty in writing the reports of all the departmental officers because they do not have complete list of such officers functioning in their respective jurisdiction. In some cases even the forms of the reports are not supplied to them by the respective Departments. In order, therefore, to ensure that the above Government policy is meticulously followed, I am directed to request you to kindly supply a list of the officers of your Department functioning at Divisional, District and Sub-Divisional level direct to the concerned Commissioner, Deputy Commissioner and Sub-Divisional Officer (C) in the proforma enclosed, as early as possible and in any case not later than 28th February, 1977. A copy of the list, so supplied to the Commissioners/Deputy Commissioners/Sub-Divisional Officers (C), may also kindly be sent to the Chief Secretary to Government, Punjab (in General Services Branch). It may also kindly be ensured that any addition or deletion in the list be similarly intimated to the concerned Commissioner/Deputy Commissioner/Sub-Divisional Officer (C) with a copy to the Chief Secretary to Government, Punjab (General Services Branch) so that the list is kept upto-date.

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

Your faithfully,

Sd/-

Under Secretary, Personnel,
for Chief Secretary to Govt., Punjab.

No. 12078-78-2GS-76/
9th February, 1977.

, dated Chandigarh the

A copy is forwarded to the Commissioners, Deputy Commissioners and Sub-Divisional Officers, (C) in the State for information.

2. They are requested to ensure that the lists of all the departmental officers functioning in their respective jurisdiction is supplied to them by the Heads of the Departments within the specified period.

3. They may kindly forward these lists to the Chief Secretary (in General Services Branch) with their recommendations as to the additions which they propose to make or any omission noticed in the lists supplied by the Heads of Departments, i.e., the omission of an officer of any department who is actually discharging duties which are of divisional, district or sub-divisional level and in respect of whom the Commissioner or Deputy Commissioner or Sub-Divisional Officer (C) should record his remarks in the A.C.Rs. on the three aspects mentioned in the first paragraph of this circular letter.

Sd/-

Under Secretary, Personnel,
for Chief Secretary to Govt., Punjab.

A copy is forwarded to the Financial Commissioners and all the Administrative Secretaries to Government, Punjab, for information and necessary action.

2. They are requested to kindly ensure that the requisite list of the departmental officers under their control is supplied within the specified period under intimation to this Department.

Sd/-

Under Secretary, Personnel,
for Chief Secretary to Government, Punjab.

To

All the Financial Commissioners and the Administrative Secretaries to Government, Punjab.

U.O. No. 12078-2GS-76/
February, 1977.

dated Chandigarh, the 9th

Copy of Punjab Government circular letter No. 12171-1GS-76/6901, dated 21st February, 1977, from the Chief Secretary to Government, Punjab addressed to all Heads of Departments etc., etc.

Subject.—Procedure to be followed in selection of officers/officials for promotion to higher posts—Greater emphasis on merit than on seniority.

I am directed to refer to Punjab Government letter No. 9129-G-56/3964, dated the 17th September, 1956 laying down the procedure to be followed in making selection of officers/officials for promotion to higher posts. According to these instructions, a list of officers/officials possessing the requisite qualifications/experience as prescribed in the relevant Service Rules is to be prepared and out of the list so prepared, selection for filling the vacancies which might have arisen, is to be confined to first three candidates for each vacancy. For every vacancy a slab of three suitable officers/officials is to be formed and unless a junior among them happens to be of exceptional merit and suitability, the senior-most is to be selected. Certain clarifications were also issued in this behalf,—vide letter No. 8401-4GS-61/33117, dated the 11th September, 1961.

2. It has, however, been observed that the instructions contained in the communications referred to in para 1 above are not being followed properly and it has come to notice that some departments selected officers/officials for promotion much before vacancies actually arose. Such selection long before the occurrence of the vacancy is likely to deprive some officials of their right to be considered for promotion if they become eligible after the date of provisional selection but before the time of actual filling up the vacancy. It has, therefore, been decided that these provisional selections should not be made earlier than three months of the likely occurrence of the vacancy. Further, in case an official becomes eligible for promotion to a particular post after the provisional selection but before the actual filling up of the post, a *de novo* selection should be made on seniority-cum-merit basis.

3. I am to request that the above clarification may please be brought to the notice of all concerned for information and guidance.

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

Copy of Punjab Government circular U.O. No. 1476-3GS-77/ dated 23rd February, 1977, from the Chief Secretary to Government, Punjab addressed to all the Administrative Secretaries etc., etc.

Subject.—Administration of the Corporations set up in the Punjab State under various Acts/Rules etc.—Appointment of non-officials as Chairmen and or Directors of.

At present some of the Acts and Rules, under which various Corporations have been set up in the State, do not provide for the appointment of non-official Chairman and or Director of these Corporations. In order to ensure a uniform policy, the provision for appointment of non-officials as Chairman and or Director of any or all of these Corporations is necessary in the relevant Act or the Rules, as the case may be. It has, therefore, been decided by Government that the relevant Acts, Rules and Articles of Associations etc. may be scrutinized immediately and action for making such a provision therein initiated under intimation to this Department. The process should be completed within a period of four weeks from the date of issue of this communication without fail.

2. It is therefore, requested that necessary action to implement the above mentioned decision be taken immediately and three copies of each of the Acts/Rules so amended supplied to this Department within the stipulated period of time positively.

3. Receipt of this communication may kindly be acknowledged.

Copy of Punjab Government circular letter No. 735-6GS-77/7542, dated 24th February, 1977, from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Priority list for various categories of persons for employment in State Services.

I am directed to refer to Punjab Government letter No. 30-GOI-SII-(3)-73/12092, dated 18th April, 1973, on the subject noted above and to state that the following categories are to be included in the term 'member of the family' for purpose of employment to be afforded as a result of the instructions referred to above:—

(i) husband/wife.

- (ii) sons/daughters.
 - (iii) father/mother.
 - (iv) dependent brothers/sisters.
-

*Copy of Punjab Government circular letter No. 685-7GS-77/
dated 1st March, 1977, from the Chief Secretary to Government,
Punjab, addressed to all Heads of Departments etc., etc.*

*Subject.—Principles to be observed in making posting and transfers/
midterm-transfers—Entertainment of representation
against transfer orders.*

I am directed to invite your attention to Punjab Government instructions No. 9848-7GS-76/48141, dated 1st December, 1976,—vide which principles to be observed in making posting and transfers/mid-term transfers have been laid down. It has been noticed by Government that some of the employees whose transfer orders are issued, do not join the new assignment within the prescribed period as per rules. Such employees either make representations or they approach their immediate superior officers to take up their case with the higher authorities for cancellation or modification of the transfer orders. Government have viewed with serious concern such a tendency among the Government employees, especially when it is not in the public and administrative interest.

2. In order, therefore, to ensure the implementation of the transfer orders passed by the appropriate authority, it has been decided that the Government employees concerned should in the first instance join their new assignment, and if they have any special circumstances against the transfer orders which they wish to be brought to the notice of the Government in favour of their stay at a particular place they can do so after compliance of the transfer orders. I am, therefore, directed to request you to bring the above instructions to the notice of all the employees for strict compliance and that any breach thereof will render the employee concerned liable to displeasure of the Government. Similarly, in case the immediate superior officer of the transferred employee makes a reference to the higher authorities for cancellation of the transfer orders without first giving effect to the transfer, he too is also liable to incur displeasure of the Government.

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

Copy of Punjab Government circular letter No. 1418-6GS-77/8188, dated 1st March, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—*Ex gratia* grant and other facilities for families of Government employees who die while in service.

I am directed to invite a reference to instructions contained in the Punjab Government circular letter No. 1454-SII(6)-75/21326, dated 27th June, 1975, on the subject noted above and to state that the words 'Accountant General, Punjab' appearing in the last sentence of para I(a) of the said instructions may please be substituted by the words 'Administrative Department'.

Yours faithfully,

Sd/-

Under Secretary Personnel,
for Chief Secretary to Government, Punjab.

ਗਬਤੀ ਪੱਤਰ ਨੰ: 1148-2ਜਸ-77/8583, ਮਿਤੀ 2/3 ਮਾਰਚ, 1977 ਦਾ ਉਤਾਰਾ—ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ
ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਆਚਰਣ ਨਿਯਮ, 1966 ਵਿਚ ਸੋਧ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀ ਗਬਤੀ ਪੱਤਰ ਨੰ: 7173-2ਸ II-76/33716, ਮਿਤੀ 6 ਅਗਸਤ, 1976, ਜਿਸ ਰਾਹੀਂ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਆਚਰਣ ਨਿਯਮ, 1966, ਵਿਚ ਕੀਤੀਆਂ ਗਈਆਂ ਸੋਧਾਂ ਦੇ ਦੋ ਨੋਟੀਫੀਕੇਸ਼ਨਾਂ ਦੀਆਂ ਕਾਪੀਆਂ ਆਪ ਜੀ ਨੂੰ ਭੇਜੀਆਂ ਗਈਆਂ ਸਨ, ਵੱਲ ਧਿਆਨ ਦਿਵਾਂਦੇ ਹੋਏ ਮੈਨੂੰ ਇਹ ਆਦੇਸ਼ ਹੋਇਆ ਹੈ ਕਿ ਹੇਠ ਦਰਜ ਕੀਤੀ ਗਈ ਹੋਰ ਸੋਧ ਦੀ ਕਾਪੀ ਆਪ ਜੀ ਦੀ ਸੂਚਨਾ ਅਤੇ ਸਾਰੇ ਕਰਮਚਾਰੀਆਂ ਵਿਚ ਸਰਕੂਲੇਟ ਕਰਨ ਅਤੇ ਅਗਵਾਈ ਲਈ ਭੇਜੀ ਜਾਵੇ। ਇਸ ਤੇ ਤੁਰੰਤ ਲੰਬੀ-ਦੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ:—

ਸੋਧ

ਸੋਧ ਦੀ ਅਧਿਸੂਚਨਾ ਦੀ ਮਿਤੀ

ਪੰਜਾਬ ਗੇਰਮਿੰਟ ਐਮਪਲਾਈਜ਼ (ਕੰਡਕਟ)
(ਫਸਟ ਅਮੈਂਡਮੈਂਟ) ਰੂਲਜ਼, 1977

12 ਜਨਵਰੀ, 1977 (ਪੰਜਾਬ ਗੇਰਮਿੰਟ ਗਜ਼ਟ ਵਿਚ
4 ਫਰਵਰੀ, 1977 ਨੂੰ ਪਬਲਿਸ਼ ਕੀਤੀ ਗਈ)

2. ਇਸਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ।

[Published in the Punjab Government Gazette, Legislative Supplement, dated the 4th February, 1977.]

PUNJAB GOVERNMENT

**DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE
REFORMS**

(GENERAL SERVICES)

Notification

The 12th January, 1977

No. G. S. R. 10 Const./Art. 309 and 318 Amd. (7)/77.—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, after 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 further to amend the Punjab Government Employees (Conduct) Rules, 1966, namely:—

1. (a) These rules may be called the Punjab Government Employees (Conduct) (First Amendment) Rules, 1977.
(b) These shall come into force at once.
2. In the Punjab Government Employees (Conduct) Rules, 1966 after rule 21, the following rule shall be inserted, namely:—

"21-A—Adoption of small family by Government employees
—Every Government employee shall ensure that the number of his children does not exceed three :

Provided that nothing in this rule shall apply to a Government employee who has more than three children on the 31st December, 1977:

Provided further that a Government employee referred to in the preceding proviso shall ensure that the number of his children does not exceed the number of children he has on that day."

HARDEV SINGH CHHINA,

Chief Secretary to Government, Punjab.

Copy of Punjab Government circular letter No. 2458-8GS-77/10151, dated the 14th March, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—*Ad hoc* appointments made without the approval of the SSSB or the prescribed recruiting agency viz. Departmental Selection Committees.

I am directed to address you on the subject noted above and to invite your attention to item (iii) under para 1 of Punjab Government Circular letter No. 13296-8GS-76/4490, dated the 2nd February, 1977. In the said item it was mentioned as under:—

"ad hoc appointments made in administrative interest should be allowed to continue beyond one year (irrespective of notional break if any) only with the specific approval of Department of Personnel and Administrative Reforms (General Services Branch). While referring cases to this organisation for approval, complete information as per proforma enclosed must be supplied."

2. Since the proforma previously prescribed and enclosed to the aforesaid circular letter does not indicate the qualifications prescribed for the post against which the appointments have been made and whether these qualifications are fulfilled by the employee concerned, it is desired that the requisite information may please be supplied in the enclosed proforma, in triplicate, wherein two additional columns have been added.

3. In view of the urgency of the matter already stressed in the instructions referred to above it may kindly be ensured that the requisite information is supplied to Government (in General Services Department) by the 20th March, 1977 positively so that necessary approval where justified may be accorded without causing any hardship to the persons concerned.

Copy of Punjab Government circular letter No. 2679-6GS-77/10781, dated the 21st March, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc. etc.

Subject.—Priority list for various categories of persons for employment in State Services.

I am directed to refer to Punjab Government letter No. 80-GOI-SII-(3)73/12092, dated the 18th April, 1973 on the subject noted above and to state that the following sub para (iii) may please be added at the end of sub para (ii) of para 2 of the said letter, namely :—

“In case of category (I) relaxation of age shall invariably be admissible upto the extent the employee has rendered continuous Government service on regular basis”.

A copy of letter No. 13225-6GS-76/12197, dated the 31st March, 1977, from the Chief Secretary to Government, Punjab, to Administrative Secretaries to Government, Punjab, all Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District & Sessions Judges, Registrar, Punjab and Haryana High Court, S.D.O. (C) in the State.

Subject.—Priority list of various categories of persons for employment in State Services.

I am directed to refer to the instructions contained in Punjab Government letter No. 80-GOI-SII-(3)-73/12092, dated the 18th April, 1973 on the subject noted above and to clarify that in case of priorities No. 3 & 4, the date of the death of Government employee/Defence Services Personnel is immaterial. It is not the intention of the aforesaid instructions that benefit can be given to the member of the family of only those Government employees/Defence Services Personnel who dies after the coming into operation of the said instructions. This benefit is admissible even in those cases where death took place before the 18th April, 1973 (i.e., the date of issuing the said instructions).

Copy of U.O. No. 129(GOI)—5GS-77/ dated Chandigarh the 5th April, 1977, from the Chief Secretary to Government, Punjab addressed to all the Financial Commissioners and Administrative Secretaries and Heads of Departments.

Subject.—Framing/Amendment of Service Rules for each Class of service/post under the Punjab Government—Revised Model Service Rules.

Will the Financial Commissioners and all the Administrative Secretaries to Government, Punjab, kindly refer to circular U.O. No. 227(GOI)-SII(5)-76, dated 27th May, 1976, on the above subject ?

2. On the basis of the Resolution No. 15014/3(S)76-Estt.(B), dated 1st March, 1977, from Government of India, Cabinet Secretariat, Department of Personnel and Administrative Reforms, Clause (e) of Sub-rule (1) of rule 4 of the Model Service Rules circulated,—vide U.O. No. 227-(GOI)-SII(5)-76, dated 27th May, 1976, is modified as under :—

“(e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India.”

3. It is requested that the above modified rule may kindly be kept in view while framing/amending service rules so as to bring them in conformity with the Model Service Rules and while considering the eligibility of the candidates for appointment to the civil service posts under them.

Its receipt may please be acknowledged.

Copy of Punjab Government circular U.O. No. 153-1GSII-77, dated the 14th April, 1977, from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Deputation of Punjab Government employees to Semi-Government Institutions, Autonomous Bodies etc.

It has been noticed by Government that some of the

Corporations, Boards, etc., relieve the Government employees on deputation with them without giving sufficient notice to the lending Departments/Offices with the result that sometimes the Department/Offices concerned find it difficult to provide immediate posting order to the employee so relieved by the borrowing agency and he has to compulsorily wait for his posting order for considerably long period. This causes not only an undue and avoidable hardship to the individual concerned but also unnecessary expenditure.

2. After careful consideration of the matter, therefore, it has been decided by Government that all the Administrative Secretaries should issue suitable instructions to the Corporations, Boards, etc., under their administrative control that, in future, they should invariably give at least 60 days notice of their intention to revert a Government employee on deputation with them to his parent office so that his posting can be arranged before he is actually relieved by the borrowing agency. Failure on the part of a Corporation or Board, as the case may be, to give such a notice should render it liable to bear the entire expenditure regarding the emoluments to be paid to the official for the period the notice falls short of 60 days. It may please be ensured that the terms and conditions of deputation of Government employees should, in future invariably include such a specific condition so that it could be strictly enforced.

3. Suitable instructions on the above lines may kindly be issued to all the Corporations, Boards, etc., under their Administrative Control, and be also brought to the notice of all concerned for guidance in future with a copy to this Department.

Copy of Punjab Government circular U.O. No. 2797-TGS-77, dated the 15th April, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Schemes formulated under "Half a Million Jobs Programme, 1973-74."

Will the Financial Commissioners and Administrative Secretaries to Government, Punjab, kindly refer to the General Services

Department U.O. No. 965-SII(2)-74, dated the 6th March, 1974 (copy enclosed for ready reference) on the subject cited above ?

2. It has been observed that in some cases these instructions have not been complied with in letter and spirit. As you are aware the very purpose of issuing the above instructions was to ensure that the question of recruitment under this programme was considered by the Administrative Departments on top-priority basis and by personal contact with the quarters concerned including the Punjab Public Service Commission. According to their requirements they were to employ suitable personnel under this programme on 6 months basis as is permissible under the Punjab Public Service Commission (Limitation of Functions) Regulations and Government instructions issued on the subject from time to time. For purposes of regular recruitment a special programme was to be drawn up by arrangement with Punjab Public Service Commission or the Subordinate Services Selection Board or the prescribed recruitment Agency by taking immediate personal efforts. As would be clear from the objectives of the programme, it was an ambitious and extraordinary venture to moot the unemployment problem. As such extraordinary measures were required to be taken without sacrificing merit and indispensable procedure.

3. From certain cases, it has been observed that the Administrative Departments have not complied with the requirements of

these instructions in the desired manner.

4. In order to avoid any complications and hardships to the candidates recruited under the said programme, it is re-iterated that the said instructions may kindly be observed meticulously by paying special attention to the matter and the General Services Department may be informed about the action taken thereon immediately, in any case by the 15th May, 1977.

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

IMMEDIATE FOR PERSONAL ATTENTION

Copy of U.O. No. 965-SII(2)-74, dated the 6th March, 1974, from the Chief Secretary to Government, Punjab (in Services-I Branch) addressed to the Financial Commissioners and Administrative Secretaries to Government, Punjab, etc.

Subject.—Schemes formulated under "Half a million jobs programme 1973-74".

Will the Financial Commissioners and Administrative Secretaries to Government, Punjab, kindly refer to the subject cited above ?

2. As they are aware the Planning Commission, Government of India, prepared 'Half a Million Jobs Programme' setting apart a handsome amount for the purpose. While allocating funds to various States under this programme, the Government of India laid emphasis upon the following features thereof :—

- (i) The employment schemes under this programme should be such as could be dovetailed in the 5th Five-Year-Plan, to assure continued employment of those, who are given jobs under this programme ;
- (ii) Emphasis on self-employment schemes and utilisation of institutional finance;
- (iii) Efforts to employ the educated unemployed in the first year of the programme ;
- (iv) To give first priority to Engineers and highly technical unemployed persons from a family which has no means of income; and
- (v) Special attention in providing employment to the graduates from the scheduled castes and scheduled tribes, as also from the minorities, war widows and scavengers.

The Planning Department is already in touch with the Departments concerned so as to allocate funds and to draw up schemes to be carried out in this behalf.

3. The objectives of the programme as outlined above make it clear that it is an ambitious and extra-ordinary venture to meet the unemployment problem. A speedy mode of recruitment is, therefore, a *sine qua non* of the programme. As such extraordinary

measures are required to be taken without sacrificing merit and indispensable procedure.

4. The Planning Department proposed that the posts to be filled in this programme may be taken out of the purview of the Punjab Public Service Commission so as to expedite the process of recruitment. The Punjab Public Service Commission has been consulted in this behalf. The Commission has assured Government that extraordinary measures would be taken by it to make recruitment according to the requisition of the Departments concerned and would ensure that no delay would occur in this behalf.

5. Various aspects of the matter viz. expediency, recruitment, timely utilisation of the funds provided under this programme and selection of appropriate personnel including the question of their absorption on regular basis have been considered and it has been decided that for the present the following steps should be taken immediately :—

- (1) The Administrative Departments should ensure that the question of recruitment under this programme is considered on top-priority basis and by personal contact with the quarters concerned including the Punjab Public Service Commission;
- (2) According to their necessity the Administrative Departments may employ suitable personnel under this programme on 6 months basis as is permissible under the Punjab Public Service Commission (Limitation of Functions) Regulations and Government instructions in this behalf ;
- (3) For purpose of regular recruitment a special programme be drawn up by arrangement with the Punjab Public Service Commission by making immediate personal efforts;
- (4) In cases where it is not considered feasible to make arrangements on the above lines and in respect of which it is considered in public interest to exclude the posts concerned from the purview of the Punjab Public Service Commission, the Administrative Departments may send self-contained proposals with their definite recommendations giving full justification for exclusion of specific posts from the purview of the Commission so that necessary action in individual cases can be taken.
- (5) The Planning Department should keep liaison and ensure speedy implementation of the programme within the

limit of funds allotted to various Departments. In cases in which the Planning Department find any bottle-necks in the implementation of the programme, they may intimate the same to the Services Department together with their suggestion to meet the problem.

6. Top priority should be given to these measures of generation of employment. Necessary steps taken in this behalf may also please be intimated to the Services Department.

Copy of Punjab Government circular letter No. 4086-IGSI-77/15668, dated the 25th April, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Procedure to be followed in selection of officers/officials for promotion to higher post—Greater emphasis on merit than on seniority.

I am directed to refer to Punjab Government Circular letter No. 12171-IGS-76/6901, dated the 21st February, 1977, which *inter alia*, clarified that selection of officers/officials to higher posts is not to be made long before the occurrence of the vacancy as it deprives some officials of their right to be considered for promotion at a time when the vacancy actually arises. As such, a time limit of three months was prescribed for making provisional selections. These instructions further clarified that in case an official becomes eligible for promotion to a particular post after the provisional selection but before the actual filling up of the post a *de novo* selection has to be made on seniority-cum-merit basis.

2. A question has further arisen whether the above instructions are applicable in the case of an officer/official who is selected for promotion either on provisional basis or on the availability of a vacancy, but forgoes his promotion of his own volition. In this connection it is clarified that since the position of an official who foregoes his promotion on the availability of a vacancy, is the same as that of a person who is selected for promotion to a higher post but is not promoted as such, such an official does not make himself entitled to promotion automatically. Therefore, on the availability of the next vacancy, such an official will have to be considered afresh along with his juniors keeping in view his up-to-date service record, in accordance with Government instructions contained in Circular letter No. 9129-G-56/3964, dated the 17th September, 1956.

3. I am to request that the above clarification may please be brought to the notice of all concerned for information and guidance.

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

Copy of letter No. 489-4GSII-77/17867, dated the 2nd May, 1977, from the Chief Secretary to Government, Punjab to All Heads of Departments, Registrar, Punjab and Haryana High Court, Commissioners of Divisions, District and Sessions Judges and Deputy Commissioners in Punjab.

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. 12160-6GS-76/47907, dated the 1st December, 1976, on the subject noted above and to clarify further that on working days overtime allowance may be paid at the rate of 60 paise per hour and the period of daily overtime should be counted for the entire month and in the aggregate, the fraction, if any, will be treated as full hour, and the overtime in this respect should not exceed Rs. 45 in a month. For holidays, 60 paise may be given for an hour or fraction thereof with a maximum of Rs. 3 on a single holiday.

2. This issues with the concurrence of Finance Department,—vide their U.O. No. 1694-5FR-77, dated the 20th April, 1977.

Copy of Punjab Government circular Endt. No. 4561-3GSI-77/18051, dated the 3rd May, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

ORDER OF THE PRESIDENT OF INDIA

Whereas the Punjab Subordinate Services Selection Board was constituted,—vide Notification No. 8018-SII (ASO)-74/33252, dated the 15th October, 1974, and the Education Department Recruitment Committee was constituted,—vide No. 15273-Edii (3)-73/26858, dated the 24th October, 1973, *inter alia*, for making all appointments to posts of the Punjab Government carrying an initial pay of not less than Rs. 91 p.m. and not more than Rs. 299 p.m. other than the

appointments to the posts in the Punjab and Haryana High Court and the Punjab Vidhan Sabha Secretariat (in case of S.S.S. Board) and for appointments to the posts of teachers in the Education Department (in the case of Education Department Recruitment Committee).

2. Whereas in anticipation of regular appointments and on account of delay that has taken place in making regular appointment through the aforesaid agencies, ad hoc appointments had to be resorted to in administrative interest, *inter alia*, after notifying the vacancies to the Employment Exchanges or by issuing advertisements as the case may be, by the various appointing authorities.

3. Whereas by continuance of the ad hoc appointments made as above as an administrative necessity, the ad hoc employees have acquired necessary experience and their ouster after a considerable period of service would entail hardship to the ad hoc employees as a whole and accentuate the problem of unemployment, the President of India is pleased to decide in terms of provision to item 7(a) under the heading 'Functions' of Notification No. 8018-SII(ASO)-74/33252, dated the 15th October, 1974, that the vacancies/posts occupied by such ad hoc employees who fulfil the conditions enumerated hereunder on 31st March, 1976, shall stand excluded from the purview of the Subordinate Services Selection Board or the Education Department Recruitment Committee as the case may be :—

- (1) The ad hoc employees of the category referred to above must have completed a minimum of one year's service on the 31st March, 1977. While calculating the period of service, the following type of breaks in service rendered on ad hoc basis may be ignored :—
 - (i) Where the break was of notional nature falling between ad hoc appointments in same category of posts in the same Department.
 - (ii) Where the break was on account of some administrative conditions, such as the summer vacations during which the service of teachers are terminated so as to avoid the liability of payment for the said period.

In other words the breaks in ad hoc service would not be ignored in cases where :—

- (i) the employee concerned left service of his own volition whether to join some other department or for some other reasons ; or

- (ii) the *ad hoc* appointment was against a post/vacancy for which no regular recruitment was intended/required to be made, e.g. leave arrangements or filling of other short term vacancies.
- (2) They fulfil the academic qualifications including experience, if any prescribed for the job/post, including the condition of age at the time of their first appointment as such ;
- (3) Their names had been recommended for such appointment by the Employment Exchanges or their applications had been received in response to the advertisements made for filling of such posts ;
- (4) Their work and conduct has been satisfactory;
- (5) A regular post/vacancy is available for regularisation; and
- (6) Notional break up to a period of one month may be condoned.

4. The services of *ad hoc* employees will be regularised after screening each case by the Appointing Authority. An officer of the concerned Administrative Department (to be nominated by the Administrative Secretary concerned) may also be associated for the purpose of screening such cases. The process of finalisation of these cases shall be completed by the departments within a maximum period of three months.

5. The seniority of the *ad hoc* employees whose appointments are regularised in terms of the above policy shall be determined in the following manner:—

- (a) After approval by the Appointing Authority the regularisation of their appointments shall date back to 1st April, 1977, from which date their seniority shall be determined vis-a-vis candidates appointed on regular basis after selection through the prescribed agencies;
- (b) The service rendered on *ad hoc* basis shall be taken into account for purposes of determining *inter se* seniority among the *ad hoc* employees themselves and a person having a longer service shall be senior and if the date of appointment on *ad hoc* basis is the same, then the older member shall be senior to a younger member.

6. The candidates selected on regular basis by the Subordinate Services Selection Board or the Education Department Recruitment Committee as the case may be, who do not get adjusted in their capacity as *ad hoc* employees in the above manner, shall be adjusted against the vacancies available after 31st March, 1976, including those which were lying vacant prior to this date.

Dated Chandigarh, the
3rd May, 1977.

HARDEV SINGH CHHINA,
CHIEF SECRETARY TO GOVERNMENT,
PUNJAB.

No. 4561-3GSI-77/18051, dated, Chandigarh, the 3rd May, 1977.

A copy of forwarded to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners, District and Sessions Judges, Registrar, Punjab and Haryana High Court and Sub Divisional Officers (Civil) in the State, for information and immediate necessary action.

2. They may kindly ensure timely and meticulous compliance of the orders of the Government. As indicated in paragraph 4 of this order the cases are to be screened and the process of regularisation is to be completed within three months. In the case of any obvious lapse or default in this behalf, the officers concerned shall be liable to action viz. stoppage of salary etc., etc. A progress reports to this effect may also be sent to Government after this period.

(Sd.)

Section Officer General Service I,
for Chief Secretary to Government, Punjab.

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Government, Punjab, for similar necessary action. An Officer may be nominated to coordinate with the appointing authorities in the light of para 4 of the order within a week of the issue of the order.

(Sd.)

Section Officer General Service I,
for Chief Secretary to Government, Punjab.

To

All the Financial Commissioners and
Administrative Secretaries to Government, Punjab.

U.O. No. 4561-3GSI-77, dated Chandigarh, the 3rd May, 1977
No. 4561-3GSI-77/18052, dated Chandigarh, the 3rd May, 1977.

A copy is forwarded to the Chairman, Subordinate Services Selection Board, Punjab, Chandigarh/Chairman, Education Department Recruitment Committee, Punjab, Chandigarh for information and necessary action particularly in the light of paragraph 6 of the order.

(Sd.)

Section Officer General Services I,
for Chief Secretary to Government, Punjab.

Copy of Punjab Government circular letter No. 4312-2GSI-77/18060, dated the 3rd May, 1977, from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc. etc.

Subject.—Strike by Government employees on 9th January, 1974—
Regularisation of the period of absence.

I am directed to invite your attention to Punjab Government Circular letter No. 499-SII(3)74/ , dated the 22nd January, 1974, wherein it was desired that the employees who absented themselves from office in connection with the strike should not be allowed salary for that day. Government have reconsidered the matter and have decided that the absence on 9th January, 1974, may be regularised by granting leave of the kind due for which necessary application shall be made by the employee concerned. Consequently it has been decided to release the salary for the said date of strike by treating it as leave of the kind due.

Copy of Punjab Government Circular letter No. 10847-2GSI-76/19134, dated the 5th May, 1977 from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc. etc.

Subject.—Question of taking action against an employee in respect of misconduct committed before his employment—Clarification regarding.

I am directed to address you on the subject noted above and to say that a question has been raised whether disciplinary action could be taken against an employee in respect of misconduct committed before his employment in Government service. After a careful consideration of the matter in the light of instructions of the Government of India, it is clarified that an employer is not precluded from taking action against an employee in respect of misconduct committed before his employment if the misconduct was of such a nature as has rational connection with his present employment and renders him unfit and unsuitable for continuance in service. The provision in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, that penalties can be imposed for 'good and sufficient reasons', would be adequate authority for taking action in respect of misconduct of the nature referred to above. When such action is taken, the charge should specifically state that the misconduct alleged is such that it renders him unfit and unsuitable for continuance in service.

2. The above instructions may please be noted by all concerned for information and guidance.

3. The receipt of this letter may be acknowledged.

Copy of Punjab Government circular U.O. No. 4671-3GSI-77, dated the 6th May, 1977, from the Chief Secretary to Government, Punjab, addressed to all Financial Commissioners and Administrative Secretaries to Government, Punjab.

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.

Will all the Financial Commissioners and Administrative Secretaries to Government, Punjab, kindly refer to Punjab Government U.O. No. 727-SII-(4)-67, dated the 17th February, 1967, on the subject noted above ?

