

## **Punjab Civil Services (General And Common Conditions Of Service) Rules, 1994**

**[04 May 1994]**

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## **Punjab Civil Services (General And Common Conditions Of Service) Rules, 1994**

**[04 May 1994]**

G.S.R.33/Const./Art.309/94.-In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed in Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab, namely :-

## **1. Short title, commencement and application :-**

- (1) These rules may be called the Punjab Civil Services (General and common Conditions of Service) Rules, 1994.
- (2) They shall come into force at once.
- (3) They shall apply to all the posts in Group A, Group B and Group C services in connection with the affairs of State of Punjab.

## **2. Definitions :-**

- (1) In these rules, unless the context otherwise requires,-
  - (a) "Appointment authority" means an appointing authority specified as such in the Service Rules made under Article 309 of the Constitution of India in respect of any service or post in connection with the affairs of the State of Punjab;
  - (b) "Board" means the Subordinate Service Selection Board, Punjab, or any other authority constituted to perform its function;
  - (c) "Commission" means the Punjab Public Service Commission;
  - (d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;
  - (e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;
  - (f) "recognised university or institution" means,-
    - (i) any university or institution incorporated by law in any of the State of India; or
    - (ii) any other university or institution, which is declared by the Government to be recognised university or institution for the purposes of these rules ;
  - (g) "Service" means any Group A Service, Group B Service or Group C Service, constituted in connection with the affairs of the State of Punjab as per scales given in the Appendix ;
  - (h) "Service Rules" means the service rules made under Article 309 of the Constitution of India regulating the recruitment and condition of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab ; and
  - (i) "War hero" means a defence services personnel or a para-military forces personnel, who is a bona fide resident of Punjab State and has been killed or discharged from service on account of disability suffered by him on or after 1st January, 1999, while fighting in war declared so by Government of India, in operations in

Kargil or any other sector in J. and K. in the on going conflict with Pakistan other operations which may be notified by the State Government to have been undertaken for preserving the unity and integrity of the Country ; or

(ii) A defence services personnel or a para-military forces personnel who was a bona fide resident of Punjab State and was posthumously decorated with Parmvir Chakra, Mahavir or Vir Chakra : provided that,-

(a) In exceptional instances, the cases of such War Heroes may also be covered, with the prior approval of the Department of Personnel who though bona fide residents of Punjab State are closely connected to the State of Punjab;

(b) In the case of War Heroes, falling in the category (II), the benefits to be given by the State Government will be restricted only to first generation dependent member/next of the kin.

Note.- The Government reserves the right to include any other category of Awardees for the purpose of providing employment to the category of War Heroes, as may be notified.

### **3. Nationality, domicile and character of persons appointed to the Service :-**

(1) No person shall be appointed to the Service unless he is,

(a) a Citizen of India ; or

(b) a Citizen of Nepal; or

(c) a Subject of Bhutan ; or

(d) a Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or

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

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate but he shall not be

appointed to the service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the Service by direct appointment, unless he produces,-

(a) a certificate of character from the Principal academic officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and

(b) an affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India, or of any Public Sector Undertaking.

#### **4. Disqualification :-**

(1) No person,-

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

#### **5. Age :-**

(1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty seven years of age in the case of technical and non-technical posts on 1st day of January of the year immediately preceding the last date fixed for submission of application by the Commission or the Board, as the case may be :

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts :

Provided further that the upper age limit may be relaxed up to forty-five years in the case of persons already in the employment of the Punjab Government, other State Government or the

Government of India :

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

(2) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.

(3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

(4) In the case of appointment of a War-Hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

#### **5A. Increase in upper age limit :-**

Notwithstanding anything contained in rule 5, on and with effect from the commencement of the Punjab Civil Services (General and Common Conditions of Service) Amendment Rules, 2010, where in any other Service Rules, or in Government instructions, the upper age limit for appointment to any Service or for any category of persons, is different from thirty five years, it shall be deemed to have been increased by two years.

#### **6. Qualification etc :-**

Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for the Service :

Provided that where appointment of Group A and Group B nontechnical post is offered to a war Hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognised university. Such person who is offered Group A and Group B or Group C non-technical post, shall not, however, be required to possess

experience of technical or non-technical post at the time of his initial appointment.

## **7. Probation :-**

(1) A person appointed to any post in the Service shall remain on probation for a period of two years. If recruited by direct appointment and one year if appointed otherwise :-

Provided that,-

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

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

(c) any period of officiating appointment to the Service shall be reckoned as period spent on probation ; and

(d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.

(2) if, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or he has failed to pass the departmental examination, if any, prescribed in Service Rules within a period not exceeding two and a half years from the date of appointment, it may,-

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

(b) if such person is appointed otherwise,-

(i) revert him to his former post; or

(ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may,-

(a) if this work and conduct has in its opinion been satisfactory-

(i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactory, if he is not already confirmed ; or

(ii) declare that he has completed his probation satisfactory, if he is already confirmed ; or

(b) if his work or conduct has not been, in its opinion, satisfactory

or if he has failed to pass the departmental examination, if any, specified in the Service Rules-

(i) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit; or

(ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

Provided that the total period of probation including extension, if any, shall not exceed three years.

