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For Official use only

# PUNJAB STATE ELECTRICITY BOARD

## MANUAL OF INSTRUCTIONS ON SERVICE MATTERS

VOLUME I  
(Incorporating instructions issued upto 30.11.1982)



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**PUNJAB STATE ELECTRICITY BOARD PATIALA**  
(REGULATION SECTION)

## PREFACE

On the formation of Composite Punjab State Electricity Board on 1.2.1959 it was decided that all the existing Punjab Government orders as were in force in the erstwhile Punjab P.W.D. Electricity Branch shall remain applicable in the Board unless otherwise revoked. Subsequently the Punjab Government instructions issued from time to time were also made applicable in the case of Board employees by adopting the same. Independent instructions were also issued by the Board on service matters off and on. With the passage of time some instructions were lost sight of and certain offices were likely to dispose of cases, on the basis of out-dated and superseded instructions inadvertently. References are also being made to the Board Secretariat for advice due to the ignorance of relevant instructions. This consequently some-times resulted into wrong or delayed disposal of cases which gave rise to administrative and legal complications. Keeping in view this difficulty, effort has been made to compile subject-wise Punjab Government/Board instructions relating to service matters. To begin with, Volume I of this Manual is being issued containing instructions issued from time to time on 11 subjects. The Second Volume containing instructions on the remaining subjects is under compilation and will be issued soon. It is hoped that this "Manual of Instructions" would be of substantial benefit to all the offices and serve as guide to all those dealing with service matters.

N.S. Vasant  
CHAIRMAN,  
PUNJAB STATE ELECTRICITY BOARD,  
PATIALA.

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19.	No. 26943/27565/ Spl. 3 dt. 8-2-74.	Ex-gratia grants and other facilities for families of Government employees who die while in service.	449
20.	O/O No 254 GB  Spl. 3 dt. 7-5-74.	Payment of Ex-gratia grant for the purpose of cremation etc. of Board employees who die as a result of fatal accident.	449
21.	O/O No. 676 GB  Spl. 3 dt. 5-11-74.	- do -	450
22.	No. 5462-5HBI-75/ 10453 dt. 23-5-75.	Ex-gratia grants and other facilities for families of Government employees who die while in service.	450
23.	No. 2358-SII(6)-75/ 20274 dt. 19-6-75.	- do -	450
24.	No. 1454-SII(6)-75/ 21326 dt. 27-6-75.	- do - Clarification with regard to issuing of authority letters for the payment of ex-gratia grants.	451
25.	No. 224-GOI-6FR- 75 18019 dt. 7-8-75.	Ex-gratia payments to the families of Government Servants travelling by service Aircrafts or other Government aircrafts on duty and dying as a result of accident to the aircrafts	454