2. Governor has desired that the cases regarding grant of extension in service to Government employees coming up for consideration during President's rule may be shown to him before the issue of orders. In this connection attention is also invited to para 8 of the U.O. letter referred to above wherein it is laid down that the authority competent to sanction the extension in service to any Government employee is the Administrative Department, in consultation with the Services and Finance Departments. It is, therefore, requested that the compliance of the orders of the Governor and the instructions under reference may kindly be ensured.

Copy of Punjab Government circular letter No. 5070-6GSI-77/22964, dated the 24th/25th May, 1977, from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

**Subject.—General Elections to State Legislative Assemblies, 1977—
Transfer of Officers—Ban regarding.**

I am directed to refer to instructions contained in Punjab Government letter No. 9848-7GS-76/48141, dated the 1st December, 1976, which *inter alia*, provides that midterm transfers of Government employees is not to be made, unless such a transfer is indispensable in the administrative interest. As you are aware General Elections for the purpose of constituting new Legislative Assembly in Punjab is to take place in the month of June 1977. Besides Returning Officers and Assistant Returning Officers of the Assembly constituencies who have to discharge statutory responsibilities in the conduct of elections, there may be a large number of other Officers/Officials connected with the conduct of elections and maintenance of Law and Order during elections, viz. District Election Officers, Superintendents of Police, Tahsildars, Block Development Officers, etc. Transfers of Government employees having duties in connection with the elections will seriously interfere with the smooth and efficient conduct of the elections. Such transfers on the eve of elections are also likely to create doubts in the minds of political parties and contesting candidates that the elections will not be free and fair. Any loss of faith in the impartiality of elections can in its turn lead to violence, intimidation and coercion at the elections. With a view to avoiding all this, it has been decided that no transfer of the Officers/officials connected with the elections should be made till the 30th June, 1977, unless it is absolutely necessary either as result of promotion or on account of any disciplinary proceedings or for any other unavoidable reasons.

2. It is requested that these instructions may be brought to the notice of all concerned including Local authorities for strict compliance.

Copy of Punjab Government circular letter No. 4429-6GS1-77/25141, dated 9th/14th June, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Principles to be observed in making postings and transfers—Cases of handicapped and Blind employees—Affording of concession.

I am directed to refer to item No. (xi) of the instructions issued,—vide Punjab Government circular letter No. 9848-7GS-76/48141, dated the 1st December, 1976, wherein certain concessions have been given to couple cases, un-married girls and widows in the matter of postings/transfers. For sometime past, the State Government has been considering the question of giving some kind of concession to the handicapped and Blind Government employees as well. Keeping in view the physical conditions of the handicapped and blind, Government has decided that as far as possible the handicapped and blind employees may be shown due consideration to mitigate their inconvenience while considering the question of their postings and transfers.

2. Accordingly the following should be added as item No. (xvii) to the above mentioned instructions dated 1st December, 1976 in the matter of postings and transfers :—

“As far as possible, the handicapped and blind employees may be shown due consideration to mitigate their inconvenience while considering the question of their postings and transfers.”

3. These instructions may please be brought to the notice of all concerned under your control for strict compliance.

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

Copy of Punjab Government circular letter No. 5657-2GSI-77/26911, dated 23rd June, 1977, from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject.—Principles to be followed in regard to action to be taken in cases where Government employees are convicted on a criminal charge—Active application of mind by the disciplinary authority before inflicting any penalty on the delinquent employee—Judgment of the Supreme Court.

I am directed to invite a reference to Punjab Government instructions No. 86-(GOI)-2GS-76/ , dated the 23rd December, 1976, on the subject noted above and to say that the Supreme Court has decided the scope and ambit of concluding part of Rule 14(i) of Railway Servants (Discipline and Appeal) Rules, 1968 in its judgment cited as AIR 1975 S.C. 2216. The observations of the Court are reproduced below for your guidance :—

“Para 21. We now come to the third point that is involved in this case, namely, the extent and ambit of the last part of Rule 14 of the Railway Servants (Discipline and Appeal) Rules, 1968, Rules of 1968. The concerned portion runs thus :—

“.....the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit.”

In this connection it was contended by the learned counsel for the appellants that this provision does not contemplate a full-dress or a fresh inquiry after hearing the accused but only requires the disciplinary authority to impose a suitable penalty once it is proved that the delinquent employee has been convicted on a criminal charge.

* * *

The rule-making authority deliberately used the word ‘consider’ and not ‘determine’ because the word ‘determine’ has a much wider scope. The word ‘consider’ merely connotes that there should be active application of the mind by the disciplinary authority after considering the entire circumstances of the case in order to decide the nature and extent of the penalty to be imposed on the delinquent employee on his conviction on a criminal charge. This matter can be objectively determined only if the delinquent employee is heard and is given a chance to satisfy the authority regarding the final orders that may be passed by the said authority. In other words,

the term 'consider' postulates consideration of all the aspects, the pros and cons of the matter after hearing the aggrieved person. Such an inquiry would be a summary inquiry to be held by the disciplinary authority after hearing the delinquent employee. It is not at all necessary for the disciplinary authority to order fresh departmental inquiry which is dispensed with under Rule 14 of the Rules of 1968 which incorporates the principles contained in Art. 311(2) proviso (a). This provision confers powers on the disciplinary authority to decide whether in the facts and circumstances of a particular case what penalty, if at all, should be imposed on the delinquent employee. It is obvious that in considering this matter the disciplinary authority will have to take into account the entire conduct of the delinquent employee, the gravity of the misconduct committed by him, the impact which his misconduct is likely to have on the administration and other extenuating circumstances or redeeming features, if any, present in the case and so on and so forth. It may be that the conviction of an accused may be for a trivial offence as in the case of the respondent T. R. Chellappan in Civil Appeal No. 1664 of 1974 where a stern warning or a fine would have been sufficient to meet the exigencies of service. It is possible that the delinquent employee may be found guilty of some technical offence, for instance, violation of the transport rules or the rules under the Motor Vehicles Act and so on, where no major penalty may be attracted. It is difficult to lay down any hard and fast rules as to the factors which the disciplinary authority would have to consider, but I have mentioned some of these factors by way of instances which are merely illustrative and not exhaustive. In other words, the position is that the conviction of the delinquent employee would be taken as sufficient proof of misconduct and then the authority will have to embark upon a summary inquiry as to the nature and extent of the penalty to be imposed on the delinquent employee and in the course of the inquiry if the authority is of the opinion that the offence is too trivial or of a technical nature it may refuse to impose any penalty in spite of the conviction. This is a very salutary provision which has been enshrined in these Rules and one of the purposes for conferring this power is that in cases where the disciplinary authority is satisfied that the delinquent employee is a youthful offender who is not convicted of any serious offence and shows poignant penitence or real repentance he may be dealt with as lightly as possible. This appears to us to be the scope and ambit of this provision. We must, however, hasten to add that we should not be understood as laying down that the last part of Rule 14 of the Rules of 1968 contains a licence to employees convicted of serious offences to insist on reinstatement. The statutory provision referred to above merely imports a rule of natural justice in enjoining that before taking final action in the matter the

delinquent employee should be heard and the circumstances of the case may be objectively considered. This is in keeping with the sense of justice and fair play. The disciplinary authority has the undoubted power after hearing the delinquent employee and considering the circumstances of the case to inflict any major penalty on the delinquent employee without any further departmental inquiry if the authority is of the opinion that the employee has been guilty of a serious offence involving moral turpitude and, therefore, it is not desirable or conducive in the interests of administration to retain such a person in service."

2. Rule 14(i) of the Railway Servants (Discipline and Appeal) Rules, 1968 which has been referred to in the Judgement quoted above is similar to Rule 13(i) of Punjab Civil Services (Punishment and Appeal) Rules, 1970, and as such the principles decided in the Supreme Court ruling are very relevant in the application of the State rules. The Supreme Court has thus held that the concluding part of Rule 14(i) of the Rules ~~and~~ merely imports a rule of natural justice in enjoining that before taking final action in the matter the delinquent employee should be heard and the circumstances of the case may be objectively considered. I am, therefore, directed to say that the principles decided by the Supreme Court may be kept in view while dealing with cases of Government employees who are convicted on criminal charge under Rule 13(i) of Punjab Civil Services (Punishment and Appeal) Rules, 1970.

3. It has been observed by Government that Standard Form No. 1 attached to the instructions referred to in para 1 above is not being made use of and in some cases the orders imposing major penalty of dismissal or removal from service has been given effect retrospectively, that is from the date of conviction. In this connection, I am directed to clarify that it is now well settled law that an order of dismissal cannot have effect from any date prior to that on which it is communicated to the delinquent Government employee. In view of this position, it is not legally possible to pass an order of dismissal from the date of conviction, that is, from any retrospective date.

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

Copy of Punjab Government circular letter No. 6428-6GSI-77/27300, dated 23rd June, 1977, from the Chief Secretary of Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Transfer orders.

I am directed to invite a reference to Punjab Government letter No. 5355-6GSI-77/23098, dated the 25th May, 1977, on the subject cited above,—vide which a decision was conveyed to the effect that no transfers should be made till the 15th June, 1977.

2. Government have now further decided that no transfer should be made or those, if made but not given effect to, should not be implemented till the 30th June, 1977. After this date, the cases of such transfers should be reviewed by the next higher authority and only thereafter necessary orders be issued.

3. Kindly acknowledge receipt of this letter.

Copy of Punjab Government circular letter No. 6447-2GS-77/27514, dated the 24th June, 1977, from the Chief Secretary to Government, Punjab addressed to all Heads of Departments etc., etc.

Subject.—Tendency to bring political or other influence to bear upon superior authorities (including Ministers) by Government employees in respect of their service matters—Breach of rule 20 of Punjab Government employees (Conduct) Rules, 1966.

I am directed to address you on the subject noted above and to say that rule 20 of the Punjab Government Employees (Conduct) Rules, 1966, provides that 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 matters pertaining to his service under the Government. The provisions of the rule *abid* thus prohibit a Government employee to by pass the channel of submission of representations in respect of their service matters. From time to time Government have been issuing instructions to the effect that any breach of the rule *abid* shall be taken serious note of and suitable disciplinary action shall be taken against the defaulting employees. These instructions were latest reiterated,—vide P.G. letter No. 5283-2SII-76, dated the 11th May, 1976. It was again made clear therein that any laxity in this behalf by Government employees would not be tolerated and strict disciplinary action would be taken against the defaulters.

2. As the tendency amongst Government employees to bring political or other influence on superior authorities in respect of their service matters still persists, I am directed to request you to take a serious note of any breach of rules and instructions in this behalf by Government employees and take disciplinary action under the Punjab Civil Services (Punishment and Appeal) Rules, 1970 *inter-alia* in the manner as laid down in Punjab Government instructions No. 7398-SII(3)-71, dated the 15th December, 1971.

3. Government, however, desire that the genuine grievances of the Government employees in service matters should be redressed as quickly as possible so as to avoid undue hardship to Government employee concerned. I am, therefore, directed to request you to take steps in this behalf as already suggested in P.G. letter No. 5283-2SII-76, dated 11th May, 1976, referred to above.

4. Kindly ensure meticulous observance of the above instructions and also acknowledge receipt thereof.

ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 6447-2ਜੀ, ਐਸ. 1-77, ਮਿਤੀ 24 ਜੂਨ, 1977 ਵੱਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਸਰਕਾਰ ਵੱਲ ਪੰਜਾਬ ਰਾਜ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖ ਅਧਿਕਾਰੀ, ਆਦਿ, ਆਦਿ।

ਵਿਸ਼ਾ: ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਵੱਲੋਂ ਸੇਵਾ ਮਾਮਲਿਆਂ ਸਬੰਧੀ ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਤੇ ਸਿਆਸੀ ਅਤੇ ਹੋਰ ਅਸਰਾਂ ਤੇ ਪ੍ਰਭਾਵ ਪਾਉਣ ਬਾਰੇ ਰੁਚੀ—ਪੰਜਾਬ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀ (ਆਚਰਣ) ਨਿਯਮਾਵਲੀ, 1966 ਦੇ ਨਿਯਮ 20 ਦੀ ਉਲੰਘਣਾ।

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਨੂੰ ਸੰਬੰਧਤ ਕਰਨ ਅਤੇ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀ (ਆਚਰਣ) ਨਿਯਮਾਵਲੀ, 1966 ਦੇ ਨਿਯਮ 20 ਵਿਚ ਇਹ ਉਪਬੰਧ ਹੈ ਕਿ ਕੋਈ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਆਪਣੇ ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਤੇ ਸਿਆਸੀ ਅਤੇ ਹੋਰ ਪ੍ਰਭਾਵ ਆਪਣੇ ਸੇਵਾ ਮਾਮਲਿਆਂ ਨੂੰ ਨਜ਼ਿੱਠਣ ਬਾਰੇ ਪਾਉਣ ਦਾ ਓਪਰਾਲਾ ਨਹੀਂ ਕਰੇਗਾ। ਉਪਰੋਕਤ ਨਿਯਮ ਦੇ ਉਪਬੰਧ ਇਸ ਤਰ੍ਹਾਂ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਤੇ ਇਹ ਹੋਕ ਲਗਾਉਂਦੇ ਹਨ ਕਿ ਉਹ ਸੇਵਾ ਮਾਮਲਿਆਂ ਵਿਚ ਆਪਣੀਆਂ ਪ੍ਰਤੀ ਬੇਨਤੀਆਂ ਯੋਗ ਪ੍ਰਣਾਲੀ ਰਾਹੀਂ ਪੇਸ਼ ਕਰਨ ਦੀ ਵਿਧੀ ਨੂੰ ਨਹੀਂ ਤੋੜਨਗੇ। ਸਰਕਾਰ ਸਮੇਂ ਸਮੇਂ ਸਿਰ ਇਸ ਸਬੰਧੀ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕਰਦੀ ਰਹੀ ਹੈ ਕਿ ਉਪਰੋਕਤ ਨਿਯਮ ਦੀ ਉਲੰਘਣਾ ਦਾ ਸਖਤ ਨੋਟਿਸ ਲਿਆ ਜਾਵੇਗਾ ਅਤੇ ਕਸੂਰਵਾਰ ਕਰਮਚਾਰੀ ਵਿਰੁੱਧ ਅਨੁਸ਼ਾਸਨੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ। ਇਹ ਹਦਾਇਤਾਂ ਪਿਛੇ ਜਿਹੇ ਸਰਕਾਰ ਦੇ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 5283-2 ਐਸ 11-76, ਮਿਤੀ 11-5-1976 ਰਾਹੀਂ ਮੁੜ ਦੁਹਰਾਈਆਂ ਗਈਆਂ ਸਨ। ਇਨ੍ਹਾਂ ਵਿਚ ਇਹ ਸਪੱਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਵੱਲੋਂ ਉਪਰੋਕਤ ਮਾਮਲੇ ਵਿਚ ਕਿਸੇ ਕਿਸਮ ਦੀ ਕੁਤਾਹੀ ਨੂੰ ਬਰਦਾਸ਼ਤ ਨਹੀਂ ਕੀਤਾ ਜਾਵੇਗਾ ਅਤੇ ਕਸੂਰਵਾਰ ਵਿਰੁੱਧ ਸਖਤ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ।

2. ਕਿਉਂਜੋ ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਉੱਤੇ ਸਿਆਸੀ ਅਤੇ ਹੋਰ ਪ੍ਰਭਾਵ ਪਾਉਣ ਦੀ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਵਿਚ ਰੁਚੀ ਜਾਰੀ ਹੈ, ਇਸ ਲਈ ਮੈਨੂੰ ਇਹ ਬੇਨਤੀ ਕਰਨ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਤੁਸੀਂ ਕਰਮਚਾਰੀਆਂ ਦੁਆਰਾ ਨਿਯਮਾਂ ਅਤੇ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਦਾ ਸੰਜੀਦਾ ਨੋਟਿਸ ਲਵੋ ਅਤੇ ਦੋਸ਼ੀ ਕਰਮਚਾਰੀਆਂ ਵਿਰੁੱਧ ਪੰਜਾਬ ਸਿਵਲ ਸੇਵਾਵਾਂ (ਦੰਡ ਅਤੇ ਅਪੀਲ) ਨਿਯਮਾਵਲੀ, 1970 ਦੇ ਉਪਬੰਧਾਂ ਦੇ ਨਾਲ ਨਾਲ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 7398-ਐਸ II (3)-71, ਮਿਤੀ 15 ਦਸੰਬਰ, 1971 ਵਿਚ ਦਰਜ ਵਿਧੀ ਅਨੁਸਾਰ ਅਨੁਸ਼ਾਸਨੀ ਕਾਰਵਾਈ ਕਰੋ।

3. ਸਰਕਾਰ ਦੀ ਇਹ ਵੀ ਇੱਛਾ ਹੈ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੇ ਸੇਵਾ ਮਾਮਲਿਆਂ ਸਬੰਧੀ ਜਾਇਜ਼ ਦੁਖੜੇ (ਗਰੀਵੈਂਸਸਜ਼) ਨੂੰ ਜਿਤਨੀ ਛੇਤੀ ਹੋ ਸਕੇ ਨਿਸ਼ੇਠਿਆ ਜਾਵੇ ਤਾਂ ਜੋ ਉਨ੍ਹਾਂ ਨੂੰ ਬੇਲੋੜੀ ਔਖਿਆਈ ਦਾ ਸਾਹਮਣਾ ਨਾ ਕਰਨਾ ਪਵੇ। ਇਸ ਲਈ ਮੈਨੂੰ ਇਹ ਬੇਨਤੀ ਕਰਨ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਤੁਸੀਂ ਇਸ ਸਬੰਧ ਵਿਚ ਜਿਹਾ ਕਿ ਪਹਿਲਾਂ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ: 3283-2 ਐਸ II-76, ਮਿਤੀ 11 ਮਈ, 1976 ਵਿਚ ਸੁਝਾਉ ਦਿੱਤੇ ਗਏ ਹਨ ਅਨੁਸਾਰ ਕਦਮ ਉਠਾਉ।

4. ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਵਿੰਨਬਿੰਨ ਪਾਲਣਾ ਕਰਵਾਈ ਜਾਵੇ ਅਤੇ ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਖੋਜੀ ਜਾਵੇ।

Copy of Punjab Government circular letter No. 6683-2GS-77/28429, dated the 1st July, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Appointments by officers with C.M.—Fixing of time.

I am directed to address you on the subject noted above and to say that the Chief Minister, Punjab has fixed time for officers to meet him when he is at headquarters. This will be from 12.00 to 12.30 P.M. Chief Minister has further desired that the officers should meet him after fixing proper appointments, and should refrain from taking formal or informal aid of public men, in taking up personal or other problems with him. Chief Minister would prefer that officers, when in difficulty should fix appointments and see him. I am, therefore, directed to request you to bring this to the notice of all Government employees for strict compliance.

2. Kindly acknowledge its receipt.

Copy of Punjab Government circular letter No. 7524-6GSI-77/30428, dated the 21st July, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Principles to be observed in making postings and transfers/
mid-term transfers.

I am directed to say that according to para 2(i) of Punjab Government instructions No. 9848-7GS-76/48141, dated the 1st December, 1976, on the subject cited above, the transfers and postings of any category of employees can normally take place only once a year during the period from March 15 to April 30. If any transfer is to be made outside this period, the competent authority should not issue orders without obtaining the prior approval of the next higher authority. These instructions further say that the authorities concerned should, after careful consideration, draw out by the end of February, a plan of general postings and transfers, with a view to making arrangements lasting the whole of that year, so as to ensure issuance of necessary orders promptly, during the aforesaid period.

2. Due to the General Elections for the Lok Sabha during the month of March this year, a total ban was imposed on the general transfers of Government employees upto 31st March, 1977 and thereafter the ban was again imposed upto 30th June, 1977 on administrative grounds. As such the Departments could not get sufficient time to draw out proper plans and issue necessary orders, during the prescribed period. Keeping in view the administrative difficulties of the Departments, the Government has decided that this year the general transfers of Government employees, may now be made upto 15th August, 1977. After this date the normal procedure prescribed for mid-term transfers as laid down in P.G. instructions No. 9848-7GS-76/48141, dated 1st December, 1976, shall have to be strictly followed.

3. These instructions may kindly be brought to the notice of all concerned under your control for strict compliance.

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

Copy of Punjab Government circular letter No. 5236-IGSI-77/31417, dated the 21st July, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-technical Services) Rules, 1968—Amendment thereof.

I am directed to refer to the subject noted above and to say that the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) Rules, 1968 have been amended,—vide Notification No. G.S.R. 50/Const./Art. 309/Amd(2)/77, dated the 20th April, 1977 (copy enclosed) so as to clarify the categories of the released Armed Forces Personnel, *inter alia*, giving statutory shape to the instructions contained in Circular letter No. 29(GOD)-SII(3)-73/7752, dated the 28th February, 1973, who would be entitled to claim the benefit of reservation, seniority etc. under the rules *ibid*. This amendment may be brought to the notice of all concerned for information and guidance.

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

[Published in the Punjab Government Gazette, Legislative Supplement, dated the 20th May, 1977]

PUNJAB GOVERNMENT

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS

(GENERAL SERVICES)

Notification
The 20th April, 1977

No. G.S.R. 50/Const./Art. 309/Amd.(2)/77.—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 President of India is pleased to make the following rules further to amend the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) Rules, 1968, namely:—

1. (1) These rules may be called the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) (First Amendment) Rules, 1977.

(2) They shall be deemed to have come into force with effect from the 28th day of February, 1973.

2. For Rule 2 of the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) Rules, 1968 (hereinafter referred to as the said rules), the following rule shall be substituted, namely:—

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

- (a) 'Indian Armed Forces Personnel' means the Emergency Commissioned Officers, the Short Service Regular Commissioned Officers, the Junior Commissioned Officers, the Non-Commissioned Officers, and other ranks of the Armed Forces of the Union ;
- (b) 'Non-technical posts' means all posts under the State Government, other than the posts in the Medical and Engineering Services ;
- (c) 'release' (with its grammatical variations) means release as per the Scheduled year of release after a spell of services, from the Armed Forces of the Union but does not include release during or at the end of training, or during or at the end of Short Service Commission granted to cover periods of such training prior to being taken in actual service or release on account of misconduct or inefficiency or at the request of a released Indian Armed Forces Personnel himself ;
- (d) 'Released Indian Armed Forces Personnel' means the Indian Armed Forces Personnel who were commissioned to or who joined the Armed Forces of the Union, as the case may be, on or after the first day of November, 1962, but before the 10th day of January, 1968 and who were released on demobilisation thereafter but does not include :—
 - (i) Volunteer Reserved Forces Personnel of the Armed Forces of the Union called upon for temporary service ; or
 - (ii) Indian Armed Forces Personnel who, before their appointment against vacancies reserved under these rules,—
 - (a) are granted permanent commission ; or

- (b) joined or join a civil service of the Union or a civil service of a State or a civil post under the Union or a State after their release from the Armed Forces of the Union;

(e) 'Scheduled year of release' means,—

- (i) in so far as it relates to the emergency commissioned officers, the year in which they are due for release in accordance with the phased programme approved by the Government of India in the Ministry of Defence;
- (ii) in so far as it relates to the Short Service Commissioned Officers, the year in which their normal tenure of three or five years as the case may be, as Short Service Commissioned Officers, is to expire;
- (iii) in so far as it relates to the Indian Armed Forces Personnel who are invalidated out of Service owing to a disability attributed to or aggravated by military service, the year in which they were so invalidated out of service."

3. In rule 3 of the said rules, for sub-rule (1), the following shall be substituted, namely :—

"(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."

4. After rule 6 of the said rules, the following rule shall be added, namely :—

"7. Notwithstanding anything contained in the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) (First Amendment) Rules, 1977 (hereinafter referred to as the amending Rules), the appointment if any made under these rules immediately before the commencement of the amending rules shall not be affected, but in respect of matters other than appointment, persons so appointed shall be governed by these rules as modified by the amending rules."

HARDEV SINGH CHHINA,
Chief Secretary to Government, Punjab.

Copy of Punjab Government circular letter No. 7610-IGSI-77/31795, dated the 26th July, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc. etc.

Subject.—Qualifications of age for recruitment to services/posts under the State—Provision in Service Rules.

I am directed to refer to Punjab Government instructions contained in circular letter No. 2751-GII-58, dated the 3rd July, 1958, which provided that the age of candidates for recruitment to State services/posts is to be determined with reference to the date on which the examination/interview/selection is held by the Punjab Public Service Commission/S.S.S. Board or other recruiting agency. This policy was adopted for the reason that the previous practice of determining age limit from the date of appointment caused undue hardship to candidates, who at the time of applying for a post were well within the age limit, had to be ignored as they became over age at the time of actual appointment which are delayed in the administrative process. The above principle of calculating age for recruitment, needed further consideration, *inter alia*, in view of the following reasons :—

- (i) In many cases, examination/interview etc. continue for a number of days and for age purposes it becomes difficult to select one date out of these ;
- (ii) There being no uniformity, there is always a scope for varying the dates of interview/examination so as to favour a particular section of candidates.

Therefore, taking into account all aspects of the matter, it has now been decided that for purposes of age limit for recruitment to State services, the 1st of January of the year immediately preceding the last date for submission of applications should be the deciding factor for computing age. As such a candidate who is within the prescribed age on the 1st of January of the year of submission of applications, would be treated as within age notwithstanding the actual date of his appointment. You are, therefore, requested to bring these instructions to the notice of all concerned for strict compliance.

The receipt of this communication may also be acknowledged.

Copy of Punjab Government circular letter No. 7572-3GSI-77/ , dated the 1st August, 1977, from the Chief Secretary to Government, Punjab, addressed 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 instructions issued,—*vide* letter No. 727-SII(4)-67/4841, dated the 17th February, 1967 and to say that Government have decided to make the following amendment/delegation of powers therein :—

The following shall be added as paragraph 4-A(c)—

‘4-A. Notwithstanding anything contained in these instructions,—

(c) the blind Government employees may be granted re-employment liberally after the normal age of retirement upto the age of 60 years on year to year basis, when efficiency continues to be unimpaired, and subject to their being declared physically and mentally fit.

Note :- The authority competent to grant re-employment in service will be the same as described in paragraph 6 of the consolidated circular letter.

Yours faithfully,

(Sd.)

Under-Secretary, Personnel,
for Chief Secretary to Government, Punjab.

No. 7572-3GSI-77/
August, 1977.

, dated Chandigarh, the 1st

A copy is forwarded to the Accountant General, Punjab, Chandigarh, for information.

(Sd.)

Under-Secretary, Personnel,
for Chief Secretary to Government, Punjab.

A copy is forwarded for information and necessary action to:—

1. the Financial Commissioners, Punjab and
2. All the Administrative Secretaries to Government, Punjab.

For Commissioner for Finance and
Secretary to Government, Punjab,
Finance Department.

This has a reference to the Finance Department U.O. advice No. 5585-6FR-77, dated the 20th July, 1977. It is requested that necessary action to amend the rule 4.2(a) of Punjab C.S.R., Volume II, for the purpose of giving the benefit of added years of service to the blind employees, may kindly be taken immediately.

(Sd.)

Under-Secretary, Personnel,
for Chief Secretary to Government, Punjab.

To

1. The Financial Commissioners, Punjab and
2. All Administrative Secretaries to Government, Punjab.

U.O. No. 7572-3GSI-77,
August, 1977.

, dated Chandigarh, the 1st

Copy of Punjab Government Circular letter No. 7785-2GSII/77/33843, dated the 3rd August, 1977, from Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject.—Punjab Civil Services (Premature Retirement) Rules, 1975—Consideration of a request of a Government employee to seek voluntary retirement from a date earlier than the expiry date of three months notice—policy regarding.

I am directed to address you on the subject noted above and to say that sub-rule (2) of rule 3 of the Punjab Civil Services (Premature Retirement) Rules, 1975 provides that any Government

employee, may after giving at least three months previous notice in writing to the appropriate authority retire from service on the date on which he completes twenty five years of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice, provided that no employee under suspension shall retire from service except with the specific approval of the appropriate authority. This rule does not confer a right on a Government employee to seek retirement from service before the expiry of the three months notice referred to therein, the reasons being obvious. A Government employee against whom the appropriate authority may be contemplating disciplinary action for lapses in the performance of his duties could avoid such action by seeking retirement by depositing three months' pay and allowances in lieu of notice or pay and allowances for the period by which the notice fell short of three months in case such a right as given to him. Further it may not be possible to make administrative arrangement immediately in place of the Government employee seeking retirement. Thus the compulsion of notice on the part of the Government employee has been provided by the Government to safeguard administrative interest.

A question has arisen as to whether the appropriate authority can of its own permit a Government employee to retire from service after depositing pay and allowances for the period by which the notice falls short of three months, if there are no circumstances requiring the retention of the Government employee in service during the period of notice. Government have carefully considered the matter and have decided that, as the matter involves relaxation of the condition prescribed in the rules, and also as a matter of uniform policy the request of an employee for voluntary retirement from service from a date earlier than the expiry date of three months notice given by the employee by depositing pay and allowances for the period by which the notice fell short of three months, should be examined by the Administrative Department on merits and if it is considered that there are no circumstances requiring the retention of the Government employee in service during the period of notice, the case may be sent invariably to the Chief Secretary (in General Services Branch-I) for according necessary approval, as the power to relax the said rules *ibid* vests in this Department.

3. Kindly acknowledge its receipt.

Copy of Punjab Government circular U.O. No. 8020-6GSI-77/
dated 10th August, 1977, from the Chief Secretary to Govern-
ment, Punjab, addressed to all Financial Commissioners, all
Administrative Secretaries to Government, Punjab, etc., etc.

*Subject.—Selections/interviews for jobs in the State Corporations/
 Boards—Relaxation of Ban Order.*

Will the Financial Commissioners and Administrative Secretaries to Government, Punjab, kindly refer to Department of Personnel (General Services I Branch) U.O. communication No. 6381-6GSI-77, dated the 23rd June, 1977,—*vide* which selection/interview, if any, being conducted for the job in any Corporation/Board etc. had been held up till further orders ?

2. Government has reconsidered the whole matter keeping in view the staffing difficulties of various Corporations/Boards on account of the aforesaid ban. It has now been decided to relax the ban to the extent that the Corporations/Boards are allowed to appoint Class IV staff themselves, and as regards Class III, II and I posts, appointments to meet the barest minimum requirements of the department be made with the approval of the Minister-in-Charge.

3. This may kindly be brought to the notice of all the Corporations/Boards under their administrative control for strict compliance.

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

Copy of Punjab Government circular letter No. 7697-3GSI-77/35080,
dated 16th August, 1977 from the Chief Secretary to Govern-
ment, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Grant of re-employment/extension in service to Govern-
ment employees on or after their attaining the age of
superannuation.

I am directed to invite your kind attention to Punjab Government instructions issued,—*vide* circular letter No. 727-SII (4)-67/4841, dated the 17th February, 1967, on the subject cited above, and to state that it has been decided by the Government as a matter of policy that no extension in service, including re-employment,

beyond the normal age of superannuation should be given to any Government employee in any case. However, the general bar will not apply to the consideration of cases of such categories of employees as are covered by specific policy decisions, viz :—

- (i) Political sufferers and their wives in Government Service ;
- (ii) Teachers who are recipient of National/State awards ;
- (iii) Blind Government employees.

2. These orders may kindly be complied with strictly. Receipt of the letter may please be acknowledged.

Copy of Punjab Government circular letter No. 8261-2GS-76/38262, dated 26th August, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Reinstatement of Government employees placed under suspension without the finalisation of departmental proceedings or court proceedings etc.—Policy thereof.