## **8. Seniority :-**

The seniority inter se of persons appointed to posts in each cadre of the Service shall be determined by the length of continuous service on such post in that cadre of the Service :

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined by the commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection who join within the time specified in the first proviso:

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

(a) a person appointed by direct appointment shall be senior to a person appointed otherwise;

(b) a person appointed by promotion shall be senior to a person appointed by transfer;

(c) in the case of person appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments from which they were promoted or

transferred ; and

(d) in the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, then by their length of service in these appointments and if the length of such service is also the same, an older person shall be senior to a younger person.

Note.-Seniority of persons appointed on purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

### **9. Liability of members of Service to Transfer :-**

A member of Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Services Rules, Volume-I, Part-1.

### **10. Liability to Serve :-**

A member of the Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.

### **11. Leave, Pension and other matters :-**

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

### **12. Discipline, Penalties and Appeals :-**

(1) In the matter of discipline, punishment and appeals a member of a Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.

(2) The authority empowered to impose penalties specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.



### **13. Liability for vaccination and re-vaccination :-**

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

### **14. Oath of allegiance :-**

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

### **15. Minimum Educational and other qualification :-**

(1) (i) No person shall be given direct appointment to the post of Clerk under the Punjab Government unless he possesses the Bachelors Degree from a recognized University or Institution; and  
(ii) Possesses atleast one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in office Productivity applications or Desktop Publishing applications from a Government recognized institution or a reputed institution, which is ISO 9001, certified.

OR

Possesses a Computer Information Technology course equivalent to O level certificate of Department of Electronics. Accreditation of Computer Course (DOEACC) of Government of India.

(2) The person so appointed as Clerk in terms of the provisions of sub-rule (1), shall have to qualify a test in Punjabi typewriting either on computer or on manual typewriter, to be conducted by the Board or the appointing authority, as the case may be one year from the date of his appointment.

(3) In case, the person fails to qualify the said test within the period specified in sub-rule (2) he shall be allowed annual increment only with effect from the date he qualifies such test, but he shall not be paid any arrears for the period for which he could not qualify the said test:

Provided that where appointment of Group C non-technical post is offered to a War Hero, who has been discharged from defence services or depended member of his family under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be Graduate from a recognised University or Institution. However, such person will, however, be not required to qualify the test in Punjabi typewriting

as specified in sub-rule (2).

**16. Rule 16 :-**

Minimum educational and other qualification for appointment to the Steno-typist Grade-II or Junior Scale Stenographer Grade-II- No person shall be appointed by direct appointment to a post of a Steno-typist Grade II, or a Junior Scale Stenographer Grade II under the Punjab Government unless he,-

(a) possesses the Bachelors Degree from a recognised University or Institution;

(b) qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at speed to be specified by the Government from time to time; and

(c) possesses at least on hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity application or Desktop Publishing application from a Government recognized institution or a reputed institution, which is ISO 9001, certified; or possesses a Computer Information technology course equivalent to O level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India.

**17. Knowledge of Punjabi Language :-**

No person shall be appointed to any post in any Service by direct appointment unless he has passed Matriculation Examination with Punjabi as one of the compulsory or elective subject or any other equivalent examination in Punjabi Language, which may be specified by the Government from time to time :

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the Government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of Department of Education of Punjab Government within a period of six months from the date of his appointment:

Provided further that where educational qualification for a post in any service are lower than the Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle Standards:

Provided further that where a War Hero, who has been discharged

from defence services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language.

Provided further that where a ward of Defence Service Personnel, who is a bona fide resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation Standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

### **18. Promotion to Group A and Group B Services :-**

(1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum benchmark for promotion for such post would be Very Good. The officer who is graded as Outstanding would supersede the officer graded as Very Good.

(b) For promotion to post falling in Group A other than Head of Department, the minimum benchmark will be Very Good as per the instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.

(c) For promotion to post falling in Group B the minimum benchmark will be Good and there shall be no supersession on the basis of merit.

(2) Debarring for consideration for promotion of a Government employee who refuses to accept promotion.-In the event of refusal to accept promotion by a member of a Service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion :

Provided that in case where the appointing authority is satisfied that a member of service has refused to accept promotion under the circumstance beyond his control, it may exempt such a member for reasons to be recorded therefore in writing from the operation of this rule.

### **19. Power to relax :-**

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

Provided that the provisions relating to educational qualification and experience, if any, shall not be relaxed.

**20. Over-riding effect :-**

The provisions of these rules shall have effect notwithstanding anything contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.

**21. Interpretation :-**

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