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26.	No. 4806-3GA-75/51207 dt. 3-12-75.	Ex-gratia grants and other facilities for families of Government employees who die while in service.	455
27.	No. 301-OSD(F)-76/12258 dt. 28-4-76.	Simplification of leave rules.	464
28.	No. 8461-6GS-76/38731 dt. 13-9-76	Ex-gratia grants and other facilities for families of Government employees who die while in service.	465
29.	No. 1418-6GS-77/8188 dt. 1-3-77.	- do -	466
30.	O/O No. 346/GB/Spl. 3 dt. 24-3-77.	Payment of Ex-gratia grant for the purpose of cremation etc. of Board employees who die as a result of fatal accident.	467
31.	No. 13225-6GS-76/12197 dt. 31-3-77.	Priority list for various categories of persons for employment in State Services.	467
32.	Extract of para(7) of circular letter No.6-GOI- 4FR-77/19431 dt. 27-7-77.	Simplification of rules and procedures relating to leave-Punjab C.S.R. Vol. I, Part. I.	468
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36.	No. 18/6/79-FR(6) dt. 24-8-79.	Payment of Ex-gratia grant to the members of the family of a deceased Government employee.	472
37.	No. 16844J/169380/ GB/Spl. 3 dt. 3/9-11-79.	Payment of Ex-gratia grant for the purpose of cremation etc. of Board employees who die as a result of fatal accident.	473
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39.	No. 10792-FD-Loans Cell/SA-III/79/11255 dt.12-12-79.	Ex-gratia grant and other facilities for families of Government servants who die while in service-question of waiving off the recovery of house building advance.	474
40.	No. 17894/18974/ ENG-7(1) 199 dt. 3-3-80.	Employment to the dependents of Board's work-charged employees who die while in service under the priority scheme.	475
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42.	No. 71362/72946/GU/ Spl. 3 dt. 2-5-80.	Payment of ex-gratia grant for the purpose of cremation etc. of Board employees who die as a result of fatal accident.	476
43.	No. 18/15/78-FR(6)/ 11622 dt. 18-12-80.	Ex-gratia payments to the families of Government employees travelling by service Aircrafts or other Government Aircrafts on duty and dying as a result of accident to the aircrafts.	476
44.	No. 9/39/78-GE(4)/ 5076 dt. 20-4-82.	Ex-gratia grant to the families of Government employees, who die while in service-Admissibility of ex-gratia grant to the husband/wife of a deceased Government employee, who has contracted remarriage.	477
45.	O/O No. 14/Pension/ Z-53 dt. 21-5-82.	Finalisation of Pension cases in the case of Board employees who die while in service-completion of formalities.	478
46.	No. 18/6/81-SPP/ 8014 dt. 9-6-82.	Priority list for various categories of persons for employment in State Services.	480
47.	No. 193716/194166/ Reg./ADP-63 dt. 21-10-82.	Ex-gratia grant and other facilities for families of Government servants who die while in service-question of waiving off the recovery of House Building Advance.	481

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3.	No. 6857-FCW(5)- 65/18732 dt. 14-10-65.	—do—	490
4.	No. 8520-FCW(5)- 65/23397 dt. 24-12-65.	—do—	490
5.	No. 2155-FCW(5)-66 /6717 dt. 4-4-66.	Grant of House Rent Allowance to Government employees.	491
6.	No. 8901-FCW(5)- 65 dt. 4-4-66.	—do—	492
7.	No. 3959-FICW(5)- 67/18381 dt. 11-8-67.	Grant of House Rent Allowance to Govt. employees living in their own houses or in their parent's houses.	492
8.	No. 1985-FICW(5)- 67/26369 dt. 31-10-67.	Grant of House Rent Allowance to Government employees.	494
9.	No. 4890-FICW(5)- 67/23530 dt. 31-10-67.	Grant of House Rent Allowance to Govt. employees living in their own houses or in their parent's houses.	495
10.	No. 1483-FICW(5)- 68/6135 dt. 1-4-68.	Grant of House Rent allowance to Government employees-Scope of the term 'Rent.	497
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14.	No. 1116-5FICW-(5) 69/5823 dt. 20-3-69.	Grant of House Rent Allowance to Government employees.	499
15.	No. 1302-FICW(5)-69/6812 dt. 26-3-69.	-do-	500
16.	No. 2200-5FICW-69/9582 dt. 19-5-69.	-do-	501
17.	No. 723-RR-70/7371 dt. 31-3-70.	Grant of house rent allowance to Punjab Government employees posted in the Border Area.	501
18.	No. 1313-RR-70/1364 dt. 15-6-70.	Grant of rent free accommodation or house rent allowance in lieu thereof, to the Government employees posted in the Border Area.	502
19.	No. 3061-RR-70/25687 dt. 22-10-70.	-do-	503
20.	No. 15319/15479/ M-175/5/Loone) dt. 25-2-71.	Assessment of monthly rental value of the houses, owned by the employees of the Board for the purpose of claiming House Rent Allowance.	505