I am directed to address you on the subject noted above and to say that,—vide Punjab Government instructions No. 2581-ACC-54/664, dated 27th September, 1954, the Government has laid down criteria to guide departmental officers in deciding when an order of suspension of a government employee should be passed. According to these criteria, suspension should not, ordinarily, be ordered unless the allegations made against the official concerned are of a serious nature and on the basis of the evidence available, there is a *prima facie* case for his dismissal or removal or there is reason to believe that his continuance in service is likely to cause embarrassment or hamper the investigation of the case. In other cases, it should suffice if steps are taken to transfer the person concerned to another place to ensure that he has no opportunity to interfere with the witnesses or to tamper with the evidence against him. Guided by these criteria, the competent authority, has to pass the suspension order of a Government employee with caution under rule 4(1) of the Punjab Civil Services (Punishment and Appeal) Rules, 1970. Further, rule 4(5) (a) of the Rules *ibid* lays down that 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 an authority competent to do so.

2. It has been brought to the notice of the Government that employees have been reinstated by the competent authorities after they were kept under suspension for a number of years without their cases having been finalised in departmental proceedings or court proceedings or there being no substantial change in the situation which originally called for their suspension. The Government has considered this matter and has decided as follows :—

Where a Government employee has been placed under suspension or deemed to have been placed under suspension under rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, the order of suspension should not be modified or revoked by the authority which made or is deemed to have made order except in the following situations :—

- (1) The disciplinary proceedings against the Government employee have been completed and the reinstatement is being ordered after considering the outcome of the enquiry report; or
- (2) The court proceedings, if instituted, have been completed; judgment delivered and the employee needs to be reinstated as a result of judgement; or
- (3) There is substantial change in the situation which called for the suspension of the employee in the first instance. In other words, the criteria laid down for suspension of a government employee as quoted in para 1 above, holds no longer good in his case and suspension order needs to be reviewed.

The two situations mentioned at Sr. No. (1) and (2) need no further clarification. As regards the situation at serial No. (3) the Government further wishes to make it clear that, if the period of suspension exceeds six months the suspension should not be revoked without the approval of the Minister-in-Charge, with whose permission the Government employee is kept under suspension after six months and if the period of suspension exceeds nine months the suspension should not be revoked without the approval of the CMM with whose permission the Government employee is kept under suspension after nine months as per instructions.

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

ਪੰਜਾਬ ਸਰਕਾਰ ਦਾ ਗ਼ੌਰੀ ਪੱਤਰ ਨੰਬਰ 7176-ਜਸ-1-77/38579, ਮਿਤੀ 30 ਅਗਸਤ, 1977, ਵੱਲੋਂ, ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਸਮੂਹ ਵਿਭਾਗੀ ਮੁਖੀ ਆਦਿ, ਆਦਿ।

ਵਿਸ਼ਾ:—ਅਯੋਗ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨਾਲ ਹੁਣ ਨਾਲੋਂ ਵਧੇਰੇ ਭੇਜੀ ਨਾਲ ਡੀਲ ਕਰਨ ਦੇ ਸਾਧਨਾਂ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰ: 11007-ਜੀ-II-59/23860, ਮਿਤੀ 24/25-11-1959 ਵੱਲੋਂ ਆਪ ਜੀ ਦਾ ਧਿਆਨ ਦਿਵਾਉਣ ਲਈ ਮੈਨੂੰ ਆਦੇਸ਼ ਹੋਇਆ ਹੈ। ਜਿਸ ਰਾਹੀਂ ਸੀ. ਐਸ. ਆਰ. ਜਿਲਦ 2 ਨਿਯਮ 5.32 ਅਧੀਨ ਰਿਟਾਇਰ ਕੀਤੇ ਜਾਣ ਵਾਲੇ ਕਰਮਚਾਰੀਆਂ ਬਾਰੇ ਕਥਿਤ ਨਿਯਮਾਂ ਦੇ ਨਿਯਮ 5.35 ਦਾ ਹਵਾਲਾ ਦਿੰਦੇ ਹੋਏ ਮਾਸਕ ਰਿਪੋਰਟ ਸਰਕਾਰ ਨੂੰ ਭੇਜਣ ਲਈ ਆਪ ਜੀ ਨੂੰ ਲਿਖਿਆ ਗਿਆ ਸੀ।

2. ਜਿਸ ਤਰ੍ਹਾਂ ਕਿ ਆਪ ਜੀ ਨੂੰ ਪਤਾ ਹੈ ਕਿ ਸੀ. ਐਸ. ਆਰ. ਜਿਲਦ II ਦੇ ਨਿਯਮ 5.32 ਦੀ ਥਾਂ ਤੇ ਪੰਜਾਬ ਸਿਵਲ ਸਰਵਿਸ (ਪ੍ਰੀਮੇਰੀਅਰ ਰਿਟਾਇਰਮੈਂਟ) ਨਿਯਮ, 1975 ਬਣਾਏ ਗਏ ਹਨ ਅਤੇ ਨਿਯਮ 5.32 ਦੀ ਲੋੜੀਂਦੀ ਸੋਧ ਵੀ ਕਰ ਦਿੱਤੀ ਗਈ ਹੈ। ਨਿਯਮ 5.35 ਸਮਾਪਤ ਕਰ ਦਿੱਤਾ ਗਿਆ ਹੈ। ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ੌਰੀ ਪੱਤਰ ਨੰ: 9193-2ਜਸ-76/48733, ਮਿਤੀ 9 ਦਸੰਬਰ, 1976 ਰਾਹੀਂ ਉਪਰੋਕਤ ਪ੍ਰੀਮੇਰੀਅਰ ਰਿਟਾਇਰਮੈਂਟ ਨਿਯਮਾਂ ਅਧੀਨ ਰਿਟਾਇਰ ਕੀਤੇ ਜਾਣ ਵਾਲੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਬਾਰੇ ਨਿਬੰਧਿਤ ਪ੍ਰੋਫਾਰਮੇ ਵਿੱਚ ਤਿਮਾਹੀ ਵਿਵਰਣ ਮੰਗਿਆ ਜਾਂਦਾ ਹੈ। ਇਸ ਲਈ ਬਦਲੀ ਸਥਿਤੀ ਦੇ ਸਨਮੁਖ ਇਹ ਵਿਚਾਰ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਉਪਰੋਕਤ ਪੈਰਾ 1 ਵਿਚ ਹਵਾਲਾ ਦਿੱਤੀਆਂ ਹਦਾਇਤਾਂ ਦੇ ਤਹਿਤ ਭੇਜੀ ਜਾਣ ਵਾਲੀ ਮਾਸਕ ਰਿਪੋਰਟ ਬੇਲੋੜੀ ਬਣ ਗਈ ਹੈ। ਇਸ ਕਰਕੇ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਭੇਜੀ ਜਾਣ ਵਾਲੀ ਮਾਸਕ ਰਿਪੋਰਟ ਬੰਦ ਕਰ ਦਿੱਤੀ ਜਾਵੇ ਪਰੰਤੂ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਉਪਰੋਕਤ ਗ਼ੌਰੀ ਪੱਤਰ ਮਿਤੀ 9 ਦਸੰਬਰ, 1976 ਅਨੁਸਾਰ ਹੀ ਤਿਮਾਹੀ ਰਿਪੋਰਟ ਬਿਨਾਂ-ਨਾਗਾ ਭੇਜੀ ਜਾਵੇ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ ਜੀ।

Copy of Punjab government circular letter No. 8719-6GSI-77/39034, dated 2nd September, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Ban on transfers with immediate effect till the end of the current financial year, i.e. 31st March, 1978.

I am directed to invite your attention to Punjab Government Circular No. 7524-6GSI-77/30428, dated the 21st July, 1977, on the subject "Principles to be observed in making postings and transfers/mid-term transfers." It was communicated that the general transfers of Government employees might be made up to 15th August, 1977, and after the 15th August the normal procedure prescribed for mid-term transfers etc., as laid down in the consolidated instructions bearing No. 9848-7GS-76/48141, dated the 1st December, 1976, would be applicable.

2. The question of general transfers during the financial year 1977-78 has been further considered by the Government and the following decisions have been taken :—

- (i) There would be a complete ban on transfers of Government employees of all classes in all Departments with immediate effect till the end of current financial year i.e. 31st March, 1978.
- (ii) Notwithstanding the above ban, the competent authorities as per rules of the respective post, service or Department shall be competent to order transfer which may become necessary to fill up an existing vacancy or a new vacancy arising as a result of the following eventualities only :—
 - (a) suspension ;
 - (b) resignation ;
 - (c) retirement ;
 - (d) removal from service ; and
 - (e) deputation including deputation for long term training :

Provided that such transfer does not involve the transfer of any other employee.

- (iii) If in any other case the department considers the transfer of an official absolutely unavoidable, it shall be necessary to obtain prior approval of the Chief Minister, Punjab, through the Chief Secretary before issuing orders of transfer.

3. Kindly ensure strict compliance of the above decisions.

Copy of letter No. 3237-2GSI-77/28000, dated Chandigarh, the 13th September, 1977 from Under Secretary, Personnel, for Chief Secretary to Government, Punjab, to all Heads of Departments etc. etc.

Subject.—Requirement of one month's notice from temporary employees seeking employment within the State Government.

I am directed to invite a reference to P.G. Circular letter No. 1068-SII(6)-69/5780, dated 27th February, 1969 (Page 496

of Manual of instructions on service matters) on the subject noted above and to inform you that it has been decided that in the said circular letter, for the words "Official appointed on ad hoc basis", the words "Official appointed on temporary basis/ad hoc basis" shall be substituted. Consequently the condition of one month's notice or surrendering of pay in lieu, thereof is not to be insisted upon in a case where the person concerned prior to his joining the existing appointment, had applied to the recruiting agency in the State to seek an appointment on another post even on temporary basis in any Department of the State Government, and on his selection thereto, wants to leave his existing appointment to join the new one.

2. These orders are effective from the date of issue and the closed cases may not be re-opened.

3. Kindly acknowledge its receipt.

Copy of Punjab Government circular letter No. 8811-2GSI-77/40340, dated 14th September, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc. etc.

Subject.—Appointments by officers with C.M.—Fixing of time.

I am directed to invite your attention to Punjab Government circular letter No. 6683-2GSI-77/28429, dated the 1st July, 1977, on the subject noted above, and to say that the Chief Minister has directed that it should once again be brought to the notice of all government employees that if any one has any problem or is in any difficulty, he should not seek formal or informal help of publicmen and instead should see the Chief Minister personally in his office (not residence in any case) between 12.00 to 12.30 p.m. after fixing proper appointment.

Copy of the letter No. 184-GOI-2GS-177/40341, dated the 14th/15th September, 1977, addressed to All Heads of Departments, Commissioners of Divisions, Registrar, Punjab & Haryana High Court, District and Sessions Judges and Deputy Commissioners in the State, with a copy to Financial Commissioners and Administrative Secretaries to Government, Punjab.

Subject.—Voluntary retirement of an employee against whom departmental action or proceedings are pending—Specific approval of the appropriate authority—policy regarding.

I am directed to address you on the subject noted above and to say that in the proviso to rule 3 (2) of the Punjab Civil Services (Premature Retirement) Rules, 1975, it has been laid down that no employee under suspension shall retire from service except with the specific approval of the appropriate authority. A question has arisen whether an employee against whom departmental proceedings for disciplinary action are pending, but who has not been placed under suspension, can seek premature retirement under the rules by giving the notice prescribed in the rules *ibid* without the specific approval of the competent authority. In this connection I am directed to clarify that under the aforesaid rules there is no bar to a Government employee retiring voluntarily by giving the requisite notice, even if departmental or court proceedings are pending against him unless he is under suspension. No specific approval of the competent authority is necessary in such cases and the retirement would be automatic on the expiry of the notice period, but it is necessary to issue formal orders of retirement even in such cases. The court proceedings against such an employee will, of course, continue in the normal course as an employee's continuance in Government service is not necessary for purposes of continuing the court proceedings. The disciplinary proceedings against him can also be continued and a suitable punishment awarded even after retirement as per provisions of rules 2.2 of Civil Services Rules, Volume II.

2. Another question that has arisen in this regard is whether the appropriate authority of its own should issue orders of the premature retirement under rule 3(1) of the rules *ibid* in the cases of Government employees against whom some departmental action is in process. In this connection it is clarified that normally departmental proceedings against a Government employee should lead to a logical conclusion before any action is taken on its basis. The power vesting in the appropriate authority under rule 3(1) of the rules *ibid* should not be used to retire a Government employee

on grounds of specific acts of misconduct unless there is sufficient material on the basis of which the appropriate authority can justify the order of premature retirement in 'public interest'. In this connection the judgment of the Punjab and Haryana High Court in civil writ No. 5926 of 1975 an extract of which was circulated,—vide Punjab Government letter No. 6785-2GS-II-76/33543, dated 12th August, 1976, may please be kept in view.

3. Kindly acknowledge the receipt of this communication.

Copy of Punjab Government circular letter No. 219(GOI)-2GSI-77//49551, dated 21st/23rd September, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc. etc.

Subject.—Order of penalty—Speaking order—Instructions regarding.

In continuation of Punjab Government instructions No. 3973-SII (3)-72/16816, dated 18th July, 1972 on the above subject, I am directed to bring to your notice the relevant *rulings of the Supreme Court,—vide annexure enclosed. These rulings may also please be kept in view while passing the orders in disciplinary cases as a matter of abundant precaution.

*1. AIR-1967-SC 1606.
2. AIR-1970-SC-1302.
3. AIR-1971-SC-862.

2. Further, I am directed to clarify that in the case of a gazetted officer there is no need to publish in the official gazette the entire detailed order of penalty passed in a speaking manner as per Government instructions referred to above. The order to be published in the gazette should be in simple form as under :—

"Governor of Punjab has removed/dismissed/compulsorily retired Shri (name) _____ (designation) _____ from service with immediate effect/with effect from _____ (here the effective date of orders of removal etc. should be inserted.)"

3. Kindly acknowledge receipt of this letter.

ANNEXURE

Speaking Orders

1. (a) Authorities exercising supervisory powers, e.g. Courts of law, are placed under a great handicap in ascertaining whether the salient features of a case had been considered when they find that an Appellate/Reviewing authority has after considering an appeal of petition :—

(i) merely dismissed it curtly by the use of the single word "rejected" or "dismissed", without bothering to record any reasons ;

or (ii) has gone on to confirm the action of the tribunal without indicating any reasons where the reasons given in the decision of the tribunal are scrappy or nebulous ;

or (iii) has merely endorsed the action of the tribunal where the original decision gives a number of reasons, some of which are good and some are not, without specifying those reasons which justify the upholding of the decision.

(b) Our constitution posits a welfare state under which administrative tribunals have come to stay. If such tribunals were allowed to function arbitrarily, it would destroy the very concept of welfare state. Therefore, the least that a tribunal can do is to disclose its mind.

(c) The compulsion of disclosure guarantees consideration, minimises arbitrariness and gives satisfaction to the party involved. A speaking order will, at its best, be a reasonable one and at its worst, at least, be a plausible one.

(d) The public must not be deprived of this only safeguard.

Bhagat Raja Versus Union of India
AIR 1967 SC 1906

2. (a) What are the attributes of quasi-judicial determination ? It must appear that a quasi-judicial authority has reached a conclusion which is according to law and is just, and for ensuring that end, he must record the ultimate mental process leading from the dispute to its solution.

(b) The appellants have a right to have their representation considered by an authority unconcerned with the dispute and to be given information which would show that the decision was reached on merits and not on consideration of policy or expediency.

(c) This is a clear implication of the nature of the jurisdiction exercised by the appellate authority; it is not required to be expressly mentioned in the statute.

(d) The nature of the appellate proceedings requires that the appellate authority must give adequate reasons which disclose that an attempt was made to reach a conclusion according to law and justice.

Mahabir Prashad Santosh Kumar, *versus* State of U.P. & Others
AIR 1970 SC 1303

3. When judicial power is exercised by an authority normally performing executive or administrative functions, the Supreme Court insists upon disclosure of reasons in support of the rules on two grounds; one that the party aggrieved in a proceeding before the High Court or the Supreme Court has the opportunity to demonstrate that the reasons which persuaded the authority to reject his case were erroneous; the other that the obligation to record reasons operates as a deterrent against possible arbitrary action by the executive authority invested with the judicial power.

[In the present case the order read : "The Government of India have carefully considered the points made by the application(s) but see no justification for interfering with the order in appeal. The revision application is accordingly rejected."] *M/s Travancore Rayons Ltd. versus Union of India*, AIR-1971 SC 862.

Copy of Punjab Government circular letter No. 8352-3GS1-77/45685, dated the 4th November, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Ad hoc appointments—Question of propriety of such appointments made with the approval of the Punjab Public Service Commission/Subordinate Services Selection Board.

I am directed to invite your attention to Punjab Government circular letter No. 13296-8GS-76/4490, dated the 2nd February, 1977,

on the subject noted above and to say that in para 1(iii) of the said letter it has been laid down *inter alia* that *ad hoc* appointments made in administrative interest should be allowed to continue beyond one year only with the specific approval of the Department of Personnel and Administrative Reforms (General Services I Branch).

2. In this connection some Departments have brought to the notice of the Government certain difficulties experienced by them in referring individual cases of *ad hoc* employees for extension in the term of appointment and have desired that such cases wherein necessary requisitions for regular recruitment have already been placed with the Public Service Commission/Services Selection Board may be exempted from being referred to the Department of Personnel for approval to continue the *ad hoc* arrangement.

3. This suggestion has been examined and it has been decided that in the case of continuance of *ad hoc* appointment beyond one year, made after sending the necessary requisitions complete in all respects and accepted by the Public Service Commission/S.S.S. Board without having to make any further back reference, the individual cases need not be referred to the Department of Personnel and Administrative Reforms (General Services I Branch). It is further clarified that the date of sending the requisition would be that date on which the requisition finally accepted by the Public Service Commission/S.S.S. Board was sent. If several back references are made to the Public Service Commission/S.S.S. Board, the crucial date would be that date on which the reference was sent to the Public Service Commission/S.S.S. Board removing the final defect. If appointments made after that date need be continued beyond one year, the approval of the Department of Personnel and Administrative Reforms (General Services I Branch) will not be necessary. In such cases, it would be sufficient to attach a copy of the letter of final acceptance of requisition by the Public Service Commission/S.S.S. Board, the Treasury Officer concerned will pass the bill on that basis. The Public Service Commission, S.S.S. Board is being requested to issue such letters of formal acceptance of requisitions indicating therein the date on the requisition totally accepted by it, was sent.

•B'

Yours faithfully,

(Sd.)

Joint Secretary, Personnel,
for Chief Secretary to Government, Punjab.

A copy is forwarded to all the Financial Commissioners, Punjab and Administrative Secretary to Government, Punjab.

**FOR SECRETARY TO GOVERNMENT, PUNJAB,
FINANCE DEPARTMENT**

He is requested that necessary instructions may be issued to the Treasury Officers in the light of portion (B) side lined above.

(Sd.)

Joint Secretary Personnel,
for Chief Secretary to Government, Punjab.

To

1. All the Financial Commissioners.
2. All the Administrative Secretaries to Government, Punjab.

U.O. No. 8352-3GSI-77 , dated Chandigarh, the 4th November, 1977.

No. 8352-3GSI-77/45686, dated Chandigarh the 4th November, 1977.

A copy is forwarded to the Secretary, Punjab Public Service Commission. Patiala and the Secretary, Punjab Subordinate Services Selection Board, for information and necessary action. A formal acceptance of the requisition should invariably be sent to the Department concerned. In the letter of acceptance the date of requisition accepted by the Punjab Public Service Commission/S.S.S. Board may be mentioned. If back references are made by them, the date on which the Department made the reference removing the last defect in the requisition shall be shown as the date of requisition in the formal letter of acceptance of the requisition.

(Sd.)

Joint Secretary, Personnel,
for Chief Secretary to Government, Punjab.

Copy of Punjab Government circular letter No. 10167-3GSI-77/46420, dated 14th November, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Regularisation of service of ad hoc employees who completed one year service on 31st March, 1977.

I am directed to invite your attention to Punjab Government circular letter No. 5845-3GSI-77/25389, dated the 10th June, 1977 on the subject noted above, whereby the operation of the Government orders dated 3rd May, 1977 regarding the regularisation of services of ad hoc employees with one year's service on 31st March, 1977, had been stayed, in view of the High Court order in C.W. No. 1553 of 1977. The Constitution Bench of the High Court has now dismissed Civil Writ No. 1553 of 1977 and has thus upheld the Government orders dated 3rd May, 1977. As such, the stay given by the Court also stands vacated. You are, therefore, requested to go ahead with the process of regularisation of services of individual ad hoc employees in accordance with the Government orders issued,—vide No. 4561-3GSI-77/18051, dated the 3rd May, 1977 and complete this work within a period of three months.

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

Copy of Punjab Government circular letter No. 10371-6GSI-77/ dated the 11th/14th November, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Ban on mid-term transfers—Clarification regarding existing vacancy.

I am directed to invite your attention to Punjab Government circular letter No. 8719-6GSI-77/39034, dated the 2nd September, 1977, on the subject "Ban on transfers with immediate effect till the end of the current financial year i.e. 31st March, 1978". It was provided in these instructions that the Departments concerned could make mid-term transfers in certain eventualities specified therein. One of the eventualities referred to is the 'existing vacancy'. Some Departments have taken the vacancies arising on account of the transfer of some other officials as existing vacancies. It is hereby clarified that the term 'existing vacancy' used in the instructions under reference meant a vacancy that existed on the date of the issue of the instructions viz. 2nd September, 1977, and not afterwards.

2. The above clarification may kindly be brought to the notice of all concerned under your control for strict compliance.

Copy of Punjab Government circular letter No. 238(GOI)-5GSI-F.P. 21-77/47416, dated the 22nd November, 1977, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Policy regarding Recruitment by Transfer.

In the Service Rules of various Departments, ordinarily the following three methods of recruitment are laid down :—

- (i) By direct recruitment ;
- (ii) By promotion ;
- (iii) By transfer of officials/officers already working in other Departments of the State Government.

It is observed that most of the departments are not clear whether appointment by transfer is to be made from identical/similar posts, what qualifications/experience are to be kept in view and whether any special procedure in regard to advertisement and/or circulation of vacancies is required to be followed. Because of the lack of clarity, various departments have been adopting different methods for filling posts by transfer.

2. The State Government has been considering the formulation of a common policy for making appointments by transfer, for some time past. After taking into consideration all issues relevant to the subject including the procedure followed by the Government of India in this respect, it has been decided that, unless there is a contrary provision in the specific service rules, the following guidelines should be observed in making appointments to the various posts/services in the State by transfer :—

- (i) The method of appointment by transfer is to be resorted to only under special circumstances. For example, when no suitable candidate is available for appointment by direct method or by promotion, appointment by transfer can be thought of. The transfer is to be made from identical/similar posts only. In this connection rule 8 of the Model Service Rules, 1973 may be referred to ;

- (ii) the qualification/experience etc., as prescribed in the relevant Service Rules for appointment by direct recruitment shall equally apply in the case of appointment by transfer, i.e. persons ineligible for direct appointment shall be ineligible for appointment by transfer as well ; and
 - (iii) whenever it is decided to fill any vacancy by transfer the vacancy should be circulated amongst all relevant departments of the State Government, giving full particulars regarding qualifications, experience etc. required for appointment to the post. These departments will in turn keep in view the policy of the Government in regard to forwarding of applications as laid down in circular letter No. 5803-G-51/1-4506, dated the 3rd September, 1951 as amended from time to time.
3. You are requested to bring this circular to the notice of all concerned.

Copy of Punjab Government circular U.O. No. 9885-6GSI-77, dated 22nd November, 1977, from the Chief Secretary to Government, Punjab, addressed to all Financial Commissioners and Administrative Secretaries in the State etc., etc.

Subject.—Selections/interviews for jobs in the State Corporations/Boards—Relaxation of Ban Order.

Will the Financial Commissioners and the Administrative Secretaries to Government, Punjab, kindly refer to the correspondence resting with this Department's U.O. communication No. 8020-6GSI-77, dated the 10th August, 1977, on the subject cited above ?

2. The Government has further considered the whole matter and it has been decided to withdraw the following instructions with immediate effect :—

- (i) Circular No. 6384-6GSI-77, dated the 23rd June, 1977, regarding ban imposed on selections/interviews for jobs in the State Corporations/Boards.

- (ii) Circular No. 8020-6GSI-77, dated the 10th August, 1977.

Consequently the recruitment in the Corporate Bodies may be made following the usual procedure.

3. The above decision may kindly be brought to the notice of all the Corporations/Boards under their administrative control.

Copy of letter No. 279(GOI)-2GSI-77/, dated 28th November, 1977, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject.—Rules 8 and 9 of the Punjab Government employees (Conduct) Rules, 1966—Question of participation of Government employees in the Television Programmes.

A question had arisen whether the participation of Government employees in the Television Programme is covered under the provisions of rules 8 and 9 of the Punjab Government employees (Conduct) Rules, 1966 which relates to the connection of Government employees with the Press or Radio, and criticism of Government respectively. The matter has been considered by Government and it is clarified that rules 8 and 9 of the rules abid will equally apply to the participation of Government employees in the Television Programmes.

2. Kindly acknowledge its receipt.

Copy of letter No. 10499-6GSI-77/50281, dated 20th December, 1977, from the Chief Secretary to all Heads of Departments, etc. etc.

Subject.—Ban on transfers with immediate effect till 31st March, 1978—Question of mutual transfers.

I am directed to invite your attention to Punjab Government Circular No. 8719-6GSI-77/39034, dated the 2nd September, 1977, on the subject cited above and to say that a point has been raised for clarification whether 'mutual transfers' also come within the ambit of the ban imposed on the transfers up to 31st March, 1978, so as to necessitate the approval of the Chief Minister through the Chief Secretary in the Department of Personnel and A.R. For the sake of uniformity, it is clarified that 'mutual transfers' if proposed to be resorted to during the mid-year are also 'mid-term transfers'. Therefore, in such cases also the prior approval of the Chief Minister through Chief Secretary in the Department of Personnel and A.R. (in General Services I Branch) is essential.

2. The above clarification may kindly be brought to the notice of all concerned under your control for strict compliance.

Copy of Punjab Government circular letter No. 11516-1GSI-77/658, dated 6th January, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Promotion of Emergency Commissioned/Short Service Commissioned Officers selected against reserved vacancies—procedure regarding.

I am directed to refer to the subject noted above and to enclose a copy of the Released Indian Armed Forces Personnel (Determination of Eligibility for Promotion) Rules, 1977, which have been published in the Punjab Government Gazette (Extraordinary) of the 15th December, 1977, for your information. The provisions of these rules may be kept in view while considering the cases of promotion of the Released Armed Forces Personnel appointed against reserved posts.

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

PUNJAB GOVERNMENT
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE
REFORMS
(GENERAL SERVICES)

Notification

The 24th November, 1977

No. G.S.R. 121/Const./Art. 309/77.—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, in consultation with the High Court of Punjab and Haryana in so far as such consultation is necessary for the purpose of Article 233 of the Constitution of India, is pleased to make the following rules to regulate the conditions of eligibility for promotion of 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, namely,—

Short title,
Commencement
and application.

1. (1) These rules may be called the Released Indian Armed Forces Personnel (Determination of Eligibility for Promotion) Rules, 1977.

- (2) They shall come into force at once.

- (3) They shall apply to all State Civil Services and posts.

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

- (a) "deemed date of appointment" in relation to a released Indian Armed Forces Person means the date of appointment as computed in accordance with the relevant rules;
- (b) "released Indian Armed Forces Person" means a Demobilised Emergency Commissioned Officer, Short Service Regular Commissioned Officer, Junior Commissioned Officer, Non-Commissioned Officer or a person of any other rank of the Armed Forces of the Indian Union who has been appointed to a reserved vacancy;
- (c) "relevant rules" means the Demobilised Armed Forces Personnel (Reservation of Vacancies in the Punjab State Non-Technical Services) Rules, 1968, the Demobilised Indian Armed Forces Personnel (Reservation of Vacancies in the Punjab Civil Service) (Executive Branch) Rules, 1972, the Demobilised Indian Armed Forces Personnel (Reservation of Vacancies in the Punjab Civil Service) (Judicial Branch) Rules, 1969 and further extended,—vide Demobilised Indian Armed Forces Personnel (Reservation of Vacancies in the Punjab Civil Service) (Judicial Branch) Rules, 1975 and the Demobilised Indian Armed Forces Personnel Reservation of Vacancies in the Punjab State Technical (Medical and Engineering) Services Rules, 1968 as further extended,—vide the Demobilised Indian Armed Forces Personnel (Reservation of Vacancies in the Punjab State Technical) (Medical and Engineering) Services Rules, 1976, as the case may be, notwithstanding the expiry of the term of any of these rules.
- (d) "reserved vacancy" means a vacancy which is reserved under the relevant rules for being filled by the released Indian Armed Forces Personnel.

3. Notwithstanding anything contained in the relevant recruitment rules relating to any post, released Indian Armed Forces Personnel who have not put in the requisite period of service as required such rules for appointment by promotion to such post shall be considered for promotion to such post if,—

- (i) they have successfully completed the period of probation;
and

- (ii) the total service reckoned from the deemed date of their appointment is not less than the period of service required under the rules for promotion to the post.

Interpretation.

4. If any question arises to the interpretation of these rules, the State Government shall decide the same.

Amendment
recruitment
rules.

of 5. All rules regulating the recruitment of persons to posts to which these rules apply shall be deemed to have been amended to the extent provided for in these rules.

S. S. PURI,

Chief Secretary to Government, Punjab.

Copy of Punjab Government circular letter No. 9924-2GSI-77/951, dated the 9th January, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc. etc.

Subject.—Speedy disposal of cases of disciplinary proceedings against Government employees—Approval of the Council of Ministers to continue the proceedings beyond a period of nine months—Instructions regarding.

I am directed to address you on the subject noted above and to say that in Punjab Government letter No. 3624-GS-61/14507, dated the 21st April, 1961, the departments were apprised of the procedure to be followed to expedite the cases of disciplinary proceedings against government employees including those who are placed under suspension. Taking note of the harassment involved in the prolongation of the cases of those who are placed under suspension, it was, *inter-alia* enjoined in these instructions that the whole process of investigation and inquiry should 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 under the orders of the Minister-in-Charge and, if an extension beyond nine months is needed, the case with full facts and justification has to be placed before the Cabinet for approval. After the issue of the above instructions, repeated instructions have been issued from time to time indicating in detail the steps to be taken to expedite the cases of disciplinary proceedings against government employees.

owing to the matter being sub-judice and accordingly, it is not possible for the department concerned to finalise the proceedings within six months, the orders of the Minister-in-Charge or the approval of the Council of Ministers, as the case may be, need not be taken so long as the matter remains sub-judice. I am directed to reiterate and clarify that cases of this type need not be placed before the Minister-in-Charge or the Council of Ministers so long as the matter remains sub-judice. In such cases, instructions No. 5357-2SII-74/22787, dated the 24th July, 1977, may, however, be kept in view for getting the court cases expedited.

Copy of Punjab Government Notification No. 277-IGSII-78/2074, dated the 18th January, 1978, from the Chief Secretary to Government, Punjab, addressed to Chairman and Members of the Punjab Subordinate Services Selection Board, Chandigarh, etc., etc.

Notification

Dated the 18th January, 1978

No. 277-IGSII-78/2074.—The Governor of Punjab is pleased to appoint the following persons as Chairman and Members of the Punjab Subordinate Services Selection Board, Chandigarh, from the dates of assumption of their respective offices, on the terms and conditions embodied in Punjab Government Notification No. 8018-SII (ASO)-74/33252, dated the 15th October, 1974 :—

- (1) Shri Nachhatar Singh,
B.A., LL.B., Advocate, Moga——Chairman.
- (2) Shri Nirmal Singh, M.A., LL.B.,
Advocate, Batala (Gurdaspur).....Member.
- (3) Mrs. C.L. Lakhanpal, M.A.,
Chandigarh.....Member.
- (4) Shri Sujan Singh, B.A. (Hons.),
Village Kot Bhai (Mukatsar).....Member.
- (5) Shri Swarna Ram Chaudhary, B.A.,
Village Behram, Tehsil Nawanshahar,
District Jullundur.....Member.

S S. PURI,
Chief Secretary to Government, Punjab.

Copy of Punjab Government circular letter No. 11540-2GSI-77/2402, dated the 23rd January, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Writing of Annual Confidential reports—Expunction of adverse remarks—Policy regarding.

I am directed to address you on the subject noted above and to say that,—vide Punjab Government instructions No. 4225-2SII-74/21500, dated 15th July, 1974, it stands emphasised that there should be no unreasonable and unjustified delay in writing the annual confidential reports of Government employees and that it should be ensured that the tendency of late recording/non-recording of confidential reports on the part of the various reporting authorities is curbed. Further,—vide Punjab instructions No. 2172-2SII-75/15588, dated the 28th April, 1975, it has been laid down that the work of writing of confidential reports of all employees should be completed within the month of April each year and a report be sent to that effect to the Chief Minister, Punjab. As laid down in Punjab Government instructions No. 2090-2SII-75/3767, dated the 22nd September, 1975, communication of the adverse remarks should in no case be delayed beyond three months of the receipt of the annual confidential report in the office/organisation concerned, from the reporting/reviewing authority, because if the remarks are not conveyed within the first few months after the completion of the year to which the annual confidential report may relate, the employee concerned would be deprived of the earliest opportunity to make improvement in the light of the advice emanating from the adverse remarks communicated to him. Thus the basic purpose of the communication of adverse remarks is to ensure improvement in the work and conduct of the person concerned. A representation against the adverse remarks can be made within three months from the date of the letter communicating adverse remarks to the employee concerned, and time-barred representations are to be straightway rejected as per policy laid down in para 12 of the Punjab Government instructions No. 2334-ASI-60/15708, dated the 3rd May, 1960. Recourse to expunction of adverse remarks is to be had only in cases of exceptional character viz. where as a result of the examination of the representation against the adverse remarks, it is found that the remarks are *mala fide* or are based on patent error of fact. There is a tendency among all classes of State Services to make approaches in violation of Government instructions stated above, and to get the previously recorded adverse remarks expunged/modified. Attempts are made to get the time-barred representations entertained on one pretext

or the other whenever the atmosphere is found congenial with changes in political or administrative set-up. To curb such tendencies instructions were issued,—vide Punjab Government letter No 3871-Services 2(5)-68/14567, dated the 24th May, 1968, laying down as under :—

"Remarks recorded in the annual confidential reports against which a representation has not been filed within the prescribed period or if so filed, has been rejected should not be expunged in spite of the fact that at some later date a succeeding authority has a different view. The succeeding Minister or officer may record his own remarks and get the same also placed on the personal file of the employee reported upon where he has a different view in regard to the remarks in the confidential report recorded by a previous Minister/Officer."

2. Despite the clear and categorical policy stated above, it has been observed that a tendency persists among Government employees to represent against even the slightest of remarks which are not in their favour and to indulge in all kinds of pressures to get such remarks expunged. If this tendency is encouraged and reporting officers are challenged at the slightest provocation about the remarks which have been given in the normal course of their observations of their subordinates, then it is felt that the main objective of writing confidential reports will stand defeated and the reporting officers will not be able to express their opinion in a clear and frank manner. I am, therefore, directed to reiterate the Government's policy as stated above for strict compliance and to stress that only if patent errors of facts or *mala fide* intention behind the remarks are fully established, the adverse remarks should be expunged, otherwise not.

3. Kindly acknowledge its receipt.

Copy of Punjab Government circular letter No. 672-2GSI-78/2403, dated the 30th January, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Communication of an order passed by way of punishment under the Punjab Civil Services (Punishment and Appeal) Rules, 1970—Procedure regarding.

I am directed to address you on the subject noted above and to say that clarification has been sought whether the communication of an order passed by way of punishment under rule 13 (ii) of

the Punjab Civil Services (Punishment and Appeal) Rules, 1970 to the concerned employee at his last known address through registered post will suffice or there is also a need to publish it in the newspapers and or the official gazette especially in cases where the letter is received back undelivered for one reason or the other so as to complete the process of communication.

2. Rule 22 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 lays down that—

"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".

It is clarified that the communication of an order by registered post to the concerned Government employee is sufficient so far as its service is concerned. Once an order is issued and it is sent out to the concerned government employee it must be deemed to have been communicated to him. In view of this position, it is sufficient to send the order of penalty by registered post to the employee at his last known address. However, as an abundant caution, there is no bar, if the order of penalty is also published in the newspapers and/or the Official gazette especially in cases where the registered letter is received back undelivered for one reason or the other. As regards the manner of publication of the order of penalty in the newspapers and/or the official gazette, Punjab Government instructions No. 219.(GOI)-2GSI-77/41551, dated the 21st/23rd September, 1977 may be kept in view for all the classes of employees.

3. The above clarification may place be brought to the notice of all concerned for guidance and necessary action.

4. Kindly acknowledge its receipt.

Copy of Punjab Government circular letter No. 532-3GE-78/3735, dated the 3rd February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Threatened strike by Punjab Government employees on the 8th February, 1978.

I am directed to address you on the subject noted above and to say that it is apprehended that, as a part of strategy the employees

may put in applications for the grant of casual Leave *en-masse* for the 8th February, 1978. The position has been considered by Government and it has been decided that Casual Leave should not be granted for the 8th February, 1978, except in genuine cases. I am accordingly to request you that all officers competent to sanction leave under your control may be directed to ensure that Casual Leave is not sanctioned to Government employees for the 8th February, 1978, except in genuine cases.

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

Copy of Punjab Government circular letter No. 550-3GE-78/3879, dated 6th February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Threatened strike by Punjab Government employees on the 8th February, 1978.

I am directed to address you on the subject noted above.

2. As you are aware, the Government has always been considering sympathetically the genuine demands of the employees. The Government recently allowed the additional dearness allowance instalment on the Central Government pattern and also allowed eight instalments of additional dearness allowance to the teachers working in privately-managed schools. Ex-gratia grant in lieu of bonus @ 8.33 per cent was allowed to the employees of the Punjab Roadways for the year 1976-77. The Government has discontinued the deduction of two months' emoluments from the death-cum-retirement gratuity payable to the retiring Government servants. The State Government has also followed the Central Government in allowing cash payment in lieu of unutilised earned leave up to 180 days on the date of retirement to its employees. The demand of the employees for the creation of a separate Directorate for Primary School Education has not only been accepted but a new Directorate has actually been brought into being. It has also been decided to allow free medical aid and reimbursement of medical charges to the State Government pensioners and their dependants and to allow free dental treatment and reimbursement of medical charges on dental treatment to all Government employees and pensioners and their dependants. The Government has set up a Pay Commission which itself had been one of the demands of the employees. Almost 50 per cent of the overall revenue expenditure of the State is on pay and other benefits admissible to the employees.

3. In reponse to the questionnaire issued by the Pay Commission, about 400 Memoranda have already been submitted to it by various employees and their associations. However, certain misguided employees have threatened to go on strike on the 8th February, 1978, instead of choosing to place their demands before the Pay Commission. The Government has decided to deal firmly with such of the employees who choose to go on strike. You are requested to make it clear to the employees that in case they resort to strike, strict action will be taken against them. In the case of *ad hoc* employees who join the strike, steps should be taken to terminate their services straightway. In the case of other employees, the provisions contained in Rule 3.17A(2) of the Punjab Civil Services Rules, Volume II shall be strictly enforced. The interruption in service caused by this strike shall entail forfeiture of their past service. It may be made clear to them that there shall be no leniency in the enforcement of this provision. As you are perhaps aware, the provisions of the East Punjab Essential Services (Maintenance) Act, 1947 applies to all the employees under the State Government.

4. It is also reiterated that casual leave shall not be granted to any employees, for the 8th February, 1978.

Copy of Punjab Government circular letter No. 266(GOI)-2GSII-78/4232, dated 8th February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Concessions to Physically Handicapped Persons.

I am directed to invite a reference to Punjab Government circular letters No. 2417-5GSII-66/10248, dated the 4th/10th May, 1966, and No. 80(GOI)-SII(3)-73/12092, dated 18th April, 1973, on the subject noted above and to say that some departments have sought clarifications in regard to the definitions of deaf, dumb, blind and orthopaedically persons. This question has been considered by the Government at length and it has now been decided to define these categories as under :—

THE BLIND

The blind are those who suffer from either of the following conditions :—

- (i) Total absence of sight ;
- (ii) Visual acuity not exceeding 6/60 or 20/200 (Anellan) in the better eye with correcting lenses ;

- (iii) Limitation of the field of vision subtending an angle of 20 degrees or worse.

THE DEAF

The Deaf are those in whom the sense of hearing is non-functional for the ordinary purposes of life. They do not hear, understand sounds at all events with amplified speech. The cases included in this category will be those having hearing loss more than 90 decibels in the better ear 9 (profound impairment) or total loss of hearing in both ears.

THE ORTHOPAEDICALLY HANDICAPPED

The Orthopaedically handicapped are those who have a physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints.

DUMB

A person suffering from aphasia (complete loss of speech but sense of hearing normal) or whose speech is not clear and/or normal.

2. It is also clarified that certificate from Principal Medical Officer/Chief Medical Officer to the effect that candidate is physically handicapped and is otherwise fit for service will be sufficient for entitlement to age concession and employment under the priority scheme.

Copy of Punjab Government circular letter No. 1193-2GSI-78/4558, dated 10th February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Strike by Punjab Government employees on the 8th February, 1978—Implementation of decision regarding deduction of Pay.

In continuation of the circular letter bearing No. 550-3GE-78/3879, dated the 6th February, 1978, I am directed to convey the decision of the Government that no pay should be allowed to the employees who went on strike on the 8th February, 1978, because of their absence from duty on that day. You are requested to ensure that the employees who absented themselves from duty in connection with the strike are not allowed the salary for that day.

Please acknowledge receipt.

Copy of Punjab Government circular letter No. 1194-2GSI-78/ , dated 10th February, 1978 from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Strike by Government employees on the 8th February, 1978—Enforcement of the provisions of Civil Services Rules relating to forfeiture of the past service.

In continuation of the circular letter bearing No. 550-3GE-78/3879, dated the 6th February, 1978, I am directed to say that one of the measures decided and already communicated in connection with the strike by Government employees on the 8th February, 1978, was that their participation in the strike thereby causing wilful absence from duty, would result in interruption in their service and forfeiture of the past service, in terms of Rule 3.17A(2) of the Punjab Civil Services Rules, Volume II and that this provision shall be strictly enforced. Rule 3.17A(2) provides that an interruption in the service of a Government employee caused by wilful absence from duty or unauthorised absence without leave, shall entail forfeiture of the past service. Since this is provided in the rules, the forfeiture of the past service of those employees who participated in the strike by wilfully absenting themselves from duty is automatic. Strictly speaking all that is required to be done by every appointing authority is to pass an order and make a suitable entry in the service book of the employee concerned to the effect, that because of his having participated in the strike on the 8th February, 1978, thereby wilfully absenting himself from duty, his past service stands forfeited. However, keeping in view the principles of natural justice, it has been decided by the Government that every appointing authority may give a show cause notice to all the employees who were absent from duty on 8th February, 1978 before the orders forfeiting their past service are passed. A model show cause notice is attached to this circular.

2. The implications of the above provision of the Punjab C.S.R. are that the past service of the employee concerned shall not be counted for any purpose including pension. He shall be treated as a fresh entrant on 9th February, 1978 in the service and to the post which he was holding on the February, 1978. Though he can continue to get the same salary and allowances as those on the 7th February, 1978, the date of his next increment would be only after the completion of service for another year, starting from the 9th February, 1978. Where the service rules provide that the seniority shall be on the basis of continuous length of service such an employee becomes junior to all those who were in position on the 8th February, 1978. Where the date of confirmation determines the

seniority, alongwith the forfeiture of past service the date on which such an employee is confirmed would also cease to have any meaning as far as he is concerned. Therefore, he becomes an unconfirmed employee on the 9th February, 1978, thus becoming junior to all those who were in position on the 8th February, 1978 in the category to which he belongs.

3. You are requested to take action in pursuance of the circular immediately. The number of employees to whom notices are served may be intimated to the Government in the Administrative Department, with a copy to this Department, within a fortnight.

4. It is clarified that this circular is not relevant to *ad hoc* employees who went on strike. In their case the circular letter bearing No. 1195-2GSI-78, dated 10th February, 1978 shall be applied.

5. Kindly acknowledge receipt.

DEPARTMENT_____

From

To

Shri_____

Memo No.

February, 1978.

Dated the

Subject.—Consequential action as a result of resort to strike on 8th February, 1978.

Whereas it is provided in the Government Employees Conduct Rules, 1966 that no Government employee shall resort to or in any way abet any form of strike or coercion or physical duress in connection with the matter pertaining to his service or the service of any other Government employees;

Whereas it was clarified through general instructions that in case any employee resorts to strike strict action will be taken

against him, *inter alia*, by invoking the provisions of the relevant rules and the East Punjab Essential Services Maintenance Act, 1947;

Whereas Rule 8.16(1) of the Punjab C.S.R. Volume I, Part I provides that a Government employee who absents himself from his duty without permission of the competent authority is liable to have his absence treated as absence from duty without leave;

Whereas Rule 4.9 of the Punjab C.S.R. Volume I, Part I provides that such period as does not count for increment shall be added to the normal date of annual increment;

Whereas under Rule 3.17A(2) of the Punjab Civil Services Rules, Volume II, the interruption in the service of a Government employee caused by wilful absence from duty or unauthorised absence without leave shall entail forfeiture of past services; and

Whereas you by resorting to the wilful absence on the 8th of February, 1978, have incurred breach of the Conduct Rules, Punjab Civil Services Rules and Government instructions referred to above, you are liable to action with regard to:—

- (a) Postponement of annual increment;
- (b) Forfeiture of past service for pension purposes;
- (c) Loss of seniority *vis-a-vis* employees who were in position on the 8th February, 1978; and
- (d) Disciplinary proceedings under the Government Employees Conduct Rules and the Essential Services Maintenance Act.

You may explain your position within a week of the receipt of this notice as to why action as mentioned above may not be taken against you.

APPOINTING AUTHORITY

Copy of Punjab Government circular letter No. 1195-2GSI-78/4557, dated 10th February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Strike of Punjab Government employees on the 8th February, 1978—Termination of services of *ad hoc* employees.

Please refer to circular letter No. 550-3GE-78/3879, dated the 6th February, 1978, regarding Punjab Government employees' strike on

8th February, 1978. It was envisaged in the circular that *ad hoc* employees who participate in the strike on 8th February, shall be liable to have their services terminated. You are requested to take action to identify all those cases where *ad hoc* employees have participated in the strike and take action to terminate their services without assigning any reason. An intimation about the number of employees whose services are thus terminated may be sent to the Government in the Administrative Department with a copy to this Department within a fortnight.

Please acknowledge receipt.

Copy of Punjab Government circular letter No. 1452-2PP-78/6012, dated 21st February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Information regarding the *ad hoc* employees who went on strike on 8th February, 1978.

In continuation of Punjab Government letter No. 1195-2GSI-78/4557, dated the 10th February, 1978, I am directed to request that the information relating to the number of *ad hoc* employees whose services could be regularised in terms of circular letter No. 4561-3GSI-77/18051, dated 3rd May, 1977, but who may have gone on strike on the 8th February, 1978, be supplied to this department immediately. In the meantime, the processing of cases for regularisation of services of *ad hoc* employees in terms of the circular letter of 3rd May, 1977, may be held in abeyance till further orders.

2. Please acknowledge the receipt of this letter.

Copy of Punjab Government circular letter No. 1411-2PP-78/5724, dated 23rd February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Payment of pay and allowances in lieu of notice period given to a Government employee who is retired while under suspension—Clarification regarding.

I am directed to address you on the subject noted above and to say that clarification has been sought in regard to the amount to be paid to a Government employee, who is retired while under suspension, in lieu of notice period in cases where at least three months'

notice is not given or notice for a period less than three months is given. I am directed to clarify that according to the proviso to rule 3(1)(b) of the Punjab Civil Services (Premature Retirement) Rules, 1975, the employee concerned is entitled to claim a sum equivalent to the amount of his pay and allowances at the same rates at which he was drawing them immediately before the date of retirement for a period of three months or, as the case may be, for the period by which such notice falls short of three months. A Government employee while under suspension draws only the subsistence allowance as admissible under the rules. Hence he is entitled to claim a sum equivalent to the amount of his subsistence allowance which he was drawing immediately before the date of retirement for a period of three months etc. Later on when a definite decision is taken by the competent authority regarding the treatment of suspension period as duty or not, necessary adjustment be made, if required. In case the suspension period is treated as duty or the leave of the kind due, the difference of the amount to which he is entitled as a result of his entitlement to the full pay and allowances or the leave salary, as the case may be, and the amount already paid in lieu of notice period may be allowed.

2. It is further clarified that it is not necessary to make a mention about the payment of pay and allowances in the premature retirement order as this point is to be settled according to the specific provisions of the Rules *ibid*.

3. It is also clarified that it is not necessary to reinstate a government employee who is under suspension before his premature retirement is ordered under rule 3(1) of the Punjab Civil Services (Premature Retirement) Rules, 1975. He can be retired even during suspension.

4. Kindly acknowledge its receipt.

Copy of Punjab Government circular letter No. 34-3PP-78/6135, dated 23rd February, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject.—Role of the Subordinate Services Selection Board in recruitment to various posts.

I am directed to address you on the subject and to say that the Subordinate Services Selection Board has once again started functioning with its reconstitution,—vide Punjab Government order

No. 277-IGSII-78/2074, dated 18th January, 1978. Requisitions for all existing vacancies and those anticipated during the next six months, falling within the pay range of Rs. 91 to Rs. 299 a month should hereafter be placed with the Board. Departmental Recruitment Committees, wherever they exist, should cease working henceforth. Wherever recruitment work is pending with any Departmental Committee, all papers such as applications from the candidates, answer books relating to written tests, bio-data, etc. should be handed over to the Subordinate Services Selection Board for further processing. However, papers relating to posts for which selections have already been made by the Departmental Committees before the issue of these instructions, need not be sent to the Board.

Please ensure strict compliance of these instructions and acknowledge the receipt of this letter.

Copy of Punjab Government circular U.O. No. 1522-2PP-78, dated 13th March, 1978, from the Chief Secretary to Government, Punjab, addressed to all the Financial Commissioners and Administrative Secretaries to Government, Punjab, etc.

Subject.—Strike of Punjab Government Employees on 8th February, 1978—Action regarding.

The Secretary to the Council of Ministers, Punjab (in Cabinet Affairs Branch) may kindly refer to his U.O. letters No. 386-Cab 78, dated 15th/20th February, 1978 and No. 402-Cab.78, dated 21st February, 1978, on the subject noted above.

2. The decisions of the Council of Ministers contained in the communications referred to above already stand implemented as may be seen from the instructions issued in this behalf, a copy each of which is attached for record.

3. In regard to the decision at Sr. No. 3 of para 2 of the communication, dated 21st February, 1978, under reference, it is pointed out that at this stage when the strike has already materialised, no further action seems to be called for.

4. In regard to the decision at Sr. No. 4 of para 2 of the communication under reference, it is pointed out that this subject is not allocated to this Department under the Rules of Business. If any action is still called for, even though the strike day has passed, it is requested that the Secretary to Government, Punjab, Transport

Department and the Home Secretary to Government, Punjab, respectively may be addressed.

(Sd.) . . .

Deputy Secretary, Administrative Reforms,
for Chief Secretary to Government, Punjab.

To

The Secretary to the Council of Ministers,
Punjab (Cabinet Affairs Branch).

U. O. No. 1522-2PP-78, dated Chandigarh, the 13th March, 1978.

A copy each alongwith the following extract from the decision of the Council of Ministers taken in its meeting held on 1st February, 1978, communicated by the Deputy Secretary Coordination,—*vide* U.O. No. 402-Cab.78, dated 21st February, 1978, is forwarded to the Financial Commissioners and Administrative Secretaries to Government, Punjab, for necessary action in the light of the decision:—

"The passenger road transport services which already stand declared as an essential service should be run on the day of the strike by making suitable alternative arrangement. The desirability and feasibility of declaring more services as essential services under the Essential Services Act may be examined by the various Departments immediately for taking necessary action in this behalf".

2. In this connection the following provisions of the East Punjab Essential Services (Maintenance) Act, 1947, may kindly be kept in view while considering the matter in the light of the decision of the Council of Ministers as reproduced above:—

"This Act shall apply to all employment under the Provincial Government and to any employment or class of employment which the Provincial Government being of opinion that such employment or class of employment is essential for securing the public safety, the maintaining supplies or services necessary for the life of the community, may by notification in the official Gazette declare to be an employment or class of employment to which this Act applies."

ਗੁਪਤੀ ਪੱਤਰ ਨੰ : 745-201 ਪੀ-78/8446, ਮਿਤੀ 13/14 ਮਾਰਚ, 1978 ਵੱਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ ਆਦਿ ।

ਵਿਸ਼ਾ :—ਵਾਰਸਿਕ ਗੁਪਤ ਰਿਪੋਰਟਾਂ ਨੂੰ ਸਮੇਂ ਸਿਰ ਲਿਖਣ ਬਾਰੇ ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ 'ਤੇ ਇਸ ਵਿਭਾਗ ਦੇ ਗੁਪਤੀ ਪੱਤਰ ਨੰ : 2172-20 11-75/15598, ਮਿਤੀ 28 ਅਪਰੈਲ 1975 ਵੱਲ ਆਪ ਜੀ ਦਾ ਧਿਆਨ ਦਿਵਾਉਂਦੇ ਹੋਏ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਹਿਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਮੈਂ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕਰਾਂ ਕਿ ਜਿਵੇਂ ਸਰਕਾਰ ਦੀ ਤੀਜੀ ਅਨੁਸਾਰ ਲੋੜੀਂਦਾ ਹੈ ਕਿ ਹਰ ਸਾਲ ਅਪ੍ਰੈਲ ਮਹੀਨੇ ਦੇ ਅੰਦਰ ਅੰਦਰ ਗੁਪਤ ਰਿਪੋਰਟਾਂ ਲਿਖਣ ਦੇ ਕੰਮ ਨੂੰ ਮੁਕੰਮਲ ਕੀਤਾ ਜਾਵੇ, ਸਾਲ 1976-77 ਦੀਆਂ ਗੁਪਤ ਰਿਪੋਰਟਾਂ ਦੇ ਕੰਮ ਨੂੰ ਮੁਕੰਮਲ ਕਰਨ ਬਾਰੇ ਦੱਸਿਆ ਜਾਵੇ ਕਿ ਕੀ ਅਜੇ ਤੱਕ ਕਿਸੇ ਕੋਸ਼ ਵਿਚ ਰਿਪੋਰਟਾਂ ਲਿਖਣੀ ਬਾਕੀ ਰਹਿੰਦੀ ਹੈ। ਜੇ ਰਹਿੰਦੀ ਹੈ ਤਾਂ ਸਰਕਾਰ ਨੂੰ ਇਸ ਦੇ ਕਾਰਣ ਦੱਸੇ ਜਾਣ। ਇਹ ਸੂਚਨਾ 15 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਭੇਜੀ ਜਾਵੇ ।

Copy of Punjab Government circular letter No. 1353-2PP-78/3984, dated 15th/16th March, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Writing of Annual Confidential Reports—Communication of adverse remarks—Strict observance of.

I am directed to address you on the subject and to say that in Punjab Government circular letter No. 2090-2SII-75/3767, dated the 22nd September, 1975. It was emphasised that the communication of adverse remarks should in no case be delayed beyond three months from the date of the receipt of the annual confidential report. It was further stated that disciplinary action should be taken against the officials responsible for any delay.

2. It has been observed that certain officers/officials manage to have adverse remarks not conveyed to them in time, so that they can take shelter behind the plea of being not aware of the adverse remarks at the time of their promotion, crossing of efficiency bar, premature retirement etc. In such cases collusion between the officials reported upon and certain persons working in the office of the authority required to convey the adverse remarks cannot be ruled out. I am, therefore, directed to request you to ensure that the adverse remarks recorded in the annual confidential report of an official are conveyed to him immediately after the report is received duly completed. In cases of delay the responsibility for the non-conveyance of adverse remarks must be fixed and suitable action taken against the defaulter.

3. The above instructions may please be brought to the notice of all concerned for strict compliance.

4. Kindly acknowledge the receipt of this letter.

Copy of Punjab Government circular letter No. 517-5GE-78/8322, dated 17th March, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Rehabilitation of Prisoners of Borstal Jail—Verification of Character and antecedents of persons before their first appointment to Government services.

I am directed to address you on the subject and to say that it has been decided that imprisonment undergone in the Borstal Institute and Juvenile Jail, District Faridkot will not be a bar for appointment to Government service provided that the Superintendent of the Jail certifies that the conduct of the inmate has been satisfactory. While verifying the character and antecedents of such a person, the fact of his having been imprisoned in the Borstal Institute shall not be held against him. You are accordingly requested to entertain the applications of suitable released prisoners, and consider them for selection if they possess the prescribed qualifications.

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

Copy of Punjab Government circular U.O. No. 2260-2PP-78, dated 21st March, 1978, from the Chief Secretary to Government, Punjab, addressed to all Administrative Secretaries to Government, Punjab.

Subject.—Strike of Punjab Government employees on the 8th February, 1978—Termination of services of *ad hoc* employees.

The Administrative Secretaries to Government, Punjab, may kindly refer to Circular letter No. 1195-2GSI-78/4557, dated the 10th February, 1978, on the above subject.

2. It was, *inter alia*, desired that an intimation about the number of *ad hoc* employees whose services are terminated in pursuance of the above instructions may be sent to the Government in the Administrative Department with a copy to this Department within a

fortnight. It has been observed from the replies received so far in this Department that most of the departments have not sent any reply. In the meeting of the Administrative Secretaries held on 13th March, 1978, and again on 20th March, 1978, it was desired that the position be intimated to this Department. It is, therefore, requested that a *consolidated reply* in regard to all the departments under the control of each Administrative Department be sent to this Department without any further delay.

Copy of Punjab Government circular U.O. No. 2313-2PP-78, dated 21st March, 1978, from the Chief Secretary to Government, Punjab, addressed to all the Administrative Secretaries to Government, Punjab.

Subject.—Strike by Government employees on the 8th February, 1978—Enforcement of the provisions of Civil Services Rules relating to forfeiture of the past service.

The Administrative Secretaries to Government, Punjab, may kindly refer to Circular letter No. 1194-2GSI-78/ , dated the 10th February, 1978, on the above subject.

2. It was, *inter alia*, desired that the number of employees to whom notices are served in pursuance of above instructions may be intimated to the Government in the Administrative Department with a copy to this Department within a fortnight. It has been observed from the replies received so far in this Department that most of the departments have not sent any reply. In the meeting of the Administrative Secretaries held on 13th March, 1978 and again on 20th March, 1978, it was desired that the position be intimated to this Department. It is, therefore, requested that a *consolidated reply* in regard to all the departments under the control of each Administrative Department be sent to this Department without any further delay.

ਗਸਤੀ ਪੱਤਰ ਨੰ : 2786-6ਪ੍ਰ-78/12136, ਸਿਤੀ 14 ਅਪਰੈਲ, 1978 ਵੱਲੋਂ ਪ੍ਰਸੰਨਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ, ਵੱਲ ਰਾਜ ਦੇ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਬਦਲੀਆਂ ਅਤੇ ਤੈਨਾਤੀਆਂ ਬਾਰੇ ਨੀਤੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪਣੇ ਸੰਬੰਧਤ ਕਰਦੇ ਹੋਏ ਮੈਨੂੰ ਇਹ ਲਿਖਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਆਪਣੇ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਬਦਲੀਆਂ ਅਤੇ ਤੈਨਾਤੀਆਂ ਬਾਰੇ ਮੁੱਖ ਨੀਤੀ ਦੇ ਨਿਮਨ ਅਗਵਾਈ ਟੀਚੇ ਅਪਨਾਉਣ ਦਾ ਫੈਸਲਾ ਕੀਤਾ ਹੈ:—

- (i) ਸਮੂਹ ਮੁੱਖ ਬਦਲੀਆਂ 15 ਅਪਰੈਲ ਤੋਂ 15 ਮਈ ਦੇ ਸਮੇਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਕੀਤੀਆਂ ਜਾਣੀਆਂ ਹਨ ;
- (ii) ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਨੂੰ ਇੱਕ ਆਸਾਮੀ ਤੇ ਆਮ ਕਰਕੇ ਘੱਟੋ ਘੱਟ 3 ਸਾਲ ਲਈ ਜਾਰੀ ਰਹਿਣਾ ਚਾਹੀਦਾ ਹੈ। ਇਸ 3 ਸਾਲ ਦੇ ਘੱਟੋ ਘੱਟ ਸਮੇਂ ਤੋਂ ਪਹਿਲਾਂ ਬਦਲੀਆਂ ਕੇਵਲ ਮਜਬੂਰੀ ਦੇ ਹਾਲਾਤ ਵਿੱਚ ਅਤੇ ਜਿੱਥੇ ਸੰਬੰਧਤ ਸੇਵਾ ਦੇ ਹਿੱਤਾਂ ਵਿੱਚ ਹੋਵੇ, ਤਾਂ ਹੀ ਕੀਤੀਆਂ ਜਾ ਸਕਦੀਆਂ ਹਨ ;
- (iii) ਕਿਸੇ ਆਸਾਮੀ ਤੇ ਆਮ ਕਰਕੇ ਵੱਧ ਤੋਂ ਵੱਧ ਤੈਨਾਤੀ ਦਾ ਸਮਾਂ 5 ਸਾਲ ਹੋਵੇਗਾ। ਇਹ ਵੱਧ ਤੋਂ ਵੱਧ ਸਮਾਂ ਉਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਤੇ ਲਾਗੂ ਨਹੀਂ ਹੋਵੇਗਾ ਜਿਹੜੇ ਕਾਲਜਾਂ, ਸਕੂਲਾਂ ਅਤੇ ਪ੍ਰਯੋਗਸ਼ਾਲਾਵਾਂ ਵਿੱਚ ਕੰਮ ਕਰ ਰਹੇ ਹਨ ;
- (iv) ਜੇ ਕਿਸੇ ਅਫਸਰ ਨੇ ਕਿਸੇ ਖਾਸ ਸਟੇਸ਼ਨ ਤੇ ਕੁਝ ਸਮਾਂ ਮਿਲਾਕੇ ਕਿਸੇ ਇੱਕ ਜਾਂ ਦੂਜੀ ਹੇਠੀਅਤ ਵਿੱਚ 10 ਸਾਲ ਦਾ ਸਮਾਂ ਪੂਰਾ ਕਰ ਲਿਆ ਹੈ ਤਾਂ ਉਸਨੂੰ ਉਸੇ ਸਟੇਸ਼ਨ ਤੇ ਆਪਣੀ ਸੇਵਾ ਦੇ ਰਹਿੰਦੇ ਸਮੇਂ ਲਈ ਨਿਯੁਕਤ ਨਹੀਂ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ;
- (v) ਗਜ਼ਟਿਡ ਅਫਸਰਾਂ ਨੂੰ (ਨਿਮਨ ਛੋਟਾਂ ਨੂੰ ਛੱਡਕੇ) ਆਪਣੇ ਹੋਮ ਜ਼ਿਲ੍ਹਿਆਂ ਵਿੱਚ ਆਪਣੇ ਦੇਸ਼ੀ ਪਿੰਡਾਂ ਜਾਂ ਸ਼ਹਿਰਾਂ ਦੇ 25 ਮੀਲ ਦੇ ਅੰਦਰ ਅੰਦਰ ਥਾਵਾਂ ਤੇ ਜਾਂ ਉਨ੍ਹਾਂ ਜ਼ਿਲ੍ਹਿਆਂ ਵਿੱਚ ਜਿਨ੍ਹਾਂ ਵਿੱਚ ਉਨ੍ਹਾਂ ਦੀ ਜਾਂ ਉਨ੍ਹਾਂ ਦੇ ਪਰਿਵਾਰ ਦੇ ਕਿਸੇ ਮੈਂਬਰ ਦੀ ਅਚਲ ਸੰਪਤੀ ਹੋਵੇ, ਨਹੀਂ ਲਗਾਇਆ ਜਾਵੇਗਾ :—

- (i) ਸਕੱਤਰੇਤ, ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀਆਂ ਦੇ ਦਫਤਰਾਂ ਅਤੇ ਪ੍ਰਦੇਸ਼ਿਕ ਦਫਤਰਾਂ ਵਿੱਚ ਵਿਭਿੰਨ ਆਸਾਮੀਆਂ ;
- (ii) ਸਿੱਖਿਆ ਵਿਭਾਗ ਵਿਚ ਪ੍ਰੋਫੈਸਰ ਅਤੇ ਲੈਕਚਰਾਰ ;
- (iii) ਪਿਛੜੇ ਇਲਾਕਿਆਂ ਵਿੱਚ ਕੰਮ ਕਰ ਰਹੇ ਡਾਕਟਰ ;
- (iv) ਰਾਜ ਦੇ ਮੈਡੀਕਲ ਕਾਲਜਾਂ ਵਿਚ ਤੈਨਾਤ ਕੀਤੇ ਡਾਕਟਰ ;
- (vi) ਜਦੋਂ ਪਤੀ ਅਤੇ ਪਤਨੀ ਦੋਨੋਂ ਸਰਕਾਰੀ ਸੇਵਾ ਵਿਚ ਹੋਣ ਤਾਂ ਇਹ ਉਪਰਾਲਾ ਕਰਨਾ ਹੈ ਕਿ ਉਨ੍ਹਾਂ ਨੂੰ ਸੰਭਵਤਾ ਇੱਕੋ ਸਟੇਸ਼ਨ ਤੇ ਲਗਾਇਆ ਜਾਵੇ। ਉਨ੍ਹਾਂ

ਕੋਸਿਜ਼ ਵਿੱਚ ਵੀ ਜਿਨ੍ਹਾਂ ਵਿੱਚ ਪਤਨੀ ਸਰਕਾਰੀ ਨੌਕਰੀ ਵਿਚ ਹੋਵੇ ਅਤੇ ਪਤੀ ਕਿਸੇ ਪ੍ਰਾਈਵੇਟ ਨੌਕਰੀ ਵਿੱਚ ਹੋਵੇ ਤਾਂ ਇਹ ਉਚਿਤ ਹੋਵੇਗਾ ਜੇ ਪਤਨੀ ਨੂੰ ਉਸੇ ਜਾਂ ਉਸਦੇ ਨੇੜੇ ਜਗ੍ਹਾ ਦੇ ਲਗਾਇਆ ਜਾਵੇ। ਅਣਵਿਆਹੀਆਂ ਲੜਕੀਆਂ ਅਤੇ ਬੰਦਾਵਾਂ ਨੂੰ ਅਜਿਹੇ ਸਟੇਸ਼ਨ ਦੇ ਲਗਾਉਣ ਦੀ ਵੀ ਕੋਸ਼ਿਸ਼ ਕਰਨੀ ਹੈ ਜਿਹੜੇ ਕਿ ਉਨ੍ਹਾਂ ਲਈ ਸੰਭਵਤਾ ਯੋਗ ਹੋਵੇ।

- (vii) ਆਮ ਤੌਰ ਤੇ ਪਿਤਾ ਅਤੇ ਲੜਕੇ ਨੂੰ ਜਾਂ ਕਿਸੇ ਹੋਰ ਨਜ਼ਦੀਕੀ ਰਿਸ਼ਤੇਦਾਰਾਂ ਨੂੰ ਇੱਕੋ ਹੀ ਦਫਤਰ ਵਿੱਚ ਨਿਯੁਕਤ ਨਹੀਂ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ;
- (viii) ਜਿੱਥੋਂ ਤਕ ਸੰਭਵ ਹੋਵੇ ਅੰਗਰੀਣ ਅਤੇ ਨੌਤਰਹੀਣ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਉਨ੍ਹਾਂ ਦੀਆਂ ਤੰਨਾਤੀਆਂ ਅਤੇ ਬਦਲੀਆਂ ਦੇ ਪ੍ਰਸ਼ਨ ਨੂੰ ਵਿਚਾਰਦੇ ਸਮੇਂ ਉਨ੍ਹਾਂ ਦੀ ਔਖਿਆਈ ਨੂੰ ਘੱਟ ਕਰਨ ਦਾ ਉਪਰਾਲਾ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ;
- (ix) ਨਿਮਨ ਕਾਰਨਾਂ ਕਰਕੇ ਉਤਪਾਦਨ ਹੋਈਆਂ ਨਵੀਆਂ ਆਸਾਮੀਆਂ ਨੂੰ ਭਰਨ ਲਈ ਜਾਂ ਆਮ ਬਦਲੀਆਂ ਤੋਂ ਰੁਹੱਤ ਬਾਅਦ ਹੋਂਦ ਵਿਚ ਕਿਸੇ ਪ੍ਰਚਲਤ ਆਸਾਮੀ ਨੂੰ ਬਦਲੀ ਰਾਹੀਂ ਭਰਨ ਦੀ ਲੋੜ ਨੂੰ ਛੱਡਕੇ ਮੱਧ-ਕਾਲੀਨ ਬਦਲੀਆਂ ਤੇ ਪੂਰਨ ਤੌਰ ਤੇ ਮਨਾਹੀ ਹੋਵੇਗੀ :—

- (ਓ) ਮੁਅੱਤਲੀ ।
- (ਅ) ਅਸਤੀਫਾ ।
- (ੲ) ਰਿਟਾਇਰਮੈਂਟ ।
- (ਸ) ਸੇਵਾ ਤੋਂ ਹਟਾਉਣਾ ।
- (ਹ) ਲੰਮੇਂ ਸਮੇਂ ਲਈ ਡੈਪੂਟੇਸ਼ਨ ਜਾਂ ਟ੍ਰੇਨਿੰਗ ।
- (ਕ) ਤਰੱਕੀਆਂ ।

ਉਪਰੋਕਤ ਕੋਸ਼ਿਸ਼ਾਂ ਵੀ ਬਦਲੀ ਕਾਰਨ ਕਿਸੇ ਹੋਰ ਕਰਮਚਾਰੀਆਂ ਦੀ ਬਦਲੀ ਨਹੀਂ ਹੋਣੀ ਚਾਹੀਦੀ ਜੋ ਕਿਸੇ ਹੋਰ ਕੇਸ ਵਿਚ ਕੋਈ ਵਿਭਾਗ ਮੱਧ ਕਾਲੀਨ ਬਦਲੀ ਨੂੰ ਬਿਲਕੁਲ ਅਟਲ ਸਮਝਦਾ ਹੈ ਤਾਂ ਮੁੱਖ ਸਕੱਤਰ (ਪ੍ਰਸ਼ੰਸਕ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ, ਪ੍ਰਸ਼ੰਸਕ ਪਾਲਿਸੀਜ਼ ਸਾਖਾ) ਰਾਹੀਂ ਮੁੱਖ ਮੰਤਰੀ ਜੀ ਤੋਂ ਪਹਿਲਾਂ ਤੋਂ ਪ੍ਰਵਾਨਗੀ ਲੈਣੀ ਜ਼ਰੂਰੀ ਹੋਵੇਗੀ।

2. ਇਹ ਹਦਾਇਤਾਂ ਆਪਣੇ ਕੰਟਰੋਲ ਅਧੀਨ ਸ਼ੁਰੂ ਸਬੰਧਤ ਹਲਕਿਆਂ ਦੇ ਧਿਆਨ ਵਿੱਚ ਪਾ ਲਣ ਲਈ ਲਿਆਂਦੀਆਂ ਜਾਣ। ਇਹ ਹਦਾਇਤਾਂ ਪਿਛਲੀਆਂ ਸਾਰੀਆਂ ਹਦਾਇਤਾਂ ਦਾ ਅਧਿਲੰਘਣ ਕਰਦੀਆਂ ਹਨ।

Copy of Punjab Government circular letter No. 1763-2PP-78/12668, dated 20th April, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Punjab Civil Services (Premature Retirement) Rules, 1975—Computation of the notice period of three months.

I am directed to address you on the subject noted above, and to clarify that in computing the notice period of three months referred to in rule 3 of the Punjab Civil Services (Premature Retirement) Rules, 1975, the date of service of the notice and the date of its expiry shall be excluded.

2. This issues with the concurrence of the Finance Department given,—vide U.O. No. 8838-4FR-77, dated the 28th February, 1978.

3. This decision shall take effect from the date of issue of this letter.

4. Kindly acknowledge its receipt.

Copy of Punjab Government U.O. letter No. 3816-6PP-78/15536, dated 15th May, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Functioning of non-officials as Directors of the State Corporations/Boards.

It has come to the notice of Government that one of the Directors of a State Corporation, who had raised a loan from the Corporation concerned has been persistently defaulting in the repayment of the loan despite repeated notices. The Government has considered the question of raising of loans by a Director from the Corporation/Board concerned and feels that such an act on the part of a Director of the Corporation is tantamount to abuse of his position as Director and should be regarded as disqualification for appointment or continuance of the persons concerned on the Board of Directors of a Corporation so that public confidence in Government can be maintained.

2. Accordingly, all the Administrative Departments of the Government are requested to ensure that the Directors of State Corporations/Boards do not obtain any loans from the body concerned as a matter of policy. To bring this policy into effect, either a directive be issued and/or steps taken to make adequate provisions to this effect in the relevant Acts/Memorandum of Articles of Association of the State undertakings functioning under their administrative control.

Copy of Punjab Government circular letter No. 1270-2PP-78/15809, dated 16th May, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Suspension of Government Employees—Review of the General policy.

The Government has recently reviewed the policy regarding the suspension of Government employees and decided to issue the instructions indicated below. These instructions supersede all the earlier instructions on the subject.

2. Every proposal for suspension of a Government employee should be carefully considered and suspension ordered only if circumstances fully justify it. Suspension should not be ordered unless the allegations are of such a serious nature that, on the basis of available material a *prima facie* case for dismissal or removal of the employee concerned is made out, or his continuance in service is likely to cause embarrassment, and hamper the investigation process. Ordinarily it should be sufficient to transfer the employee concerned to prevent him from having an opportunity to interfere with witnesses or temper with the evidence.

3. Except in cases of rare urgency, an employee should not be suspended until a proper charge-sheet has been served upon him and his explanation obtained and found unsatisfactory. When an employee is henceforth placed under suspension, the charge-sheet should, in any case, be served on him within a period of three months. In case the charge-sheet is not served within three months he should be eligible to be reinstated.

4. The entire process of serving the charge-sheet, holding the enquiry and taking of decision with regard to the final action to be taken in the case should be completed within a period of one year from the date of suspension of the employee. In cases where a decision cannot be taken within a period of one year, the concerned employee should be eligible for reinstatement.

5. In cases where the decision making process is delayed because of the dilatory tactics adopted by the delinquent employee, the period of suspension may exceed one year. Of course, he should be afforded full opportunity to defend himself and should not be denied consultation of necessary records, etc.

6. In all cases, the Minister-in-charge would be competent to issue orders with regard to any extension of the period of suspension of the employees.

7. In cases which are sub-judice, it will not be necessary to obtain the approval of the Minister-in-charge for the continued suspension of the employee concerned, so long as the matter remains sub-judice.

8. The Administrative Departments shall obtain monthly reports from the Heads of Departments regarding the progress of investigation/enquiry in suspension cases, scrutinise them, and bring the delay if any, to the notice of the Minister-in-charge.

9. Where cases of suspended employees have been referred to a Court of Law and there is an avoidable delay in the trial court, the matter shall be brought to the notice of the Registrar, High Court through a confidential communication for taking suitable action. In such cases the employee under suspension shall not be eligible for reinstatement after one year if the proceedings in the court are not completed.

10. The policy contained in this circular shall apply to those employees who are placed under suspension on or after the date of issue of this circular. In the case of those who are already under suspension, this policy may be applied treating them as if they are suspended on the date of issue of this circular.

11. The above instructions may be brought to the notice of all concerned for strict compliance.

ਕਾਪੀ ਪੱਤਰ ਨੰ: 21/15/78-ਪੰ ਪ./15178, ਮਿਤੀ: 15/17 ਮਈ, 1978 ਵੱਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:—ਰੀਲੀਜ਼ ਆਰਮੀ ਪ੍ਰਸ਼ੰਨਲ/ਸਾਬਕਾ ਵੇਜੀਆਂ ਲਈ ਸਿਵਲ ਆਸਾਮੀਆਂ ਤੇ ਰਿਜ਼ਰਵੇਸ਼ਨ ਅਜਿਹੀਆਂ ਆਸਾਮੀਆਂ ਤੇ ਜਨਰਲ ਕੈਂਟਾਗਰੀਜ਼ ਦੇ ਉਮੀਦਵਾਰਾਂ ਦੀ ਨਿਯੁਕਤੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਦਾ ਧਿਆਨ ਦਿਵਾਉਂਦੇ ਹੋਏ ਮੈਂਨੂੰ ਇਹ ਲਿਖਣ ਦਾ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਐਮਰਜੈਂਸੀ ਦੌਰਾਨ ਮਿਲਟਰੀ ਸੇਵਾ ਜਦੋਂ ਕਰਨ ਵਾਲਿਆਂ ਨੂੰ ਮਿਲਟਰੀ ਵਿਚੋਂ ਰੀਲੀਜ਼ ਹੋਣ ਉਪਰੰਤ ਮੁੜ ਸਥਾਪਿਤ ਕਰਨ ਹਿਤ ਸਰਕਾਰ ਨੇ ਸਮੂਹ ਸਿਵਲ ਸੇਵਾਵਾਂ ਵਿਚ 20% ਆਸਾਮੀਆਂ ਰਿਜ਼ਰਵ ਕੀਤੀਆਂ ਹੋਈਆਂ ਹਨ ਅਤੇ ਇਸ ਮੰਤਵ ਲਈ ਡੀਸਿੰਬੀਲਾਈਜ਼ਡ ਆਰਥਡੋਰੋਸਿਜ਼ ਪ੍ਰਸ਼ੰਨਲ (ਰਿਜ਼ਰਵੇਸ਼ਨ ਆਫ ਵੈਕੈਨਸੀਜ਼ ਇਨ ਦੀ ਪੰਜਾਬ ਸਟੇਟ ਨਾਨ ਟੈਕਨੀਕਲ ਸਰਵਿਸਿਜ਼) ਕੂਲਜ਼, 1968 ਬਣਾਏ ਗਏ ਹਨ। ਇਨ੍ਹਾਂ ਨਿਯਮਾਂ ਦੇ ਨਿਯਮ 3(2) ਅਨੁਸਾਰ ਜੇਕਰ ਕਿਸੇ ਸਾਲ ਰੀਲੀਜ਼ਡ ਆਰਮੀ ਪ੍ਰਸ਼ੰਨਲ ਲਈ ਰਿਜ਼ਰਵ ਆਸਾਮੀਆਂ ਅਜਿਹੇ ਯੋਗ ਬੰਦਿਆਂ ਦੀ ਅਣਹੋਂਦ ਵਿਚ ਖਾਲੀ ਰਹਿ ਜਾਂਦੀਆਂ ਹਨ ਤਾਂ ਅਜਿਹੀਆਂ ਆਸਾਮੀਆਂ ਨੂੰ ਦੂਜੀਆਂ ਗੈਰ ਰਿਜ਼ਰਵ ਆਸਾਮੀਆਂ ਵਾਂਗ ਨਿਯੁਕਤੀ ਦੇ ਨਿਯਮਾਂ ਅਨੁਸਾਰ ਆਰਜੀ ਤੌਰ ਤੇ ਭਰਿਆ ਜਾ ਸਕਦਾ ਹੈ ਅਤੇ ਇਹ ਪ੍ਰਬੰਧ ਉਸ ਸਮੇਂ ਤਕ ਜਾਰੀ ਰਹਿੰਦਾ ਹੈ ਜਦੋਂ ਤਕ ਕੋਈ ਯੋਗ ਰੀਲੀਜ਼ਡ ਪ੍ਰਸ਼ੰਨਲ ਉਪਲਬਧ ਨਹੀਂ ਹੋ ਜਾਂਦਾ। ਅਧੀਨ ਸੇਵਾਵਾਂ ਦੇ ਬੰਦ ਖੋਲ੍ਹਣ ਨੇ ਇਹ ਗੱਲ ਸਰਕਾਰ ਦੇ ਨੋਟਿਸ ਵਿਚ ਲਿਆਂਦੀ ਹੈ ਕਿ ਰੀਲੀਜ਼ਡ ਆਰਮੀ ਪ੍ਰਸ਼ੰਨਲ ਦੇ ਯੋਗ ਉਮੀਦਵਾਰ ਨਾ ਹੋਣ ਕਾਰਨ ਜਦੋਂ ਬੰਦ ਜਨਰਲ ਸ਼੍ਰੇਣੀ ਦੇ ਉਮੀਦਵਾਰਾਂ ਦੇ ਨਾਉਂ ਦੀ ਵਿਭਾਗਾਂ ਨੂੰ ਸਿਫਾਰਸ਼ ਕਰਦਾ ਹੈ ਤਾਂ ਕਈ ਵਿਭਾਗ ਅਜਿਹੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਨਿਯੁਕਤੀ ਪੱਤਰ ਜਾਰੀ ਕਰਨ ਤੋਂ ਇਨਕਾਰ ਕਰ ਦਿੰਦੇ ਹਨ ਅਤੇ ਪਹਿਲਾਂ ਤੋਂ ਕੀਤੀਆਂ ਤਦ ਅਰਥ ਨਿਯੁਕਤੀਆਂ ਨੂੰ ਹੀ ਜਾਰੀ ਰੱਖਦੇ ਹਨ। ਅਜਿਹੇ ਵਿਭਾਗਾਂ ਵੱਲੋਂ ਇਹ ਕਾਰਵਾਈ ਕੇਵਲ ਅਣਉਚਿਤ ਹੀ ਨਹੀਂ ਬਲਕਿ ਉਪਰੋਕਤ ਨਿਯਮਾਂ ਦੇ ਵਿਰੁੱਧ ਵੀ ਹੈ। ਇਸ ਲਈ ਇਹ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਜਦੋਂ ਕਿਸੇ ਰੀਲੀਜ਼ਡ ਆਰਮੀ ਪ੍ਰਸ਼ੰਨਲ ਲਈ ਰਿਜ਼ਰਵ ਆਸਾਮੀ ਤੇ ਨਿਯੁਕਤੀ ਲਈ ਅਜਿਹੇ ਯੋਗ ਉਮੀਦਵਾਰ ਉਪਲਬਧ ਨਾ ਹੋਣ ਤਾਂ ਅਧੀਨ ਸੇਵਾਵਾਂ ਦੇ ਬੰਦ ਖੋਲ੍ਹਣ ਲੋਕ ਸੇਵਾ ਕਮਿਸ਼ਨ ਦੀ ਸਿਫਾਰਸ਼ ਅਨੁਸਾਰ ਜਨਰਲ ਸ਼੍ਰੇਣੀ ਦੇ ਉਮੀਦਵਾਰਾਂ ਨੂੰ ਨਿਯੁਕਤ ਕਰਨ ਵਿਚ ਇਨਕਾਰ ਨਾ ਕੀਤਾ ਜਾਵੇ ਅਤੇ ਨਿਯੁਕਤੀ ਪੱਤਰ ਤੁਰੰਤ ਜਾਰੀ ਕਰ ਦਿਤਾ ਜਾਵੇ। ਅਜਿਹੇ ਨਿਯੁਕਤੀ ਪੱਤਰ ਵਿਚ ਇਹ ਗੱਲ ਸਪੱਸ਼ਟ ਕਰ ਦਿਤੀ ਜਾਵੇ ਕਿ ਉਮੀਦਵਾਰ ਦੀ ਨਿਯੁਕਤੀ ਰੀਲੀਜ਼ਡ ਆਰਮੀ ਪ੍ਰਸ਼ੰਨਲ ਲਈ ਰਿਜ਼ਰਵ ਆਸਾਮੀ ਤੇ ਕੀਤੀ ਜਾ ਰਹੀ ਹੈ ਅਤੇ ਆਰਜੀ ਹੈ।

2. ਇਹ ਹਦਾਇਤ ਸਮੂਹ ਅਫਸਰਾਂ/ਕਰਮਚਾਰੀਆਂ ਦੇ ਨੋਟਿਸ ਵਿੱਚ ਸਖਤੀ ਨਾਲ ਪਾਲਣਾ ਕਰਨ ਲਈ ਲਿਆਂਦੀਆਂ ਜਾਣ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹੁੰਚ ਕੀਤੀ ਜਾਵੇ ਜੀ।

Copy of Punjab Government circular letter No. (4220)6/133/78/3PP-Vol. II, dated 24th May, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Policy regarding *ad hoc* appointments.

I am directed to address you on the subject and to say that according to the present policy of the Government, *ad hoc* appointments can be made on six months' basis, in anticipation of pending regular recruitment through the prescribed recruiting agencies viz. Subordinate Services Selection Board, etc., to meet the administrative requirements. The necessary requisitions for regular appointments are required to be sent to the prescribed agencies simultaneously.

2. It has now been observed by Government that there is often indiscriminate resort to *ad hoc* appointments thus creating many complications. Government has therefore decided that the practice of *ad hoc* appointments should be stopped forthwith. All the vacancies should, in future, be notified to the Subordinate Services Selection Board, Punjab and the Punjab Public Service Commission, as the case may be, and regular appointments/promotion be made in the prescribed manner. In case there are extraordinary reasons on account of which an *ad hoc* appointment has to be made, the Administrative Department should seek approval of Chief Minister through the Department of Personnel.

3. Please ensure strict compliance of these instructions.

Copy of Punjab Government circular letter No. 3995-2PP-78/ dated 1st June, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Administrative Secretaries to Government, Punjab etc., etc.

Subject.—Action against Government employees under proviso (C) to Article 311(2) of the Constitution—Review of cases of employees who were dismissed/removed from service during internal Emergency.

In continuation of the Punjab Government (Home Department) letter No. 3798-3H-77/21339, dated the 7th July, 1977 on the subject

noted above, I am directed to enclose copies of the communications noted below received from the Government of India, Ministry of Home Affairs (Department of Personnel and Administrative Reforms) :—

- (i) No. 34013/4(S)-77/Estt.(B), dated 5th October, 1977, along-with its enclosures—Office Memo of even No. and date.
- (ii) No. 34013/4(S)/77-Estt.(B), dated 1st November, 1977, alongwith its enclosures—Office Memo of even No. and dated 28th October, 1977.

2. The Punjab Government has decided to adopt the policy of the Central Government contained in the communications referred to above for its employees. You are, therefore, requested to take necessary action according to these instructions. The crux of the policy is as follows:—

"Full pay and allowances may be paid for the intervening period between the date of dismissal/removal from service and the date of reinstatement in service to those employees whose services were terminated for association with the banned organisations during the emergency and who had been reinstated in accordance with the instructions already circulated,—vide Home Department's communication under reference. Full pay and allowances may also be paid to the employees who were detained under MISA in respect of the period of suspension. This concession will not, however, be given to those employees who, during the emergency, had been released from jail on submitting an apology."

3. Before making payment to the reinstated employees according to the above policy instructions, an affidavit should be obtained from them that during the said period they were not engaged in any other employment, business, profession or vocation as envisaged in Rule 7.2(2) of the Punjab C.S.R. Volume I, Part I.

4. This issues with the concurrence of the Finance Department given,—vide its U.O. No. 8694-4FR-78, dated the 10th May, 1978.

Copy of Confidential letter No. 34013/4(S)/77-Estt. (B) dated 5th October, 1977, from Shri R. Raghavachari, Director (E), Government of India, Department of Personnel and A.R. (Ministry of Home Affairs, New Delhi to the Chief Secretary of All State Governments/Administrations in Union Territories.

Subject.—Action against Central Government servants under proviso (c) to Article 311(2) of the Constitution—Review of cases of employees who were dismissed/removed from service.

In continuation of this Department's letter of even number dated the 10th May, 1977, I am directed to forward herewith a copy of the further instructions issued by the Government of India to the various Ministries/Departments on the subject mentioned above for information and guidance.

Copy of Confidential letter No. 34013/4(S)/77-Estt. (B) dated 5th October, 1977, from Shri R. Raghavachari, Director (Establishment), Government of India, Department of Personnel and A. R. (Ministry of Home Affairs), New Delhi to All Ministries/Departments of Government of India, All attached/subordinate offices of the Department of Personnel and Administrative Reforms and others.

OFFICE MEMORANDUM

Subject.—Action against Central Government servants under proviso (c) to Article 311(2) of the Constitution—Review of the cases of employees who were dismissed/removed from service.

The undersigned is directed to refer to this Department's OM of even number dated the 10th May, 1977, which provide for the payment of 50 per cent of the salary for the intervening period between the dismissal/removal from service and the date of reinstatement in service of the employee concerned, subject to other conditions stipulated in that OM. Similarly all Central Government employees who were detained under MISA would be paid subsistence allowance for the period of suspension, an amount equal to 50 per cent of the salary.

2. Consequent on representations received from various quarters, the matter has been examined further and it has been decided that full pay and allowances may be paid to the Central Government employees who were detained under MISA in respect of the period of suspension and also to such of those Central Government employees who have been reinstated in service in terms of the instructions of 10th May, 1977, quoted above i.e. those whose services were terminated for association with the banned organisations during the emergency and who had been reinstated in accordance with orders issued on the 10th May, 1977. This concession will not, however, be given to those employees who, during the emergency, had been released from jail on submitting an apology.

3. These orders will also not affect the payments already made or may be made to those Railway employees, who were dismissed from service during the Railway strike of 1974 and who have since been reinstated in service in accordance with the instructions issued by the Ministry of Railways.

4. Ministry of Finance etc. are requested to take urgent action accordingly and bring the contents of this OM to the office of all Heads of Departments/offices under their control.

Copy of Confidential letter No. 34013/4(S)/77-Estt. B dated the 1st November, 1977, from Shri R. Raghavachari, Director (Establishment) Government of India, Department of Personnel and Administrative Reforms, Ministry of Home Affairs, New Delhi to the Chief Secretaries of all State Government/Union Territory Administrations.

Subject.—Review of cases of Central Government servants convicted under DISIR during internal emergency—Guidelines for.

I am directed to forward herewith a copy of the Office Memorandum of even number dated the 28th October, 1977, issued to the Ministries/Departments of the Government of India on the above-mentioned subject for information and guidance. In this connection, I am to invite reference to this Ministry's letter of even number dated the 10th May, 1977, regarding review of cases of employees whose services were terminated by invoking the provisions of proviso (c) to Article 311(2) of the Constitution with which a copy of this Department's OM of even number dated the 10th May, 1977, was enclosed.

Copy of Confidential letter No. 34013/4(S)/77-Estt. (B) dated 28th October, 1977 from Shri R. Raghavachari, Director (Establishment), Government of India, Ministry of Home Affairs, Department of Personnel and A.R., New Delhi to All Ministries/Departments of Government of India, attached/subordinate offices of the Department of Personnel and Administrative Reforms and others.

OFFICE MEMORANDUM

Subject.—Review of cases of Central Government servants convicted under DISIR during internal emergency Guidelines for—

In para 5 of this Department's OM of even number dated the 10th May, 1977, it had been stated that cases of Central Government employees who were convicted by the courts under the DISIR during the internal emergency should be taken up for review. The following guidelines may be followed in reviewing such cases :—

- (i) A Government servant convicted in a court of law of an offence is to be dismissed, removed or compulsorily retired from service if the offence is of such a nature as to render further retention of the Government servant in Public service *prima facie* undesirable. Keeping this general principle in view, the disciplinary authority should call for examine a copy of the judgment (leading to his conviction) with a view to decide whether the action already taken to dismiss, remove or compulsorily retire the Government servant needs modification or cancellation.

If a Government servant is found to have been convicted for economic offences or acts of violence or for acts prejudicial to national security etc., there would be no cases for showing leniency. But in regard to other convictions which do not involve (a) any moral turpitude or (b) any participation in violent activities, a lenient view would be justified considering that most of the convictions under DISIR during the Emergency were on account of participation in the activities of the erstwhile banned organisations or distribution of anti-emergency literature.

- (ii) In cases where it is felt that the action earlier taken in the form of dismissal, removal or compulsory retirement appears to be excessive but not totally without justification, the competent authority may set aside the order

imposing the penalty of dismissal or removal or compulsory retirement, and order a departmental enquiry for imposing an appropriate minor penalty.

- (iii) In the case of officers where the Service Commission was consulted before imposing the penalty of dismissal, removal or compulsory retirement, the Commission may have to be consulted formally again before setting aside such penalties.
- (iv) in all cases where the Government servant has been reinstated, half pay and allowances may be paid for the intervening period (calculation of the amount being made in the same manner as in the case of subsistence allowance).
- (v) Central Government employees who were suspended from service pending investigation or pending trial in courts under DISIR may be reinstated if the investigation has been dropped or the cases withdrawn.

2. As regards appointment to a post under the Government, in respect of applicants who were convicted for political offences during the internal emergency, care should be taken to ensure that no adverse inference is drawn against the interest of an applicant unless the conviction is for an offence involving moral turpitude, which could be regarded as sufficient ground for considering the applicant ineligible for Government service except where the appointing authority comes to a considered conclusion that there are features and grounds to believe that the person has rid himself of the weakness, in which case specific approval of Government should be obtained before his employment. In this connection, attention is invited to paragraph 2(a) of Home Department OM No. 20/58/45, Estt. (B) dated the 7th February, 1947, and also MHA OM No. 2/11/56-Estt.(B) dated the 1st December, 1956,—(vide pages 23 and 43 of the Brochure on verification of character and antecedents of Government servants issued by the Ministry of Home Affairs).

3. Ministry of Finance etc. are requested to take action accordingly and bring the contents of this OM to the notice of all Heads of Departments/Offices under their control.

Copy of Punjab Government circular letter No. (4426)-6/133/78/3pp/17898, dated 1st June, 1978, from the Department of personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Regulation of services of ad hoc employees.

I am directed to address you on the subject noted above and to say that,—vide Punjab Government letter No. 1452-2PP-78/6012, dated the 21st February, 1978, it was, *inter alia*, desired that the processing of cases for regularisation of services of ad hoc employees in terms of Punjab Government circular letter No. 4561-3GSI-77/18051, dated the 3rd May, 1977, should be held in abeyance till further orders. The Government has reconsidered the matter and decided that (i) action may be taken to go ahead with the process of regularisation of services of the ad hoc employees covered by circular letter dated 3rd May, 1977 referred to above, and (ii) the posts against which no ad hoc employee is eligible for regularisation of his services in terms of the orders dated 3rd May, 1977, or the posts which are vacant, may be filled up by appointing candidates recommended by the Punjab Subordinate Services Selection Board or other prescribed agency. The services of ad hoc employees not covered by the circular dated 3rd May, 1977, may be terminated as and when the candidates recommended by the Subordinate Services Selection Board etc. report for duty.

2. You are requested to take necessary action accordingly and to complete the process of regularisation of services of the ad hoc employees within a period of three months.

Copy of Punjab Government circular letter No. 4427-2PP-78/17892, dated 7th June, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Voluntary Retirement after completion of 20 years qualifying service.

I am directed to address you on the subject noted above and to say that the following provision exists for voluntary retirement in the Punjab Civil Services (Premature Retirement) Rules, 1975:—

3 (2) "Any Government employee may, after giving at least three months' previous notice in writing to the appropriate authority retire from service on the date on which

he completes twenty five years of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice :

Provided that no employee under suspension shall retire from service except with the specific approval of the appropriate authority.'

2. It has been under consideration of Government for some time that a Government employee may be allowed to retire voluntarily, if he has completed 20 years qualifying service and given proportionate pension and gratuity. After careful consideration of the matter and keeping in view the policy of the Government of India in this behalf, the following decisions have been taken :—

- (i) Government employees who have put in not less than 20 years qualifying service may, by giving notice of three months in writing to the appropriate authority retire from service voluntarily. The scheme is purely voluntary, the initiative resting with the Government employee himself. The Government does not have the reciprocal right to retire Government employees on its own, under this scheme.
- (ii) The benefit of 'retiring pension' will be admissible to Government employees retiring under this scheme.
- (iii) A notice of less than three months may also be accepted by the appropriate authority in deserving cases, by observing Punjab Government instructions No. 7785-2GSI-77/33843, dated 3rd August, 1977.
- (iv) If a Government employee retires under the scheme of voluntary retirement while he is on leave not due, without returning to duty, the retirement shall take effect from the date of commencement of the leave not due and the leave salary paid in respect of such leave not due shall be recovered as provided in rule 8.119(d) of the Punjab C.S.R. Volume I, Part I.
- (v) Before a Government servant gives notice of voluntary retirement with reference to these instructions, he should satisfy himself by means of a reference to the appropriate authority that he has, in fact, completed 20 years service qualifying for pension.

- (vi) A notice of voluntary retirement may be withdrawn subsequently only with the approval of the appropriate authority provided the request for such withdrawal is made before the expiry of the notice.
- (vii) A notice of voluntary retirement, given after completion of 20 years' qualifying service will require acceptance by the appropriate authority if the date of retirement, on the expiry of the notice would be earlier than the date on which the Government employee concerned could have retired voluntarily under the existing provisions of the rules quoted in para 1 above. Such acceptance may be generally given in all cases except those (a) in which disciplinary proceedings are pending or contemplated against the Government employees concerned for the imposition of a major penalty and the disciplinary authority, having regard to the circumstances of the case, is of the view that the imposition of the penalty of removal or dismissal from service would be warranted in the case; or (b) in which prosecution is contemplated or may have been launched in a court of law against the Government employee concerned. If it is proposed to accept the notice of voluntary retirement even in such cases, approval of the Minister-in-charge should be obtained in regard to Class I and Class II Government employees and that of the Head of the Department in the cases of Class III and Class IV Government employees. Even where the notice of voluntary retirement given by a Government employee requires acceptance by the appropriate authority, the Government employee giving notice may presume acceptance and the retirement shall be effective in terms of the notice unless the competent authority issues an order to the contrary before the expiry of the period of notice.
- (viii) While granting proportionate pension and gratuity to a Government employee retiring voluntarily under this scheme, weightage of upto five years would be given as an addition to the qualifying service actually rendered by him. The grant of weightage of upto five years will, however, be subject to the condition that the total qualifying service after allowing the weightage should not in any event exceed 30 years of qualifying service.
- (ix) The weightage given under this scheme will be only an addition to the qualifying service for purpose of pension and gratuity. It will not entitle the Government

employee retiring voluntarily to any notional fixation of pay for purpose of calculating the pension and gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.

- (x) The amount of pension to be granted after giving the weightage will be subject to the provision of the rule 6.4 of C.S.R. Volume II.
- (xi) Class I Government employees retiring voluntarily under this scheme would continue to be subject to the provisions in the Pension Rules relating to post-retirement commercial employment. However, in their cases, permission for the post-retirement commercial employment will be granted more liberally than in the case of other Government employees retiring after completion of 25 years' qualifying service or after superannuation etc.

*Note :—*The word 'appropriate authority' appearing in these instructions will have the same meaning as defined in the Punjab Civil Services (P.R.) Rules, 1975.

3. In the light of these instructions action to make suitable provisions in the Punjab Civil Services (Pre-mature Retirement) Rules, 1975 is being taken separately.

Copy of Punjab Government circular letter No. 4547-APP/78, dated 16th June 1978, from the Department of Personnel and Administrative Reforms, addressed to :—

- (i) Excise and Taxation Commissioner, Punjab, Patiala.
- (ii) Director of Health Services, Punjab, Chandigarh.
- (iii) Director Agriculture, Punjab.
- (iv) Registrar Co-operative Societies, Punjab, Chandigarh.
- (v) Director Information and Publicity, Punjab, Chandigarh.
- (vi) Director of Industries, Punjab, Chandigarh.
- (vii) Director of Food & Supplies, Punjab, Chandigarh.

(viii) *State Transport Commissioner and Director State Transport, Punjab, Chandigarh.*

(ix) *Chief Conservator of Forests, Punjab, Chandigarh.*

(x) *Labour Commissioner, Punjab, Chandigarh.*

(xi) *Director Animal Husbandry, Punjab, Chandigarh.*

(xii) *Chief Engineer, Punjab, P.W.D. (Public Health), Patiala.*

(xiii) *Advocate General, Punjab, Chandigarh. etc., etc.*

Subject.—Upgradation of 'B' Class Offices to 'A' Class Offices.

In continuation of the Finance Department letter No. 10649-2FR-76, dated the 23rd February, 1977, I am directed to say that the decision contained therein may be implemented w.e.f. 23rd February, 1977. Necessary proposals for the consequential revision of pay scales of posts on the pattern of 'A' Class offices may be sent to the Finance Department through the concerned Administrative Department giving full details of the posts. This will be without prejudice to the recommendations of the Pay Commission with regard to the general revision of the scales of pay, etc.

2. You are also requested to take steps to amend the service rules revising the basic qualifications etc., for recruitment in the case of future entrants to service, on the lines of the existing provisions of 'A' Class Directorate/Office Service rules.

Copy of letter No. 4548-2PP-78/dated 16th June, 1978 from Chief Secretary to Government of Punjab (Department of Personnel and Administrative Reforms) to the Administrative Secretaries to Government, Punjab, All Heads of Departments, Registrar, Punjab and Haryana High Courts Deputy Commissioners and Sub-Divisional Officers (Civil) in the State.

Subject.—Grant of benefits to the employees who did not participate in the strike on 8th February, 1978.

No. 550-3GE-78/3879, dated 6th February, 1978. *Vide instructions noted in the margin the Punjab Government employees were cautioned not to resort to strike on 8th February, 1978, as the Government was already considering their demands and had already extended certain concessions. In spite of this certain*

section of non-gazetted employees resorted to strike on 8th February, 1978. On the other hand a large number of non-gazetted employees did not observe the strike and in fact, attended their offices punctually even though in several cases, they encountered obstructions to such attendance. In appreciation of this gesture of discipline which is essential for smooth functioning of public administration Government have decided to extend the following benefits to those non-gazetted employees of the Punjab Government who did not participate in the strike on 8th February, 1978.

- (i) They will be granted one premature increment in the scale of pay in which they were working on 8th February, 1978, by operation of rule 4.10 of the Punjab Civil Services Rules, Volume I, Part I. This increment will be effective from 8th February, 1978 and will not disturb the date of normal increment which would be admissible on the due date.

The above decision regarding the grant of premature increment will not be applicable to those who had reached the maximum of the scale of pay before 8th February, 1978. Further the grant of this premature increment will not mean crossing of efficiency bar automatically. In other words in cases where the grant of the aforesaid premature increment would involve crossing of efficiency bar it will be released only after the formal decision in the prescribed manner in regard to the crossing of efficiency bar is taken.

AND

- (ii) A letter of appreciation may be issued to all such employees who did not resort to strike on 8th February, 1978, by the appointing authority concerned in the enclosed form.

2. The decision at (i) above has the concurrence of the Finance Department as conveyed,—vide U. O. No. 10.3/78(3105)-IFR-78(dated the 15th June, 1978.

ANNEXURE

My dear,

I am to convey to you the appreciation of the Government on account of your not having participated in the general strike of the Punjab Government employees on 8th February, 1978 and thus having exhibited a sense of responsibility, disciplined behaviour and loyalty to the public service.

2. A copy of this appreciation letter is being placed on your personal file.

Yours sincerely,

Appointing Authority.

Copy of Punjab Government circular letter No. 4857-2PP-78/ dated 16th June, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc

Subject.—Strike by Government employees on 8th February, 1978.

1. No. 1193-2GSI-78/4553, dated 10th February, 1978.
2. No. 1193-2GSI-78/4557, dated 10th February, 1978.
3. No. 1194-2GSI-78/dated 10th February, 1978.

According to the instructions noted in the margin, Government employees who absented themselves from duty in connection with the strike on 8th February, 1978, were to be treated as follows:—

- (i) No salary was to be allowed for the date of the strike;
- (ii) The services of all *ad hoc* employees were to be terminated without assigning any reason; and
- (iii) Forfeiture of past service under Rule 3.17A (2) of the Punjab C.S.R., Volume II for pension, seniority, increment etc.

2. Government have reconsidered the matter on the persistent request of the employees Federations/Associations. As a gesture of goodwill and in the interest of harmonious relations with the

employees, Government have decided to take a lenient view and to regularise the absence of the employees who went on strike by giving them leave of the kind due. Consequently, you may take action as follows :—

- (a) The salary for 8th February, 1978, may be released subject to the condition that casual leave/earned leave for the said date is due. In cases where half-pay leave or extraordinary leave is granted, the salary may be regulated accordingly.
- (b) The absence on 8th February, 1978, having been regularised as above by grant of leave of the kind due the question of operation of Rule 3.17A(2) of Punjab C.S.R. Volume II or any other rule will not arise.
- (c) In regard to the ad hoc employees whose services were terminated because of their having gone on strike on the 8th February, 1978, but who were otherwise eligible for regularisation of their services in terms of Punjab Government instructions No. 4661-3GSI-77/18051, dated 3rd May, 1977, on account of the fact that they had put in at least one year's service on 31st March, 1977, action may be taken to take them back in service by giving them leave of the kind due.

Copy of Punjab Government circular U.O. No. 2371-5PP-Rule (10) 78/21540, dated 3rd July, 1978, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject.—Framing/amendment of Service Rules for each class of service/posts under the Punjab Government—Revised Model Service Rules, 1973.

All the Financial Commissioners and the Administrative Secretaries to Government, Punjab, may kindly refer to this department Circular U.O. No. 7563-5SII-74, dated the 4th/5th December, 1974, on the subject noted above.

2. In consultation with the Law Department, Government has decided that the words, "the Chief Secretary shall decide the same" occurring in rule 19 of the Model Service Rules, 1973 should be substituted by the Words "Government shall decide the same."

3. Accordingly it is requested that while making out proposals for amendment of the existing Service Rules on the lines of the Model Service Rules, 1973, and or framing new Service Rules for the State Services under their administrative control, the above mentioned decision of the Government may be kept in view.

Copy of Punjab Government circular letter No. 442-3PP-78/21963, dated 4th July, 1978, from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Regularisation of services of ad hoc employees who completed one year's service on 31st March, 1977.

In continuation of Punjab Government circular letter No. 4561-3GSI-77/18051, dated 3rd May, 1977, I am directed to say that on the analogy of instructions No. 8330-SII(2)-73/36811, dated the 1st December, 1973, the following guidelines may be kept in view for condoning of notional break up to one month and counting of service rendered on short term and leave vacancies towards one year's service for purposes of regularisation of service :—

- (a) Notional break up to a period of one month may be condoned where the vacancies have to be re-notified to the Employment Exchange/other prescribed selection agencies. If there are any individual cases in which the break exceeds this limit under some special/justified circumstances, such cases be examined on merits in consultation with the Department of Personnel and Administrative Reforms (Personnel Policies Branch).
 - (b) Service rendered against a leave vacancy, or one caused by the proceeding of another employee on deputation/training and a short-term vacancy etc. may be taken into consideration to determine the total service rendered and the employee who has rendered more service (total) should be preferred for regularisation of appointment against normal vacancies over those who have put in less service.
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Copy of Punjab Government circular letter No. 3828-4PP-78/22207, dated 4th July, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Conversion of temporary posts into permanent ones—
General policy regarding.

I am directed to invite attention to Punjab Government No. 4006-SI(DS)-68/, dated 6th April, 1968, on the subject noted above. According to these instructions, 80 per cent of temporary posts other than Class IV posts can be converted into permanent ones, provided they have been in existence for a continuous period of not less than three years and are required for work of a permanent nature. A question arose whether the remaining 20 per cent posts will continue on temporary basis for all times if no more temporary posts are created in that cadre/department. After considering this point, the Government has decided that the conversion of 80 per cent of the temporary posts in existence for more than three years and required for work of permanent nature, into permanent ones is to be made only once a year and that it should be done during the months of March to May. The remaining 20 per cent of the temporary posts which have been in existence for more than three years and are required for work of permanent nature, and those temporary posts in existence for less than three years would remain temporary till March next year, when 80 per cent of the total number of temporary posts which have been in existence for more than three years and are required for work of permanent nature as on that date can be made permanent. The rest will remain temporary for another year and so on.

All the departments may take action on the basis of this clarificatory decision.

Note.—Copy of letter No. 4006-SI(DS)-68, dated 6th April, 1968 is enclosed as this letter is not printed in the previous Manual of Instructions on service matters. (Volume I).

Subject.—Conversion of temporary posts/departments into permanent ones—General Policy relating to.

Will all the Financial Commissioners and Administrative Secretaries to Government, Punjab please refer to Punjab Government U.O. No. 13531-IGS-61, dated the 20th November, 1961, on the subject noted above :

2. The existing policy with regard to conversion of temporary posts into permanent ones has been re-considered by the Government and it has been decided that the policy of the Government of India in this respect may be adopted. According to the policy followed by the Government of India, 80 per cent of the temporary posts other than class IV posts in Central Government offices are converted into permanent ones provided they have been in existence for a continuous period of not less than three years and are required for work of a permanent nature. In the case of class IV employees 50 per cent of the total number of posts in each grade are converted into permanent ones provided they have been in existence for a continuous period of not less than 5 years and are required for work of a permanent nature. Temporary posts in non-permanent departments of the Central Government such as Rehabilitation in which work could not be regarded as of permanent nature, are not considered for conversion into permanent posts even though the organisation itself might have continued for a number of years. In such non-permanent departments of the Government of India, as may have existed for not less than ten years and are not proposed to wound up in the foreseeable future, 50 per cent of the posts (other than Class IV posts) can be made permanent provided the posts have been in continuous existence for a period of five years or more and are required indefinitely. In the case of Class IV posts, only 25 per cent of such posts are likewise converted into permanent ones. This, however, does not carry any guarantee that the temporary organisation converted by such orders would not be wound up or reduced in size in future and in the event of such organisation not being continued in the existing form the retrenched employees are entitled to retrenchment benefits, under the relevant rules and orders.

3. The instructions contained in Punjab Government communication noted in para 1 above, therefore, stand superseded.

4. The proposals for the conversion of temporary posts into permanent ones during the year 1967 as sent in response to Punjab Government letter No. 2232-SI(DS)67/11824, dated the 3rd May, 1967 addressed to all Heads of Departments etc., therefore, stand withdrawn and as a result all the pending proposals may be dealt with

in accordance with the policy now laid down in this letter. The concurrence of the Finance Department for the conversion of temporary posts into permanent ones may be obtained direct as had been the practice before adopting the policy as laid down in Punjab Government U.O. No. 13531-IGS-61, dated the 20th November, 1961.

5. This issues with the concurrence of the Finance Department,—vide their U.O. No. 3906-7FRI-68, dated 3rd April, 1968.

(Sd.)

Deputy Secretary, Services and Political,
for Chief Secretary to Government, Punjab.

To

1. The Financial Commissioner, Revenue Punjab.
2. The Financial Commissioner, Taxation, Punjab.
3. All Administrative Secretaries to Government, Punjab.

U.O. No. 4006-SI(DS)-68, dated Chandigarh, the 6th April, 1968.

Copy of Punjab Government circular letter No. 6/133/78/ 3PP/Vol.-II, dated 25th July, 1978, from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Regularisation of services of *ad hoc* employees.

I am directed to invite your attention to Punjab Government circular letter No. (4426)-6/133/78/3PP/17898, dated the 1st June, 1978. A clarification has been sought by some departments whether the services of *ad hoc* employees not covered by the Circular bearing No. 4561-3GSI-77/18052, dated Chandigarh, the 3rd May, 1977, should be terminated forthwith. In this connection, your attention is drawn to the following contained in the Circular dated 1st June, 1978 referred to above:—

"The services of *ad hoc* employees not covered by the circular dated 3rd May, 1977, should be terminated as and when the candidates recommended by the Punjab Subordinate Services Selection Board etc. report for duty."

You are requested to take action accordingly.

Copy of Punjab Government circular U.O. No. 80(GOI)-5PP-9/6-78/24925, dated 3rd August, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Financial Commissioners and Administrative Secretaries to Government, Punjab etc., etc.

Subject.—Formulation of Service Rules—Revision of Model Service Rules, 1973.

All the Financial Commissioners in the Punjab and the Administrative Secretaries to Government, Punjab, may kindly refer to the correspondence resting with this Department U.O. communication No. 129(GOI)-5GSI-77, dated the 5th April, 1977, on the subject.

2. On the basis of Resolution No. 15011/1/78-Estt.(B), dated the 19th June, 1978, from the Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms, Clause (e) of sub-rule (1) of rule 4 of the Model Service Rules, 1973, circulated with the U.O. communication referred to above is substituted as under —

"(e) A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India."

3. It is requested that the above modified rule may kindly be kept in view while framing/amending the service Rules so as to bring them in conformity with the Model Service Rules, 1973, as amended above, and also while considering the eligibility of the candidates for recruitment to civil service/posts under them.

(Sd.)

Under Secretary, Personnel,
for Chief Secretary to Government, Punjab.

To

All the Financial Commissioners and,
All the Administrative Secretaries to Government,
Punjab.

U.O. No. 80(GOI)-5PP-9/6-4-78/, dated Chandigarh, the
3rd August, 1978.

No. 80-(GOI)-5PP-9/6-78/24925, dated Chandigarh, the 3rd
August, 1978.

A copy each is forwarded to all Heads of Departments in the State of Punjab for information and similar action in continuation of Punjab Government endorsement No. 129(-GOI)-5GSI-77/12675, dated the 5th April, 1977.

(Sd.)
Under Secretary, Personnel,
for Chief Secretary to Government, Punjab.

Copy of Punjab Government circular letter No. (5924) 16/45/78-2PP/, dated 4th August, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments, etc., etc.

Subject.—Premature Retirement of Government employees.

I am directed to address you on the subject noted above and to say that under rule 3 of the Punjab Civil Services (Premature Retirement) Rules, 1975 the appropriate authority can order the premature retirement of an employee in public interest at any time after he has completed 25 years qualifying service or 50 years of age. Further, as clarified,—vide Punjab Government Circular letter No. 6520-2SII-75/38581, dated 26th September, 1975, while the service record of the employee as a whole would determine the merits of each case in this behalf, even a single entry depicting the employee concerned as a person of doubtful integrity—would justify premature retirement under the rules.

2. In the interest of clean and efficient administration Government has decided that all departments of Government should immediately scrutinize the record of all employees in terms of the premature retirement rules and the instructions referred to above. Those officials/officers who, in terms of these rules, merit premature retirement, should be so retired without delay. I am, therefore, directed to say that all departments of Government should carry out this review during the month of August and finish it positively before the 30th of August. It may be ensured that this review is properly carried out and finished with the stipulated time.

3. A report in this behalf may kindly be sent to this Department in the first week of September, 1978.

Copy of Punjab Government circular letter No. 6/198/78-PP/26034, dated 8th August, 1978, from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Regularisation of services of employees recruited on *ad hoc* basis—Finalisation of pending cases of those *ad hoc* employees who had completed one year's service on 1st January, 1973.

I am directed to invite a reference to the Punjab Government instructions issued,—vide circular letter No. 7366-SII(6)-75/43150, dated 11th November, 1975, on the subject and to say that among other things it was desired therein that all pending cases should be sent to this Department through the Administrative Secretary concerned, with complete documents and information in the prescribed *proforma* within ten days and in case there was no such matter pending, a clearance report might be sent.

2. I am to request you again to ensure that all such pending cases are sent to this Department through the Administrative Secretary concerned, with complete documents and information in the prescribed *proforma* positively by 31st August, 1978. If there is no such case pending, a clearance report may be sent immediately.

ਕਸਤਰੀ ਧੱਤਰ ਨੰ : 6/8/78-ਜਾ/27762, ਮਿਤੀ 22 ਅਗਸਤ, 1978 ਵਲੋਂ ਪਰਸੋਨਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ ਵੱਲ ਸਮੂਹ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ ਆਦਿ।

ਵਿਸ਼ਾ:—ਚੌਕੀਦਾਰਾਂ ਨੂੰ ਛੁੱਟੀ ਦੇਣ ਬਾਰੇ।

ਮੈਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਤੁਹਾਨੂੰ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ, ਕਿ ਸਰਕਾਰੀ ਦਫਤਰਾਂ ਵਿੱਚ ਕੰਮ ਕਰ ਰਹੇ ਚੌਕੀਦਾਰਾਂ ਨੂੰ ਛੁੱਟੀ ਦੇਣ ਲਈ ਪ੍ਰਸ਼ਨ ਪਿਛਲੇ ਕੁਝ ਸਮੇਂ ਤੋਂ ਸਰਕਾਰ ਦੇ ਵਿਚਾਰ ਅਧੀਨ ਰਿਹਾ ਹੈ। ਵਿਚਾਰਨ ਉਪਰੰਤ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਹੈ, ਕਿ ਜਿਨ੍ਹਾਂ ਸਰਕਾਰੀ ਦਫਤਰਾਂ ਵਿੱਚ 6 ਜਾਂ ਇਸ ਤੋਂ ਜ਼ਿਆਦਾ ਚੌਕੀਦਾਰ ਹਨ ਉਥੇ 6 ਚੌਕੀਦਾਰਾਂ ਪਿਛੇ ਇਕ ਚੌਕੀਦਾਰ ਦੀ ਲੀਵ ਰਿਜ਼ਰਵ ਆਸਾਮੀ ਦੀ ਰਚਨਾ ਕੀਤੀ ਜਾਵੇ। ਜਿਥੇ ਚੌਕੀਦਾਰਾਂ ਦੀਆਂ ਆਸਾਮੀਆਂ 6 ਤੋਂ ਘੱਟ ਹਨ ਉਥੇ ਇਕ ਭਰਤੋਂ ਵਿਚ ਚੌਕੀਦਾਰਾਂ ਨੂੰ ਇਕ ਦਿਨ ਦੀ ਰੈਸਟ ਦੇਣ ਲਈ ਵਿਹਲਾ ਕਰਨ ਲਈ ਸੇਵਾਦਾਰਾਂ ਨੂੰ ਵਾਰੀ ਵਾਰੀ ਸਿਰ ਇਕ ਹਫ਼ਤੇ ਵਿਚ ਪਹਿਰਾ ਨਿਗਰਾਨੀ ਲਈ ਬੁਲਾਇਆ ਜਾਵੇ।

2. ਇਹ ਵਿੱਤ ਵਿਭਾਗ ਦੀ ਸਲਾਹ ਹੈ. ਸ. ਪੌ. ਨੰ : 8156-ਭਵ. ਵਿ. 77/ , ਮਿਤੀ 26 ਅਪ੍ਰੈਲ, 1978 ਅਨੁਸਾਰ ਜਾਰੀ ਕੀਤਾ ਜਾਂਦਾ ਹੈ

Copy of Punjab Government circular letter No. (6269)-8/110/78-6PP/30707, dated 7th/22nd September, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Ban on transfers of Officers on the eve of General Election and Bye-Elections.

I am directed to enclose a copy of circular letter No. 434/1/77, dated 18th July, 1978, from the Election Commission of India, on the subject and to request you kindly to ensure strict compliance of these instructions at the time of the General Elections/Bye-Elections in the State.

2. These instructions may kindly be brought to the notice of all concerned under your control for guidance and strict adherence.

(COPY)

No. 434/1/77

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashok Road, New Delhi,
Dated 18th July, 1978.

To

1. The Chief Secretaries to all the States.
2. The Administrators to all the Union Territories.

Subject.—General Elections—Transfers of Officers—Ban regarding.

Sir,

I am directed to state that on the eve of General Elections, instructions are issued by the Commission to the States/Union Territories Administrations that no transfers and postings etc. of the officers connected with election duties should be made when the election is already in process. In this connection, I am to inform that the High Court of Punjab and Haryana has made some strong observations in Election Petition No. 1 of 1977 filed by Shri Mohinder Singh Gill from 13-Ferozepur Parliamentary Constituency

in the State of Punjab, that one Shri Gurbachan Singh appointed as Returning Officer for the said Parliamentary constituency was transferred as Deputy Commissioner of Ferozepur District on the eve of commencement of the election process. In this connection, the observation made by the High Court of Punjab and Haryana is reproduced below:—

“The returning officer in a constituency whether Parliamentary or Legislative, is in overall charge of conduct of elections from beginning to end. He places a key roll in ensuring fair elections at all stages. He should be obviously such an officer whose personality may not be trained with any kind of suspicion whether directly or indirectly. In the present case, Shri Gurbachan Singh, P.W. 12, who acted as Returning Officer in this election was previously in Faridkot district. From there he was transferred as Deputy Commissioner, Ferozepur where he took over as late as February 8, 1971. Thus he was transferred to district Ferozepur as Deputy Commissioner on even of commencement of the election process. According to his own admission, his son was married to the daughter of the real brother of the petitioner. Naturally this close relationship between the petitioner and the Returning Officer was bound to give rise to a number of suspicions in the rank of those candidates including the returned candidate who opposed the petitioner.”

2. Commission reiterates that no transfers and posting etc. should be made on the eve of General Elections/Bye-Elections. I am therefore, to request that the Commissioner's instructions regarding ban on transfers of officers on the eve of General Elections/Bye-Elections should be strictly complied with at all future elections.

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

Yours faithfully,

Sd/-

(V. NAGSUBRAMANIAN)
Secretary

Copy of Punjab Government circular letter No. (5534)-13/6/78-2PP/30518, dated 18th September, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Punjab Government Employees (Conduct) Rules, 1966—
Proviso to sub-rule (4) of rule 16—Clarification regarding.

I am directed to address you on the subject noted above and to say that clause (i) of sub-rule (4) of rule 16 of the Punjab Government Employees (Conduct) Rules, 1966 provides that no Government employee shall save in the ordinary course of business with a bank or a firm of standing duly authorised to conduct banking business, either himself or through any member of his family or any other person acting on his behalf:—

- (a) lend or borrow money as principal or agent, to or from any person 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
- (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 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.

2. Clarification has been sought as to the interpretation of the expression 'small amount' occurring in the proviso to sub-rule (4) of rule 16 of the Punjab Government Employees (Conduct) Rules, 1966 quoted above. The matter has been considered by Government and I am directed to clarify that every case has to be examined on merits and the question as to whether any amount taken by a Government employee as loan free interest from a relative or a personal friend under the above mentioned rule, is small or not is to be decided in the context of the status, income of the employee taking the loan, and the proposal made with regard to the manner of refunding that loan.

Copy of Punjab Government circular letter No. 28/9/76-BRP-30895 dated 18th September, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Guidelines regarding functions and powers of the Chairmen of State Corporations/Government Companies.

I am directed to enclose guidelines which seek to define the functions and powers of the Chairmen of State Corporations/Government Companies. These may kindly be brought to the notice of all Corporations/Government Companies under the administrative control of departments in your charge.

Guidelines regarding functions and powers of the Chairmen of State Corporations/Government Companies

1. Chairman shall be the authority to initiate the annual confidential report of the Managing Director. In respect of other senior officers for whom the Managing Director is the reporting authority, Chairman shall be the reviewing authority. In respect of officers for whom the Managing Director is the reviewing authority, the Chairman shall be the accepting authority.
2. All meetings of the Board of Directors shall be convened by the Managing Director on such date and time as is approved by the Chairman.
3. Agenda for the meeting of the Board of Directors shall be drawn up by the Managing Director. The Chairman shall be competent to add items to be included in the Agenda.
4. All significant information concerning the functioning of the Corporation shall be made available by the Managing Director to the Chairman. In addition, the Chairman may call for information from Managing Director on any aspect of the working of Corporation.
5. The Chairman may visit and check from time to time various field officers and operating units of the Corporation within the State. Points for action arising from such visits shall be communicated by the Chairman to the Managing Director.

6. Copies of the tour programme issued by various senior officers of the Corporation shall invariably be endorsed to the Chairman.

7. Wherever the Chairman so desires, he shall be associated with a meeting of the field staff convened by the Managing Director at the Corporation's headquarter.

8. Ordinarily responsibility for furnishing reports to Government and undertaking correspondence with Government on behalf of the Corporation shall be with the Managing Director. However, in important matters of policy, it shall be open to the Chairman to send a demi-official communication to the Administrative Secretary/Minister-in-charge.

9. The Board of Directors as a whole has final responsibility for direction, and control under the Laws, Rules and Regulations applicable to Corporations/Autonomous Undertakings. Hence, in the event of a difference of opinion between the Chairman and Managing Director, the concerned matter should be placed before the Board of Directors for decision.

10. The Chairman should confine his power of general guidance to matters of broad management and policy and leave day-to-day administration of the affairs of the Corporation to the charge of the Managing Director. While undertaking his functions and exercising his powers, the Chairman should observe the established management practices and, in particular, the Managing Director should be the channel of communication.

Copy of Punjab Government circular letter No. 7053-6/234/3PP/78/32037, dated 29th September, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments, etc. etc.

Subject.—Policy and procedure regarding ad hoc appointments.

I am directed to address you on the subject and to say that in modification of the instructions contained in this Department's circular letter No. (4220)6/133/78/3PP., Vol. II/16933, dated 24th of May, 1978, the following instructions may be observed in future.

2. An Administrative Department may make an *ad hoc* appointment for a period not exceeding six months with the approval of the Minister-in-charge, subject to the following conditions:—

- (a) The concerned *ad hoc* appointment is in public interest owing to emergent circumstances.
- (b) The principles regarding the mode of recruitment, qualifications, etc., pertaining to the post for which *ad hoc* appointment is being made, stand determined in consultation with the Punjab Public Services Commission and the Department of Personnel in accordance with the general instructions on the subject already issued.
- (c) Depending on the nature of the post, necessary requisition complete in all respects should have been sent to the Subordinate Services Selection Board/Punjab Public Service Commission.
- (d) In the case of an *ad hoc* promotion, a detailed reference about the suitability of the concerned officer should have been sent to the Punjab Public Service Commission.

3. The conditions specified above shall not be applicable to *ad hoc* appointments to be made by the Administrative Departments against leave vacancies and other short-term temporary vacancies against which recruitment/promotion on a regular basis is not necessary. Where in respect of an *ad hoc* appointment the complete requisition for the relevant post has already been sent to the Subordinate Services Selection Board/Public Service Commission, and it has been accepted by the Board/Commission, but the Board or the Commission has not been able to make its recommendation for appointment of a regular candidate, the Administrative Department may extend the *ad hoc* appointment by another six months with the approval of the Minister-in-charge.

4. Approval of the Chief Minister through the Department of Personnel and Administrative Reforms will be necessary in respect of the following types of cases :—

- (i) Extension of *ad hoc* appointment beyond six months in respect of a post for which the requisition made to the Subordinate Services Selection Board/Public Service Commission, has not been finally accepted by the Board/Commission for the purpose of making its recommendation for a regular candidate.

- (ii) In all cases where *ad hoc* appointments are proposed to be continued beyond a period of 12 months.
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Copy of Punjab Government circular letter No. (6660)7/7/78-2PP/33043, dated 20th October, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments, etc., etc.

Subject.—Crossing of Efficiency Bar effect of earlier adverse entries on promotion/premature retirement/punishment.

Consequent upon the decisions of the Division Bench of Punjab and Haryana High Court in the cases reported as 1976(1) S.L.R. 78 and 1978(1) S.L.R. 450, I am directed to say that whereas in the matter of punishing an employee, the crossing of efficiency Bar gives a clear bill to him upto that date, adverse entries prior to the date of crossing of efficiency bar can be taken into consideration for judging his suitability for promotion to a higher post and also for deciding the question of his retention in or premature retirement from service. To this extent, the Government instructions bearing No. 2764-2SII-74, dated 22nd April, 1974, stand modified.

Copy of Punjab Government circular letter No. 6/234/78-PP/, dated 25th October, 1978, from the department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Policy and procedure regarding *ad hoc* appointments.

I am directed to invite your attention to Punjab Government circular letter No. 7053/6/234/3PP/32037, dated 29th September, 1978, on the above subject and to stress the following essential points:—

- (a) The Officers signing the requisitions to be sent to the Punjab Public Service Commission and S.S.S. Board and the references addressed to the Commission for determining the suitability of the Officers in promotion cases

should ensure that the requisitions/references in question are complete in all respects.

- (b) The cases referable to the Department of Personnel and Administrative Reforms in terms of para 4 of the circular letter dated 29th September, 1978, should be accompanied by the information as in the proforma enclosed.
 - (c) The pay bills in respect of the employees appointed on *ad hoc* basis should be accompanied by a certificate to the following effect :—
 - (i) The principles of recruitment have been duly determined as required,—*vide* para 2(b) of the circular letter dated 29th September, 1978.
 - (ii) Requisition complete in all respects has been sent to the P.S.C./S.S.S. Board or steps have been taken for making regular recruitment if the post is out of the purview of the S.S.B./P.S.C.
 - (iii) A reference has been sent to the P.S.C. for determining suitability, if it is a case of promotion.
 - (iv) In case the *ad hoc* appointment exceeds 6 months the certificate should indicate that the requisition/reference in question has been duly accepted by the P.S.C./S.S.S. Board.
 - (v) In case the appointment exceeds one year, a copy of the approval of the Department of Personnel and Administrative Reforms should also accompany the Bill.
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PROFORMA

Name of the Department: _____

Serial No.	Name of the employee along with designation	Date of ad hoc appointment	Whether requisition to the S.S.B./P.S.C. sent within the prescribed period, if not, detailed reasons therefor or whether the case has been referred to P.S.C. for approval as the case may be. Progress in respect thereof	Justification for extension beyond one year
1	2	3	4	5

Head of Department.
Appointing Authority.

Copy of Punjab Government circular letter No. 13/7/78-2PP/35251, dated 6th November, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Punjab Government Employees (Conduct) Rules, 1966—Amendments thereto—Submission of returns of assets and liabilities by Government employees under rule 18—Prescription of revised form and periodicity.

I am directed to invite a reference to Punjab Government letter No. 1148-2GS-77/8588, dated the 2nd/3rd March, 1977—*vide* which copies of the notifications amending the Punjab Government Employees (Conduct) Rules, 1966, were sent, and to say that to conform to the policy followed by Government of India, the Rules have further been amended as per notification No. GSR 91/Const./Art. 309 and 318/Amd. (8)/78, dated 17th August, 1978, published in the Punjab Government Gazette, Legislative Supplement, Part III, dated 8th September, 1978. A copy of the notification is enclosed for your information and circulation among the employees working under you.

2. Under the amended provisions of rule 18 *ibid*:—

- (i) Every government employee shall on his first appointment to any service or post submit a return of his assets and liabilities in such form as may be prescribed by the Government giving 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) debts and other liabilities incurred by him directly or indirectly.

(ii) where a Government employee already belonging to a service or holding a post is appointed to any other civil service or post, he shall not be required to submit a fresh return under clause (i) of sub-rule (1) of rule 18 *ibid*.

(iii) Every Government employee belonging to any service or holding any post in Class I or Class II shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding 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.

3. It may be seen that the submission of annual returns in respect of moveable property by all the employees belonging to any Class of service as laid down in Punjab Government letter No. 2130-SII(3)-69/32577, dated 17th December, 1969, has now been dispensed with. As regards the submission of returns in respect of immovable property, an annual returns is required in the case of Government employees belonging to Class I and Class II services only, and no such return is required in the case of Class III and Class IV employees. A fresh property return is also not required to be submitted by a government employee who is appointed to any other post or class of service. Government, however, has the power under sub-rule (4) of rule 18 *ibid* to require a Government employee at any time to furnish 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 etc. I am, therefore, directed to say that action may now be taken in the context of this new policy. The proforma prescribed for the submission of the returns,—*vide* letter dated 17th December 1969 referred to above, have been replaced by the Forms I—V appended to this letter. Form I is to be filled and furnished to the prescribed authority annually by the Government employees belonging to Class I and Class II services, whereas all the Forms (numbered I—V) are to be furnished by all Government employees belonging to any class of service at the time of first appointment as per provisions of sub-rule (1) of rule 18 *ibid* quoted in para 2 above, or when the Government so requires under sub-rule (4) of rule 18 *ibid*.

4. The members of the All India Services serving in connection with the affairs of the Punjab State may also file their property

returns on these forms as per provisions of rule 16 of the All India Services (Conduct) Rules, 1966.

GOVERNMENT OF PUNJAB

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS

(PERSONNEL POLICIES)

Notification

The 7th August, 1978

No G.S.R. 91/Const./Art. 309 and 318/Amd.(8)/78.—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, after 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 further to amend the Punjab Government Employees (Conduct) Rules, 1966, namely:—

1. (a) These rules may be called the Punjab Government Employees (Conduct) (First Amendment) Rules, 1978.
- (b) They shall come into force at once.
2. In rule 4 of the Punjab Government Employees (Conduct) Rules, 1966 (hereinafter referred to as the said rules), for the existing heading, the following heading shall be substituted, namely:—

“Employment of near relatives of Government employees in Companies or Firms.”

3. In rule 18 of the said rules,—

(1) sub-rule (1) shall be renumbered as clause (i) thereof;
and

(a) in clause (i) as so renumbered,—

(i) in the opening paragraph, the words "and thereafter at such intervals as may be specified by the Government" shall be omitted ;

(ii) for Note III, the following Note shall be substituted, namely:—

"Note.—Where a Government employee already belonging to a service or holding a post is appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause".

(b) after clause (i) as so renumbered (including the notes thereto), the following clause shall be inserted, namely:—

"(ii) Every Government employee belonging to any service or holding any post in Class I or Class II shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding 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."

(2) for the letters and figures "Rs. 1,000" and "Rs. 500" wherever they occur, the letters and figures "Rs. 2,000" and "Rs. 1,000" shall be substituted respectively.

S. S. PURI,
Chief Secretary to Government,
Punjab.

Return of assets and liabilities

1. (a) Name of the Government employee in full (in block letters) ... _____
- (b) Father's Name ... _____
2. Service to which he/she belongs ... _____
3. Total length of service up to date—
 - (i) in Non-gazetted rank ... _____
 - (ii) in Gazetted rank ... _____
4. Present post held and place of posting ... _____
5. Total annual income from all sources during the calendar year immediately preceding the 31st March, 19 ... _____
6. Declaration.—I hereby declare that the return enclosed namely, Forms I to V, are complete, true and correct as on _____ to the best of my knowledge and belief, in respect of information due to be furnished by me under the provisions of sub-rule (1) of rule 18 of the *Punjab Government Employees (Conduct) Rules, 1966/rule 16 of the All India Services (Conduct) Rules, 1968.

Dated :

Signature _____

Designation _____

*Strike off which ever is not applicable.

Note 1.—This return shall contain particulars of all assets and liabilities of the Government employee, either in his/her own name or in the name of any other person.

Note 2.—If a Government employee is a member of Hindu Undivided Family with co-Percenary rights in the properties of the family either as a 'Karta' or as a member, he/she should indicate in the return in Form No. I the value of his/her share in such property and where it is not possible to indicate the exact value of such share, its approximate value. Suitable explanatory notes may be added, wherever necessary.

FORM 1

Year -----

Statement of Immoveable Property (e.g. Lands, House, Shops, other buildings, etc.)

Serial No.	Description of property	Precise location (Name of District, Division, Taluk and village in which the property is situated and also its distinctive number, etc.)	Area of land in case of land & buildings	Nature of Land (in case of landed property)	Extent of interest	If not in own name, state in whose name held and his/her relationship, if any to the Government employee
1	2	3	4	5	6	7

Date of acquisition	How acquired ? (Whether by purchase, mortgage, lease, inheritance, gift or otherwise and name with details of person/persons from whom acquired) (address and connection of the Government employee, if any with the person/persons concerned) (Please see Note 1 below)	Value of the property (see Note 2 below)	Particulars of sanction of prescribed authority, if any	Total annual income from the property	Remarks
8	9	10	11	12	13

Date :

Signature

Notes.—(1) For purpose of column 9, the term "lease" would mean a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent. Where, however, the lease of immovable property is obtained from a person having official dealings with the Government employee, such a lease should be shown in this column irrespective of the term of the lease, whether it is short-term or long-term, and the periodicity of the payment of rent.

(2) In column 10 should be shown—

- (a) where the property has been acquired by purchase, mortgage or lease, the price or premium paid for such acquisition ;
- (b) where it has been acquired by lease, the total annual rent thereof also ; and
- (c) where the acquisition is by inheritance, gift or exchange, the approximate value of the property so acquired.

FORM II

STATEMENT OF LIQUID ASSETS

(1) Cash and Bank balances exceeding 3 months' emoluments.

(2) Deposits, loans advanced and investments (such as shares, securities, debentures, etc.)

Serial No.	Description	Name and address of Company, Bank etc.	Amount	If not in own name, name and address of person in whose name held and his/her relationship with the Government employee	Amount income derived	Remarks
1	2	3	4	5	6	7

Signature

Date :

Notes.—1. In column 7, particulars regarding sanctions obtained or report made in respect of the various transactions may be given.

2. The term "emoluments" means the pay and allowances received by the Government employee.

FORM NO. III

STATEMENT OF MOVABLE PROPERTY

Serial No.	Description of items	Price or value at the time of acquisition and/or the total payments made upto the date of return, as the case may be, in case of articles purchased on hire-purchase or instalment basis	If not in own name, name and address of the person in whose name and his/her relationship with the Government employee	How acquired with approximate date of acquisition	Remarks
1	2	3	4	5	6

Signature

Date :

Notes 1:—In this Form information may be given regarding items like (a) jewellery owned by him/her (total value); (b) silver and other precious metals and precious stones owned by him/her (total value); (c) (i) Motor Cars, (ii) Scooters/Motor Cycles; (iii) refrigerators/airconditioners; (iv) radios/radiograms/television sets and any other articles, the value of which individually exceeds Rs. 1,000; (d) value of items of movable property individually worth less than Rs. Rs. 1,000 other than articles of daily use such as clothes, utensils, books, crockery, etc. added together as lumpsum.

2. In column 5 may be indicated whether the property was acquired by purchase, inheritance, gift or otherwise.

3. In column 6, particulars regarding sanction obtained or report made in respect of various transactions may be given.

FORM No. V

STATEMENT OF DEBTS AND OTHER LIABILITIES

Serial No.	Amount	Name and address of Creditor	Date of incurring Liability	Details of Transaction	Remarks
1	2	3	4	5	6

Signature

Date :

- Notes.*—1. Individual items of loans not exceeding three months' emoluments or Rs. 1,000 whichever is less, need not be included.
2. In column 6, information regarding permission, if any, obtained from or report made to the competent authority may also be given.
3. The term "emoluments" means pay and allowances received by the Government employees.
4. The statement should also include various loans and advances available to Government employees like advance for purchase of conveyance, House building advance, etc. (other than advances of pay and travelling allowance), advances from the G.P.F. Fund and loans on Life Insurance Policies and fixed deposits.

Copy of Punjab Government circular letter No. 5/6/78-1PP/35779, dated 13th November, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Confirmation of Government employees.

I am directed to say that it has been brought to the notice of Government that inspite of the availability of permanent posts and the fulfilment of necessary conditions by the Government employees, cases for their confirmation on the vacant posts are not taken up with due promptitude. The tendency on the part of the departments not to take timely action in the matter causes undue hardship to the employees concerned. It is, therefore, requested that cases of Government employees awaiting confirmation may please be taken up in hand immediately and they should be confirmed subject to their satisfying the following conditions:—

- (i) A permanent post is available.
- (ii) No body else holds a lien against such a post.
- (iii) The employee concerned has completed the period of probation satisfactorily.
- (iv) The work and conduct of the Government employee is found to be satisfactory.
- (v) There is no dispute in regard to seniority of the Government employee concerned ; and
- (vi) The Government employee is eligible for confirmation in the light of instructions already issued by Government from time to time, in this behalf.

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

3. The receipt of this letter may be acknowledged.

Copy of Punjab Government circular letter No. 1/9/78-1PP/35349, dated 17th November, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Finalisation of seniority lists of Government employees.

I am directed to say that although a period of more than 20 years has elapsed since the merger of Punjab and Pepsu, there are still many departments (a list of a few of them is enclosed) which have not so far framed/notified the final seniority lists of the different cadres/services under their control and these lists are still provisional. It may be mentioned that framing of seniority lists is a statutory requirement under the respective service rules, because it is on the basis of these lists that various service matters of the Government employees, e.g., confirmation, promotion, disciplinary action, etc., are decided. It is, therefore, requested that in accordance with the prescribed procedure, the seniority of the various cadres/services under your control may be finalised without further delay and at the most within 6 months positively, under intimation to this Department.

2. Normally, promotions are not made on the basis of tentative seniority lists. However, if it is considered necessary in public interest, to order a promotion immediately, it may be made clear in the order that the promotion is without prejudice to the claim of others who may become senior to the employees concerned in the final seniority list and the promoted employee will have no claim on the post thereafter. In cases where the approval of the Punjab Public Service Commission is necessary, the Commission will also give its approval on the above condition. After the expiry of 6 months, the Commission will not entertain any proposal for the determination of suitability of any employee for a higher post on the basis of tentative seniority, in view of the above, the Departments should ensure that the seniority lists are finalised within the stipulated period.

3. The above instructions may be brought to the notice of all concerned for immediate compliance and necessary action.

ਵਿਸ਼ਾ :—ਸੇਵਾਵਾਂ ਦਾ ਨਾਮ ਜਿਨ੍ਹਾਂ ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ ਅਜੇ ਤਕ ਟੈਂਟੇਟਿਵ ਹਨ।

ਕ੍ਰਮ ਅੰਕ	ਵਿਭਾਗ ਦਾ ਨਾਂ	ਸੇਵਾਵਾਂ ਦਾ ਨਾਮ ਜਿਨ੍ਹਾਂ ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ ਅਜੇ ਤਕ ਟੈਂਟੇਟਿਵ ਹਨ
1	ਟ੍ਰਾਂਸਪੋਰਟ ਵਿਭਾਗ	... ਟ੍ਰਾਂਸਪੋਰਟ ਵਿਭਾਗ ਦੀਆਂ ਸਾਰੀਆਂ ਸੇਵਾਵਾਂ ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ
2	ਸਹਿਕਾਰਤਾ ਵਿਭਾਗ	... ਸਹਿਕਾਰਤਾ ਵਿਭਾਗ ਦੀਆਂ ਸਾਰੀਆਂ ਸੇਵਾਵਾਂ ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ
3	ਗ੍ਰਹਿ ਵਿਭਾਗ	... ਉਹੀ
4	ਇਨਵਾਇਰਮੈਂਟਲ ਰਿਸਰਚ, ਪਲੈਨਿੰਗ ਅਤੇ ਡਿਜ਼ਾਇਨ ਸੰਗਠਨ ਲੁਧਿਆਣਾ (ਮਕਾਨ ਉਸਾਰੀ ਤੇ ਸਹਿਰੀ ਵਿਕਾਸ ਵਿਭਾਗ)	ਇਹ ਸੰਗਠਨ ਅਜੇ ਹੁਣੇ ਦੀ ਹੋਂਦ ਵਿਚ ਆਇਆ ਹੈ ਇਸ ਲਈ ਕੋਈ ਸੀਨੀਅਰਤਾ ਸੂਚੀ ਨਹੀਂ ਬਣੀ
5	ਖੁਰਾਕ ਤੇ ਸਪਲਾਈ ਵਿਭਾਗ	(i) ਸਹਾਇਕ ਖੁਰਾਕ ਤੇ ਸਪਲਾਈ ਅਫਸਰਾਂ (ii) ਸੁਪਰਡੈਂਟ ਖੁਰਾਕ ਤੇ ਸਪਲਾਈ
6	ਵਿਕਾਸ ਵਿਭਾਗ (ਪਸ਼ੂ ਪਾਲਣ ਭੋਰੀ)	... ਡਾਇਰੀ ਐਕਸਟੈਂਸ਼ਨ ਸਹਾਇਕਾਂ/ਇੰਸਪੈਕਟਰਾਂ
7	ਚੋਟ ਵਿਭਾਗ	ਪੰਜਾਬ ਚੋਟ ਵਿਭਾਗ (ਮਟੇਰ ਸਰਵਿਸ ਕਲਾਸ II)
8	ਉਦਯੋਗ ਤੇ ਉਦਯੋਗਿਕ ਸਿਖ- ਲਾਈ ਵਿਭਾਗ, ਪੰਜਾਬ	(i) ਸਹਾਇਕ ਜਿਆਲੋਜਿਸਟ ... (ii) ਗਰੁੱਪ ਇੰਸਟਰਕਟਰ/ਮਿਲ ਰਾਈਟ/ਸਰਵੇਅਰ/ ਸਿਖਿਆਰਥੀਪਣ ਸੁਪਰਵਾਈਜ਼ਰ (iii) ਸਹਾਇਕ/ਲੇਖਾਕਾਰ, ਡਾਇਰੈਕਟਰ ਆਫ ਟੈਕ- ਨੀਕਲ ਐਜੂਕੇਸ਼ਨ ਅਤੇ ਉਦਯੋਗ ਸਿਖਲਾਈ ਵਿਭਾਗ, ਪੰਜਾਬ
9	ਆਬਕਾਰੀ ਤੇ ਕਰ ਵਿਭਾਗ	... (i) ਸਹਾਇਕ ਆਬਕਾਰੀ ਤੇ ਕਰ ਕਮਿਸ਼ਨਰ (ii) ਆਬਕਾਰੀ ਤੇ ਕਰ ਅਫਸਰ (iii) ਸਹਾਇਕ ਆਬਕਾਰੀ ਤੇ ਕਰ ਅਫਸਰ (iv) ਕਰ ਇੰਸਪੈਕਟਰ/ਆਬਕਾਰੀ ਇੰਸਪੈਕਟਰ/ ਮੁੱਖ ਦਫਤਰ ਦਾ ਦਫਤਰੀ ਅਮਲਾ ਅਤੇ ਹੇਠਲੇ ਦਫਤਰ ਦਾ ਦਫਤਰੀ ਅਮਲਾ।

ਕ੍ਰਮ ਅੰਕ	ਵਿਭਾਗ ਦਾ ਨਾਂ	ਸੇਵਾਵਾਂ ਦਾ ਨਾਮ ਜਿਨ੍ਹਾਂ ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ ਅਜੇ ਤਕ ਟੈਨਟੇਟਿਵ ਹਨ
10	ਪੁਲਿਸ ਵਿਭਾਗ	(i) ਪੁਲਿਸ ਇੰਸਪੈਕਟਰਾਂ (ii) ਵਾਇਰਲੈਸ ਪੁਲਿਸ ਇੰਸਪੈਕਟਰਾਂ
11	ਪੁਨਰਵਾਸ ਵਿਭਾਗ	ਕਲਾਸ I, II ਅਤੇ III ਦੀ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ
12	ਟਾਊਨ ਅਤੇ ਕੰਟਰੀ ਪਲੈਨਿੰਗ ਵਿਭਾਗ	ਟਾਊਨ ਅਤੇ ਕੰਟਰੀ ਪਲੈਨਿੰਗ ਵਿਭਾਗ ਦੀਆਂ ਸਾਰੀਆਂ ਸੇਵਾਵਾਂ ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ
13	ਆਰਕੀਟੈਕਟ ਵਿਭਾਗ	ਆਰਕੀਟੈਕਟ ਵਿਭਾਗ ਦੀਆਂ ਸਾਰੀਆਂ ਸੇਵਾਵਾਂ ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ
14	ਪੰਜਾਬ ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ : (ਭਵਨ ਤੇ ਮਾਰਗ ਸ਼ਾਖਾ)	ਭਾਗ ਅਫਸਰ ਤੇ ਸਬ-ਡਿਵੀਜਨਲ ਇੰਜੀਨੀਅਰਜ਼ ਸਿਵਲ/ਇਲੈਕਟਰੀਕਲ/ਮਕੈਨੀਕਲ
15	ਪੰਜਾਬ ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਜਨ ਸਿਹਤ ਸ਼ਾਖਾ	ਸੁਪਰਡੈਂਟ ਭਵਨ ਤੇ ਮਾਰਗ ਸ਼ਾਖਾ ਭਾਗ ਅਫਸਰ ਸਿਵਲ/ਇਲੈਕਟਰੀਕਲ ਆਦਿ
16	ਪੰਜਾਬ ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ ... ਸਿੰਜਾਈ ਸ਼ਾਖਾ	1. ਆਰਜੀ ਇੰਜੀਨੀਅਰ 2. ਕਾਇਮ ਮੁਕਾਮ ਉਪ-ਮੰਡਲ ਅਫਸਰ 3. ਉਪ-ਮੰਡਲ ਅਫਸਰ
17	ਸਪੋਰਟਸ ਵਿਭਾਗ	ਸਪੋਰਟਸ ਵਿਭਾਗ ਦੀਆਂ ਕਲਾਸ I ਅਤੇ II ਦੀਆਂ ਸੀਨੀਅਰਤਾ ਸੂਚੀਆਂ।

Copy of Punjab Government circular letter No. 13/9/78-2PP/247, dated 2nd December, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc

Subject.—Association Government employees in the activities of the religio-cultural organisations/bodies—Policy regarding.

I am directed to address you on the subject noted above and to say that Government has been considering whether Government employees are to be treated as prohibited from taking part in proselytising activities under the provisions of the Punjab Government employees (Conduct) Rules, 1966. The Government has decided that although, under the Constitution of India, servants of the State are entitled in their private lives to profess and practise any religion freely, they should so conduct themselves in public as to leave no room for an impression that they are likely, in their official dealings, to favour persons belonging to any particular religion. Such an impression is bound to arise in respect of a Government employee who participates in bringing about or organises conversions from one religion to another and such conduct would be even more reprehensible if, in the process, he makes use, directly or indirectly, of his official position or influence.

2. Although a specific provision in this regard does not exist in the aforesaid Rules, participation in proselytising activities may be treated as good and sufficient reason for taking disciplinary action against a Government employee under rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970. I am, therefore, directed to say that State Government employees should be discouraged from involving themselves in the religious activities of any organisation/body. The Government employees should devote themselves to their main duty of giving a clean and impartial administration to the State.

3. The above policy of the Government may be brought to the notice of all concerned, for compliance.
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ਰਾਸ਼ਟਰੀ ਪੱਤਰ ਨੰ: 7/15/78-2ਪੀਪੀ, ਮਿਤੀ 13 ਦਸੰਬਰ, 1978 ਵੱਲੋਂ ਪਰਸੋਨਲ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸੁਧਾਰ ਵਿਭਾਗ ਵੱਲ ਰਾਜ ਵਿਚ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ ।

ਵਿਸ਼ਾ:—8-2-78 ਦੀ ਹੁਕਮਨਾਮਾ ਵਿੱਚ ਹਿੱਸਾ ਨਾ ਲੈਣ ਵਾਲੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਇਕ ਸਮਾਂ ਪੂਰਵ ਇਨਕਰੀਮੈਂਟ ਦੇਣ ਬਾਰੇ ।

ਹਦਾਇਤਾਂ ਨੰ: 4548-2ਪੀਪੀ-78/ , ਮਿਤੀ 16-6-78 ਰਾਹੀਂ ਸਰਕਾਰ ਦਾ ਇਹ ਫੈਸਲਾ ਆਪਣੀ ਨੂੰ ਦੱਸਿਆ ਗਿਆ ਸੀ ਕਿ 8-2-78 ਦੀ ਹੁਕਮਨਾਮਾ ਵਿਚ ਹਿੱਸਾ ਨਾ ਲੈਣ ਵਾਲੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਇਕ ਸਮਾਂ ਪੂਰਵ ਇਨਕਰੀਮੈਂਟ ਦਿੱਤੀ ਜਾਵੇ ਅਤੇ ਇਹ ਇਨਕਰੀਮੈਂਟ ਉਸ ਤਨਖਾਹ ਸਕੇਲ ਵਿਚ ਦਿੱਤੀ ਜਾਵੇ ਜਿਸ ਵਿਚ ਉਹ ਕਰਮਚਾਰੀ 8-2-78 ਨੂੰ ਕੰਮ ਕਰ ਰਹੇ ਸਨ । ਇਹ ਵੀ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਇਕ ਸਮਾਂ ਪੂਰਵ ਇਨਕਰੀਮੈਂਟ ਦੇਣ ਦੇ ਨਾਲ ਕਰਮਚਾਰੀਆਂ ਦੀ ਨਾਰਮਲ ਇਨਕਰੀਮੈਂਟ ਦੀ ਬਣਦੀ ਮਿਤੀ ਤੇ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦਾ ਪ੍ਰਭਾਵ ਨਹੀਂ ਪਵੇਗਾ । ਇਹ ਗੱਲ ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਈ ਗਈ ਹੈ ਕਿ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੇ ਬਾਵਜੂਦ ਕੁਝ ਵਿਭਾਗਾਂ ਵਿਚ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਹਦਾਇਤਾਂ ਨੂੰ ਠੀਕ ਨਾ ਸਮਝਣ ਕਰਕੇ, ਬਣਦੀ ਮਿਤੀ ਨੂੰ ਨਾਰਮਲ ਇਨਕਰੀਮੈਂਟ ਨਹੀਂ ਦਿੱਤੀ ਗਈ ਹੈ । ਇਸ ਲਈ ਮੈਨੂੰ ਇਹ ਸਪਸ਼ਟੀਕਰਣ ਜਾਰੀ ਕਰਨ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਸਰਕਾਰ ਦਾ ਇਹ ਮਨਸ਼ਾ ਸੀ ਕਿ 8-2-78 ਤੋਂ ਸਮਾਂ ਪੂਰਵ ਇਨਕਰੀਮੈਂਟ ਦੇ ਦੇਣ ਨਾਲ ਨਾਰਮਲ ਇਨਕਰੀਮੈਂਟ ਜੋ ਸਬੰਧਤ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਬਣਦੀ ਮਿਤੀ ਨੂੰ ਦਿੱਤੀ ਜਾਣੀ ਸੀ ਵੀ ਦਿੱਤੀ ਜਾਵੇ । ਇਸ ਲਈ ਆਪ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਇਹ ਯਕੀਨੀ ਬਣਾਇਆ ਜਾਵੇ ਕਿ ਜਿਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਇਕ ਸਮਾਂ ਪੂਰਵ ਇਨਕਰੀਮੈਂਟ ਦਿੱਤੀ ਗਈ ਹੈ, ਉਨ੍ਹਾਂ ਨੂੰ ਬਣਦੀਆਂ ਮਿਤੀਆਂ ਨੂੰ ਨਾਰਮਲ ਇਨਕਰੀਮੈਂਟ ਦਿੱਤੀ ਜਾਵੇ ਭਾਵੇਂ 8-2-78 ਤੋਂ ਉਨ੍ਹਾਂ ਨੂੰ ਇਕ ਸਮਾਂ ਪੂਰਵ ਇਨਕਰੀਮੈਂਟ ਦਿੱਤੀ ਗਈ ਹੈ ।

Copy of Punjab Government circular letter No. 21/11/78-5PP, dated 18th December, 1978, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments, etc., etc.

Subject.—Earmarking of vacancies for the Released Army Personnel—Extension of Reservation in the Punjab State Technical (Medical and Engineering) Services—Continuance of reservation—Framing of rules.

I am directed to address you on the subject and to say that the State Government have reserved 20 per cent posts in technical (Medical and Engineering) Services for the Released Armed Forces Personnel. The Rules framed in this behalf have been published in the Punjab Government Gazette of the 20th October, 1978, a copy of which is enclosed for your information and further necessary action.

(Published in the Punjab Government Gazette, Legislative Supplement, dated the 27th October, 1978)

PUNJAB GOVERNMENT

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS

(PERSONNEL POLICIES)

Notification

The 20th October, 1978

No. G.S.R. 111/Const./Art. 309/78.—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 regulating the reservation of vacancies in the Punjab State Technical (Medical and Engineering) services for the Released Indian Armed Forces Personnel and the recruitment of such personnel to such vacancies, namely:—

1. *Short title, commencement and duration.*—(1) These rules may be called the Demobilised Indian Armed Forces Personnel Reservation of Vacancies in the Punjab State Technical (Medical and Engineering) Services Rules, 1978.

(2) They shall be deemed to have come into force on the 31st day of December, 1976 and shall remain in force up to the 31st day of December, 1978.

2. *Application.*—These rules shall apply to all posts of technical nature under the Punjab State Government in Medical and Engineering Services which are to be filled up by direct recruitment.

3. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) "Commission" means the Punjab Public Service Commission ;

(b) "direct recruitment" means recruitment made through the Commission or by means of an open competitive examination or test held by any other recruiting authority ;

- (c) "Indian Armed Forces Personnel" means the Emergency Commissioned Officers, the Short Service Regular Commissioned Officers, the Junior Commissioned Officers, the Non-Commissioned Officers and other ranks of the Armed Forces of the Union ;
- (d) "release" (with its grammatical variations) means release as per the scheduled year of release after a spell of service, from the Armed Forces of the Union but does not include release during or at the end of training, or during or at the end of Short Service Commission granted to cover periods of such training prior to being taken in actual service or release on account of misconduct or inefficiency or at the request of a Released Indian Armed Forces Person himself ;
- (e) "Released Indian Armed Forces Personnel" means the Indian Armed Forces Personnel who were commissioned to or who joined the Armed Forces of the Union, as the case may be, on or after the 1st day of November, 1962, but before the 10th day of January, 1963 and who were released on demobilisation thereafter but does not include :—
- (i) Volunteer Reserved Forces Personnel of the Armed Forces of the Union called upon for temporary service ; or
 - (ii) Indian Armed Forces Personnel who, before the appointment against vacancies reserved under these rules :—
 - (a) are granted permanent commission ; or
 - (b) joined or join a civil service of the Union or a civil service of a State or a civil post under the Union or a State after their release from the Armed Forces of the Union ;
 - (iii) Engineers and Doctors employed under the Central Government or State Government or Government-owned industrial undertakings after 1963, who were required to serve in the Armed Forces of the Union for a minimum prescribed period under the Compulsory Liability Scheme and who are granted Short Service Commission under the rules during the period of such service ;

(f) "Scheduled year of release" means—

- (i) in so far as it relates to the Emergency Commissioned Officers, the year in which they are due for release in accordance with the phased programme approved by the Government of India in the Ministry of Defence ;
- (ii) in so far as it relates to the Short Service Commissioned Officers the year in which their normal tenure of 3 or 5 years, as the case may be, as Short Service Commissioned Officer is to expire ;
- (iii) in so far as it relates to the Indian Armed Forces Personnel who are invalidated out of service owing to a disability attributed to or aggravated by military service, the year in which they were so invalidated out of service ;
- (g) "temporary vacancies which are likely to be made permanent or likely to continue on long-term basis" means vacancies arising in the Service due to death, retirement, resignation or promotion of incumbents from one post or grade to a higher post or grade, including deputation for a period exceeding three years and includes vacancies arising from creation of temporary posts, which are likely to be made permanent or to continue on a long-term basis.

4. *Reservation of Vacancies*.—(1) Twenty per cent of the vacancies in the Service to be filled up by direct recruitment shall be reserved for being filled up by the Released Indian Armed Forces Personnel.

(2) The provisions of sub-rule (1) shall apply to—

- (i) permanent vacancies which are filled initially either on a temporary basis or on a permanent basis ; and
- (ii) temporary vacancies which are likely to be made permanent or to continue on a long-term basis.

(3) Notwithstanding anything contained in these rules, the total number of vacancies reserved in the Service for the Released Indian Armed Forces Personnel and the Scheduled Castes, Scheduled Tribes and Backward Classes, shall not exceed, in any year fifty per cent of the total number of vacancies to be filled up in the Service by direct recruitment in that year.

(4) Where in any year any vacancies reserved for the Released Indian Armed Forces Personnel, remain unfilled for want of suitable Released Indian 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. The number of such vacancies shall be carried forward to the next succeeding year or years subject to the provision of sub-rule (3) :

Provided that no such vacancy shall be carried forward for more than four years.

5. *Method of recruitment, age-limit, qualifications, etc. of Released Indian Armed Forces Personnel.*—(1) The vacancies reserved for the Released Indian Armed Forces Personnel shall be filled by selection of the eligible personnel on the basis of their record of military service and their performance at a written examination or test, interview or any of them as may be prescribed by the Punjab government and to be conducted by the Commission or Punjab Subordinate Services Selection Board, or any other recruiting authority.

(2) (a) No Released Indian Armed Forces Personnel shall be eligible to compete for the reserved vacancy unless —

- (i) he possessed the educational and other qualifications prescribed for the service to which these rules apply at the time of joining the pre-Commission training or at the time of getting the Commission where there is only post-Commission training; and
- (ii) his age on the crucial date of the year in which he joined the pre-Commission training or got the Commission where there is only post-Commission training did not exceed the upper age limit prescribed for the Service.

Explanation.—The expression 'crucial date' means such date of the relevant year specified by the Punjab government for the purpose of upper age-limit prescribed for recruitment to a post in the service.

(b) No Released Indian Armed Forces Person shall be permitted to compete more than three times for recruitment to the service.

(c) No Released Indian Armed Forces Person shall be eligible for appointment unless he, after release, is found to be physically fit according to the rules applicable to the service,

(d) Notwithstanding anything contained in clause (c), a Released Indian Armed Forces Person who suffers from disability caused during active service, may be considered for recruitment if the Department employing such a personnel is satisfied that he shall be able to perform the basic duties of the post for which he is to be recruited.

(3) Each Released Indian Armed Forces Person shall produce a certificate from such competent authority, as may be specified by the Punjab Government in this behalf from time to time, to the effect that he is a Released Indian Armed Forces Personnel.

6. *Seniority and Pay.*—(1) Seniority and pay of the persons who are appointed against the vacancies reserved under rule 4 shall be determined on the assumption that they joined the Service at the first opportunity they had after they joined the military service or training prior to their Commission.

(2) Seniority *inter se* of persons who are appointed against the vacancies reserved under rule 4 and allotted to a particular year shall be determined on the basis of their dates of birth, the persons older in age to be placed senior to the one younger:

Provided that in the case of persons 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 persons appointed against the vacancies reserved under rule 4 shall rank below the persons appointed by direct recruitment in the year to which the former are allotted.

7. *Interpretation.*—If any question arises as to the interpretation of these rules, the State Government shall decide the same.

8. *Overriding effect of these rules.*—The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any other rules.

S. S. PURI,

Chief Secretary to Government, Punjab.

Copy of letter No. 6/127/78-PP/45, 5th January, 1979, from the Chief Secretary to Government, Punjab, to all Administrative Secretaries to Government, All Heads of Departments, Registrar, Punjab and Haryana High Court, Commissioners of Divisions and Sub-Divisional Officers (C) in the Punjab, and others.

Subject.—Regularisation of services of *ad hoc* employees covered under Government instructions, dated 29th January, 1973 and 3rd May, 1977.

I am directed to say that recently a review of the progress made in the regularisation of the services of *ad hoc* employees covered by the instructions cited as subject has been made, and it has been found that, in several departments, a number of *ad hoc* employees still remain to be regularised for want of completion of certain procedural and other formalities. This circular is being addressed to you with a view to facilitating action to be taken for a very quick regularisation of services of various eligible *ad hoc* employees.

2. It may be recalled that, in terms of the circular issued on 29th January, 1973, certain employees were to be regularised with effect from 1st January, 1973. Later on, in Punjab Government circular No. 8042-SII (ASO)-74/38357, dated 22nd November, 1974, various Administrative Departments were advised that all pending cases of such *ad hoc* employees should be referred to the Department of Personnel. It has now been decided that no such reference would be necessary and that the concerned departments may dispose of such cases in the same manner as is applicable to the cases of *ad hoc* employees covered by the instructions, dated 3rd May, 1977.

3. In respect of the *ad hoc* employees covered for regularisation, instructions, dated 3rd May, 1977 had prescribed certain conditions. These conditions were as follows :—

- (i) The *ad hoc* employees must have completed a minimum of one year's service on the 31st March, 1977;
- (ii) They fulfil the academic qualifications including experience, if any, prescribed for the job/post including the conditions of age at the time of their first appointment as such;
- (iii) Their names had been recommended for such appointment by the Employment Exchange or their applications had been received in response to the advertisement made for filling up of such posts;

- (iv) Their work and conduct has been satisfactory ;
- (v) A regular post/vacancy is available for regularisation ; and
- (vi) Notional break upto a period of one month may be condoned.

4. As far as the condition regarding the fulfilling of the prescribed academic qualifications including experience is concerned, it is substantive in character and there is no intention of dispensing with this condition. In other words, only those *ad hoc* employees are to be regularised. As regards the completion of the procedural formalities relating to medical fitness and verification of antecedents, it has been decided that their completion need not hold up the issue of orders for regularisation. The competent authority may go ahead to issue orders for regularising the services of *ad hoc* employees on a conditional basis. These orders should specify, that in the event of the concerned employees being found to be medically unfit/or their character and antecedents being found to be objectionable, their services would be terminated without any notice.

5. As already stated, another condition prescribed in the present circulars is to be effect that the concerned *ad hoc* employee to be regularised should have been recommended for employment by the employment exchange or his application should have been received in response to advertisement made for filling up the post. This condition is relevant in respect of an *ad hoc* employee who has been directly recruited from the open market and in whose case a report to such a procedure was feasible and necessary. However, there are a number of *ad hoc* employees who have been appointed by methods other than direct recruitment. For instance, there are cases where initially certain persons were work-charged employees and were later on appointed, on *ad hoc* basis, to posts in regular establishment. In such cases, the above condition regarding recruitment through employment exchanges will not deem to be applicable. Again there are a number of *ad hoc* employees who have been appointed to the present posts by promotion from the lower posts. Their services may also be regularised on the fulfilment of the condition that their appointment to the lower posts was made in accordance with the prescribed procedure, namely by inviting names through employment exchanges or by advertising the post. It is necessary to clarify that there is no intention whatsoever to relax the educational qualifications or the experience that stands prescribed for the post.

6. Government hope that in the light of the clarifications and modifications indicated above, it would now be possible for the department to expedite the processing of individual cases and all cases would be disposed of by 15th January, 1979. It will be appreciated, if at the end of this period, a report is sent to the Government in the Department of Personnel indicating that all cases eligible for regularisation have been disposed of. If, for any unavoidable reason, any case is left over after this period, the number of such cases may also be reported.

Copy of Punjab Government circular letter No. 7/15/78-2PP/51, dated 6th January, 1979, from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Grant of one premature increment to the non-gazetted employees who did not participate in the strike on 8th February, 1978.

I am directed to say that in Punjab Government circular letter No. 4548-2PP-78/ , dated the 16th June, 1978, a decision was conveyed, *inter-alia*, for the grant of one premature increment to those non-gazetted employees who did not participate in the strike on 8th February, 1978,—*vide* circular letter No. 7/15/78-2PP, dated the 13th December, 1978, it was clarified that with the grant of one premature increment the normal increment that would have been due to the employees concerned should also be allowed. Clarification on certain points have further been sought by some departments and offices. The matter has been considered by Government and the clarification on each point is given below:—

1. *Whether the benefit of premature increment is to be allowed to ad hoc employees.*

No. The benefit is to be confined to regular employees.

2. *Whether the benefit of premature increment is to be given to an employee who has been awarded the penalty of stoppage of an increment.*

Yes. The benefit is to be allowed to such an employee as the grant of an incentive for attending office in defiance of the strike

call has nothing to do with a penalty awarded to an employee for some other reason.

3. *Whether the benefit of premature increment is to be given to those regular employees who did not complete one year's service on 8th February, 1978 and attended office on that date.*

Yes. The benefit of the premature increment is to be given to them. The length of service of an employee on the crucial date, i.e. 8th February, 1978 has no relevance with this premature increment.

4. *Whether the benefit of premature increment is to be given to officials who were officiating or working on temporary posts in a higher scale on 8th February, 1978.*

Yes. An actual increment is to be allowed in the scale of pay of the higher post and a notional increment in the scale of pay of the lower post on which the employee may be holding lien. In the event of his reversion, the benefit of premature increment in the lower scale will be allowed.

5. *Whether the benefit is to be allowed to those officials who were under suspension on 8th February, 1978.*

No. The benefit of premature increment is not to be given to such employees.

6. *Whether the premature increment is to be allowed to employees working in Punjab Government offices outside the state e.g., Delhi, Faridabad and Calcutta, if they did not participate in the strike on 8th February, 1978.*

Yes. The benefit is admissible to such employees provided it was a working day in the Punjab Government offices located at those places.

7. *Whether the benefit of premature increment is to be allowed to probationers.*

Yes. The benefit is to be given to probationers appointed on a regular basis.

8. *Whether the benefit of premature increment is to be allowed to those employees who remained on strike for two hours only and, thereafter attended office.*

No. Because an employee who observed strike even for a part of the day does not deserve any encouragement.

2. Necessary action in the light of the clarifications given above may please be taken immediately.

Copy of letter No. 7/15/78-2PP/34, dated Chandigarh, the 20th February, 1979 from Government of Punjab Department of Personnel and Administrative Reforms addressed to 1. All Administrative Secretaries to Government, Punjab. 2. All Heads of Departments, Commissioners of Divisions, Registrar, Punjab and Haryana High Court, Deputy Commissioners and Sub-Divisional Officers (Civil) in the State.

Subject.—Grant of one premature increment to the non-gazetted employees who did not participate in the strike on 8th February, 1978.

In continuation of Punjab Government Circular letter No. 7/15/78/2PP/51, dated the 6th January, 1978, on the subject, I am directed to convey clarifications on certain other points as under:—

- (1) Whether a premature increment is to be given to employees who were on casual leave/earned leave/maternity leave or leave of any other kind and on weekly rest on 8th February, 1978, when a section of the employees went on strike.

No, the decision to grant a premature increment is to be confined only to those non-gazetted employees who did not join the strikers, but attended the office on 8th February, 1978, as usual.

- (2) Whether the benefit of premature increment is to be ALLOWED TO THOSE EMPLOYEES WHO WERE NOT IN SERVICE on 8th February, 1978, because of their premature retirement but were reinstated in service after 8th February, 1978, and given leave of the kind due for the period they remained out of service.

No, they are not be allowed the benefit of premature increment.

- (3) Whether non-gazetted employees of Chandigarh Administration or other State Governments on deputation to Punjab are entitled to the grant of premature increment.

No, the decision of the Government of Punjab is not applicable to Chandigarh Administration or any other Government who are concerned with their own employees.

- (4) Whether non-gazetted employees of Punjab on deputation to Punjab State Undertakings/Chandigarh Administration/other Governments/Foreign organisations re-entitled to the grant of premature increment.

The employees of Punjab on deputation to Chandigarh Administration/other Governments/Foreign organisations are not entitled to the grant of premature increment.

As regards those employees who were on deputation to Punjab State Corporations/Boards, it has been decided that the Board of Directors of each Undertaking/Board may consider the Government's circular letter No. 4548-2PP-78, dated the 16th June, 1978, keeping in view the position as it obtained on 8th February, 1978, in respect of its employees and take appropriate decision.

- (5) *Whether ad hoc and work-charged employees are entitled to the grant of premature increment :—*

Vide Punjab Government circular letter dated 6th January, 1979, mentioned above it has been clarified that the premature increment is not to be allowed to the *ad hoc* employees and the benefit is to be confined to regular employees. It is further clarified that those *ad hoc* and work-charged employees whose services stood regularised on 8th February, 1978, under Government instructions should be allowed the premature increment if they had attended the office on 8th February, 1978. Those employees whose services are to be regularised with effect from 8th February, 1978, or any date prior to that, under the existing instructions relating to regularisation, but the process of regularisation is still pending, should be allowed the premature increment, as soon as the process of regularisation of their services is completed, if they had attended office on 8th February, 1978.

Those *ad hoc* and work-charged employees whose services are not entitled to be regularised as per the existing instructions with effect from 8th February, 1978, or any date prior to that, are not entitled to the premature increment.

2. Necessary action in the light of the clarifications given above may please be taken immediately.

Yours faithfully,

(Sd.) . . . ,
Under Secretary Personnel,
for Chief Secretary to Government, Punjab.

No. 7/15/78-2PP/35, dated Chandigarh, the 20th February, 1979.

Copy of Punjab Government circular letter No. 14/36/78-2PP, dated 20th February, 1979, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Suspension of Government employees—Policy regarding.

I am directed to say that in Punjab Government Circular letter No. 1270-2PP-78/15809, dated the 16th May, 1978, the policy regarding the suspension of Government employees was communicated. Clarification on a few points has been sought by some departments. The matter has been considered by Government and the clarification on each point is given below:—

- (1) *From which date the employee should be considered to have been suspended/reinstated in case the suspension/reinstatement orders are not given effect to on the date they are issued, because of the late communication to the employee concerned ?*

It is a well-settled fact that the order of suspension comes into effect from the date it is issued and not from the date it is served upon the employee concerned. The case of reinstatement will take effect on the date the employee actually joins his duty. In order to ensure that the orders of suspension/reinstatement reach the employee concerned on the date they are issued, efforts should be made to get the orders delivered by hand, if possible, and where it is not possible, telegraphic message should be sent, to be followed by detailed orders. In cases where the suspension orders are not delivered to the employee concerned on the day they are issued, in spite of having taken action as above, the orders of suspension may be modified to give effect to them from the date on which the employee concerned actually left the charge of the post so as to ensure that

the employee concerned is not denied the payment of pay and allowances for the period he performed the duties of his post till the receipt of the suspension orders.

- (2) *Whether it is necessary for the suspended employee to attend office daily ?*

A suspended Government employee ceases to exercise the powers and discharge the duties of his office during the suspension period, though he continues to be subject to the disciplinary control of the same authorities. There is no rule under which a suspended employee can be required to attend and mark his presence in the office daily unless he is specifically called for by the controlling authority concerned. However, it is advisable not to impose any general condition of getting the presence marked daily in the case of suspended employees, whether gazetted or non-gazetted.

- (3) *Whether payment of the subsistence allowance could be stopped in case the suspended employee leaves the headquarters fixed for him without permission of the competent authority ?*

The payment of subsistence allowance is regulated under rule 7.2 of Punjab C.S.R. Volume I, Part I. There is no provision in these rules for stopping the subsistence allowance, if the suspended employee leaves headquarters without prior permission. It is considered that it is not necessary to stop the subsistence allowance of such Government employees, for the period for which they remain absent from headquarters without prior permission, for the reason that if they do so they render themselves liable to further disciplinary action. If the unauthorised absence continues over long period(s), thereby delaying the proceedings against the suspended employee, then recourse can be taken to the provisions of Rule 7.2(1)(ii) *ibid*, according to which the amount of subsistence allowance may be reduced by suitable amount not exceeding 50 per cent of the subsistence allowance admissible during the period of the first six months, if in the opinion of the authority, the period of suspension has been prolonged due to reasons, to be recorded in writing directly attributable to the Government employee concerned.

2. The above clarification may be brought to the notice of all concerned for compliance.
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Copy of Punjab Government circular letter No. 16/72/78-2PP/ dated 27th February, 1979, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Re-instatement in service of an employee whose voluntary retirement has become effective—Policy regarding.

I am directed to invite a reference to Punjab Government Circular letter No. 4427-2PP-78/17892, dated the 7th June, 1978,—vide which the employees have been given the right to seek voluntary retirement after completion of 20 years of qualifying service. In this Circular letter, it has *inter alia*, been laid down that a notice of voluntary retirement may be withdrawn subsequently only with the approval of the appropriate authority provided the request for such withdrawal is made before the expiry of the notice. A question has arisen whether the request for being taken back in service of a person who is allowed to retire voluntarily after the expiry of the notice period could be accepted by the appropriate authority. The matter has been considered by Government, keeping in view the policy of the Government of India, and it has been decided that there being no provision in the Punjab Civil Services (Premature Retirement) Rules, 1975 to this effect, a government employee who is allowed to retire voluntarily after the expiry of this notice period shall not be permitted to withdraw the notice of voluntary retirement once it has become effective and he has been relieved of his official duties.

2. This policy may be brought to the notice of all concerned.

Copy of Punjab Government circular letter No. 8/110/78-PP/55, dated 5th March, 1979, from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Ban on transfers of Officers on the eve of General Election and Bye-Elections.

In continuation of Punjab Government letter No. (6269)-8/110/78/6PP/30707, dated 7th/22nd September, 1978, on the subject noted above, I am directed to enclosed a copy of circular letter No. 434/1/78, dated the 20th November, 1978, from the Secretary, Election Commission of India and to request you kindly to ensure strict compliance of these instructions at the time of General Election/Bye Election in the State.

2. These instructions may kindly be brought to the notice of all concerned under your control for guidance and strict adherence.

Copy of Circular letter No. 434/1/78, dated the 20th November, 1978, from Shri T. Nagarathnam, Secretary Election Commission of India, Nirvachan Sadan, Ashok Road, New Delhi to (1) The Chief Electoral Officers of all the States, (2) The Administrators of all the Union Territories.

Subject.—General Elections/Bye-elections to House of the People/Legislative Assemblies—Transfer of Officers on the eve of Elections—Ban thereof.

I am directed to invite your attention to the Commission's circular letter No. 434/1/77, dated 18th July, 1978 in which it was requested that no transfers and postings etc. should be made on the eve of General Elections/Bye-elections. I am, in this connection, to say that allegations continue to be received in the commission particularly when bye-elections are held that State Governments manipulate the transfers and postings of the officers connected with the elections. The Commission therefore considers it necessary that transfers of the officials dealing with elections including police officials should be avoided from the date the Commission's approval for the programme for holding the election bye-election is received by the State Government.

I am, accordingly, to request that the above instructions regarding the transfers of officers after the approval of the programme for holding elections may be strictly complied with at all future elections/bye-elections.

The receipt of this letter may kindly be acknowledged.

Copy of Punjab Government circular letter No. 13/6/79-2PP/933, dated 24th March, 1979, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Participation by Government employees in the Shiromani Gurdwara Prabandhak Committee Elections.

I am directed to say that with a view to ensuring that the ensuing Shiromani Gurdwara Parbandhak Committee Elections are

conducted peacefully and in a free and impartial manner, Government have decided that Government employees should not canvass or otherwise interfere or use their influence in regard to these elections. They can, however, exercise their right to cast votes for candidates of their own choice but without giving indication of the manner in which they propose to vote or have voted. I am also directed to add that the Government employees engaged in election duty should not do anything, by their act or conduct, which tends to impair their impartiality.

2. These instructions may be brought to the notice of all Government employees working under your control for strict compliance. Any infringement of these instructions, will be viewed seriously.

Copy of Punjab Government circular letter No. 2/4/79—PP/990, dated 26th March, 1979, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Medical Examination of Staff Car Drivers.

It has been brought to the notice of the Government that some of the Drivers of Staff Cars/Jeeps etc. are suffering from certain ailments and infirmities like night blindness. It goes without saying that the Drivers of such vehicles should be physically fit, particularly with regard to eyesight, otherwise they put in jeopardy their own and their passengers lives, not to speak of Government property. At present these Drivers are not subjected to medical check-up at regular intervals during their service. I am directed to say that after consideration of the matter, it has been decided by Government that whenever a Driver is believed to be physically incapable of performing his duties satisfactorily, he may be directed to appear before a Medical Board to test his physical fitness for the efficient discharge of his duties. Attention in this connection is invited to Rule 3.5-A. of the Punjab Civil Services Rules, Volume I, Part I, which provides for such a medical examination.

Copy of Punjab Government circular letter No. 4/14/78-1PP/ , dated 27th March, 1979 from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Promotion of Government employees during leave preparatory to retirement.

I am directed to say that a doubt has arisen whether a Government employee who has proceeded on leave preparatory to retirement can be considered for promotion to a higher post if his turn comes round during such leave, according to the provisions of the respective service rules. The matter has been considered in consultation with the Government of India and it has been concluded that since a Government employee has a legal right to be considered for promotion to a higher post on his turn till he actually retires, such an employee cannot be debarred from consideration for promotion simply for the reason that he has proceeded on leave preparatory to retirement. In the event of his selection, the employee concerned, if interested in joining on a higher post, may be given the approval of the competent authority in terms of Rules 8.43(2) of the Punjab Civil Services Rules, Volume I Part I to re-join his duties.

2. The above position may be brought to the notice of all concerned.

Copy of U.O. No. 27/6/78-IPP, dated the 27th March, 1979, from the Chief Secretary to Government, Punjab to all Administrative Departments.

Subject.—Transmission of cases to the Department of Personnel for advice.

The undersigned is directed to say that, in this Department U.O. Circular No. 2091-SII (3)-72, dated the 7th April, 1972, instructions were issued to the effect that cases relating to service matters of Government employees should be referred to the Department of Personnel and Administrative Reforms for advice after ensuring that :—

- (1) that issue involved therein have been fully examined by the departments.

- (ii) it is absolutely necessary to refer the case ;
- (iii) the point (s) requiring clarification/advice have been clearly brought out ;
- (iv) all relevant papers having direct bearing on the case have been added ;
- (v) a duplicate copy of the Administrative Department's note has been added ; and
- (vi) the orders of the Administrative Secretary concerned have been obtained for referring the case.

2. It has been observed that the above instructions are not being fully observed and cases which could be decided at the Administrative Department's level on the basis of Rules, instructions of Government issued from time to time, are referred to this Department, and in some cases, at a lower level and in incomplete form. While in certain cases even the essential documents are not added, in others, superfluous/old papers not referred to in the Administrative Department's note, are made part of the file thus making it bulky and giving it a bad shape. A number of departments have also expressed difficulty in sending relevant files to this department for seeking advice on particular point, because such files are sometimes needed by them for the disposal of some other important/immediate references.

3. Keeping in view the above position, it has now been decided that in a case where the advice of this Department is considered necessary by an Administrative Department, it need not send the relevant file ; instead, a self contained reference, with the approval of Administrative Secretary concerned, giving full details of the case, the views of the department and the specific point(s) on which advice is needed, along with authenticated copies of the documents referred to therein, may be sent. Where considered absolutely necessary, this Department would ask for the relevant files(s). However, before making a reference, the Administrative Department may please fully examine all the points involved in the case in the light of rules/instructions on the subject.

4. The above instructions may kindly be brought to the notice of all concerned for strict observance.

Copy of Punjab Government circular U.O. No. 5/1/79/PP, dated 29th March, 1979, from the Department of Personnel and Administrative Reforms, addressed to all Administrative Secretaries to Government, Punjab.

Subject.—Conversion of temporary posts into permanent ones.

All Administrative Secretaries to Government, Punjab, may please refer to this Department U.O. Nos. 4006-SI(DS)-68/ , dated 6th April, 1968 and 3028-4PP-78/22207, dated 4th July, 1978, on the subject noted above.

2. A proposal regarding framing of Punjab Civil Service (Temporary Service) Rules was considered in the 58th Meeting of the Administrative Secretaries held on 29th January, 1979. The consensus of opinion was that instead of framing new rules, there should be a more vigorous follow-up of the existing policy which provided for the conversion of 80 per cent of temporary posts into permanent ones, if they had continued for a period of 3 years. It was observed by the Committee that, if necessary, this policy may be simplified for making it more effective. It was decided that a review should be made to know the progress of implementation of the decision regarding conversion of temporary posts into permanent ones after these have remained in existence for more than 3 years.

3. It is, therefore, requested that the position in respect of the temporary posts which have been got converted into permanent ones in the Departments/offices under his control may be furnished in the following proforma:—

- (i) Name of the Department.
 - (ii) Total number of posts.
 - (iii) Name of posts categorywise.
 - (iv) Number of posts made permanent.
 - (v) Date on which made permanent (if known).
 - (vi) Number of existing temporary posts.
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Copy of Punjab Government circular letter No. 16/13/78-PP/ dated 30th March, 1979, from the Department of Personnel and Administrative Reforms, addressed 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 say that in Punjab Government letter No. 7697-3GSI-77/35080, dated 16th August, 1977, it was intimated that as a matter of policy, no extension in service, including re-employment, beyond the normal age of superannuation should be given to any Government employee in any case but an exception was made *inter alia*, in the case of Teachers who are recipients of National or State Awards. In their case, the policy communicated in Punjab Government letter No. 5167-SII-4(I)-69/19273, dated 17th July, 1969, was to continue, viz. such teachers may be granted extension in service up to the age of 60 years, on year to year basis, provided extension was justified on the basis of their good record of service.

2. It was intimated by the Government of India, Ministry of Education and Social Welfare, sometime ago that according to the legal opinion received by them, the award winners and other teachers could not be treated differently in the matter of extension of service, as such special treatment in favour of the former would be violative of Article 14 of the Constitution. On the basis of this legal advice, the grant of extension on the basis of a teacher having won a National Award was considered to be legally unsustainable.

3. The matter has been carefully considered by the Government of Punjab and it has been decided to fall in line with the policy of Government of India and to withdraw the concession which was given to the teachers who were recipients of National/State Awards in the matter of giving 2 years extension in service. The circular letters mentioned above may please be treated to have been amended accordingly.

Copy of Punjab Government circular letter No. 6/275/78-PP/ , dated 30th March, 1979, from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—Regularisation of services of *ad hoc* employees—Model draft of order regarding.

I am directed to refer to Punjab Government Instructions issued,—*vide* Circular letter No. 279-SII(3)-73/3046, dated 29th January, 1973, and No. 4561-3GSI-77, dated 3rd May, 1977, under which the the services of those *ad hoc* employees are required to be regularised who have put in one year service on the dates specified in these instructions, subject to other conditions mentioned therein. The services of a large number of such *ad hoc* employees have already been regularised. It is being considered if a formal proforma may be specified for regularisation of the services of such *ad hoc* employees. Before adopting such a proforma Government would like to know the number of cases of *ad hoc* employees who are yet to be regularised in pursuance of the above quoted instructions. I am, therefore, to request you kindly to intimate the number of *ad hoc* employees of your department whose services are yet to be regularised in accordance with the above instructions.

Copy of Punjab Government circular letter No. 14/57/78-GE/1695, dated 18th April, 1979, from the Department of Personnel and Administrative Reforms, addressed to all Heads of Departments etc., etc.

Subject.—Allotment of Government Accommodation to Punjab Government employees on priority/out of turn basis—forwarding of applications therefor.

I am directed to say that in the normal course, the applications of Government employees stationed at Chandigarh for allotment of Government accommodation for residential purposes, are forwarded by the Departments/Heads of offices concerned to the House Allotment Committee of the Chandigarh (U.T.) Administration but the applications for out-of-turn allotment are not forwarded to Government. The question of formulating some guide may be kept in view at the time of forwarding the applications has been considered by Government and it has been decided that the application of a Punjab Government employee for the allotment of residential accommodation on priority/out of turn basis would be forwarded to the appropriate House A

Committee of the Chandigarh Administration, if the case falls under one or more of the following categories:—

- (i) Nature of duties involved in the job and public interest. Employees holding crucial posts deserve Government accommodation, so that they are not required to take anyone's obligation in the search for a private house or in having to live in someone else's house, though on payment of normal rent. Also, public would find it inconvenient, if such an officer lives in a private house in some remote part of the town. Moreover, in private houses, the type of which an officer can afford to pay rent and live in, cannot be expected to have enough space where visitors can be accommodated.
- (ii) *Serious ailment in the family.*—In this category, those cases can be considered where any member of the family is suffering from an infectious/contagious disease. In such circumstances it may be difficult to get a full or a part of a private house. Landlords may be reluctant to give their houses on rent to such families.
- (iii) If a Government employee who is in occupation of a Government house dies while in service, and one of the dependants who also is in Government service, puts in an application for the allotment of the same house, if he is entitled to that particular type, his request should be forwarded. If he is not entitled to the same accommodation, his application may be forwarded with a recommendation to allot a house of his entitlement. If a dependant of a Government employee who dies while in service and he was not in occupation of a Government house at the time of his death, then also, the application of the dependant may be forwarded for out-of-turn allotment if the family does not have its own house at Chandigarh.
- (iv) A Government employee who was residing with a retiring Government servant may also be considered for an out-of-turn allotment of a Government house (either the same house or a different one) if the family does not have its own house at Chandigarh.

2. It is requested that the guidelines given above may please be kept in view at the time of forwarding to this Department the applications of Government employees for out-of-turn allotment of residential accommodation.

Copy of Punjab Government circular letter No. 8/20/79-PP/1757, dated 19th April, 1979, from the Department of Personnel and Administrative Reforms addressed to all Heads of Departments etc., etc.

Subject.—General Policy regarding postings and transfers of Punjab Government employees.

I am directed to say that the general policy regarding postings and transfers of Punjab Government employees was conveyed in circular letter No. 2785-6PP-78/12136, dated the 14th April, 1978 (See pages 114—115 ante).

2. The matter has been considered by the State Government and it has been decided that the general policy contained in the above mentioned letter should also be followed during the year 1979-80. However, it has been decided that the general transfers may be ordered up to 31st May this year instead of 15th May, envisaged in the circular of 14th April, 1978.

3. During the year which has just concluded, it was observed that even though there was a ban on ordering mid-term transfers, certain departments of Government continued to propose a number of mid-term transfers and submit their cases to this Department for obtaining the approval of the Chief Minister. In some cases, departments ordered mid-term transfers on their own and later sent up cases for obtaining *ex post facto* approval of the Chief Minister. It will be appreciated that mid term transfers cause dislocation in Government work and inconvenience to the concerned employee in the matter of arranging admission of his children in Schools/Colleges. It is, therefore, requested that mid-term transfers should not be ordered or proposed except in the eventualities mentioned in clause (IX) of circular letter quoted above. As a matter of principle, the number of mid-term transfers should be kept down to the minimum and where a mid-term transfer becomes unavoidable owing to some administrative reasons, the proposal should be submitted, with the approval of the Minister Incharge, to the Department of Personnel and Administrative Reforms, for obtaining the prior approval of the Chief Minister.

4. In the case of the Department of Health and Family Welfare, the Civil Surgeons of the districts are competent to order postings and transfers of P.C.M.S.-II officers within the same district. It has been decided that the Civil Surgeons may, where the exigencies of service so require, order transfers of such officers within the same district and the ban on mid-term transfers shall not apply to such cases.