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22.	No. 2481-FICW(5)-71/11600 dt. 17-6-71.	Grant of House Rent Allowance to Government employees.	506
23.	No. 3023-FICW(5)-71/14416 dt. 30-7-71.	-do-	508
24.	No. 3487-FICW(5)-71/15343 dt. 30-7-71.	House Rent Allowance to Government employees.	509
25.	No. 5732-FICW(5)-71/26944 dt. 14-12-71.	-do-	510
26.	No. 5836-FICW(5)-71/1343 dt. 27-1-72.	-do-	511
27.	No. 5819/6499/ENG-3(29) dt. 8-2-72.	Grant of House Rent Allowance to Apprentice L.M./S.S.A.	512
28.	No. 2762-5FR-72/3261 dt. 7-4-72.	Grant of Compensatory Allowance and House Rent Allowance to a Punjab Government employee who resigns from Po. Government service without joining duty after a spell of leave.	512
29.	No. 1244-FICW(5)-72/7247 dt. 10-4-72.	Grant of house rent allowance to Government employees.	513
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32.	No. 5034-FICW(5)-72/22022 dt. 7-11-72.	Grant of House Rent Allowance to Punjab Government employees posted in the Border area.	519
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36.	No. 2786-FICW(5)-73/14373 dt.12-7-73.	Grant of House Rent Allowance to Pb. Govt employees posted within 5 miles (8 Km.) from the qualifying limits of cities-Definition of area in 5 miles from qualifying limits.	523
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38.	No. 2534-FICW(5)-74/16293 dt.26-8-74.	Grant of House Rent Allowance to Government employees.	524

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49.	No. 2688-FICW(5)-76/11746 dt.22-4-76.	Grant of House Rent Allowance to Government employees residing in their own houses without production of rental value.	533
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52.	No. 7048-5FICW-77/248 dt. 5-1-78.	Grant of House Rent Allowance to Government employees-Assessment of rental value of houses of Chandigarh.	536
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55.	O/O No. 1366/GB/M-499 dt. 13-12-78.	Increase in House Rent Allowance.	539

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61.	O/O No. 978/GB/M-499/Vol.V/L-1 dt. 3-12-81.	Grant of house rent allowance at revised rates.	545
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## CHAPTER I

## CONFIRMATION OF EMPLOYEES

Copy of Circular letter no 4091-AS II-60/20836 dated 8th June, 1960 from the Chief Secretary to Government, Punjab, to all Heads of Deptts, etc.

Subject: Efficiency Bars.

I am directed to point out that doubt had arisen as to the Policy to be followed in deciding the question of allowing a Govt. servant to cross the efficiency bar when he is subject to an enquiry or some other departmental proceedings. The point at issue was whether at the time of examining the question of allowing an Officer/Official to cross the efficiency bar :-

(a) his conduct and record upto the date on which he was due to cross the bar should be kept in view;

OR

(b) Whether subsequent developments are also to be taken into account.

2. The question has been considered and it has been decided that in a case where the question of crossing the E. B. has not been decided before the due date the decision on it should be based on consideration of the officer/official's record and conduct upto the date on which the crossing of the E. B. became due. It may be added that allowing the officer, to cross the efficiency bar with effect from the due date, notwithstanding his subsequent conduct, will not have any effect on the punishment which may have to be awarded to him for any misconduct after the date from which he is allowed to cross the bar. It would,

I

however, be advisable to inform the officer at the time when he is allowed to cross the efficiency bar, should this be the decision, that the fact that he has been allowed to cross the bar is independent of the action which may be taken against him on the basis of disciplinary proceedings.

3. The analogy of this decision will not *ip-so facto* apply to cases of confirmations or promotions. In such a case, where an officer/official is due for confirmation or promotion from a particular date, his work and conduct subsequent to that date and prior to the date of decision may also for good reasons, constitute an important relevant factor in deciding or deferring the matter.

(Adopted vide Secretary, P.S.E.B. Patjala circular endst. No. 99092/632/ENG/G-148/G-110 dated 2-8-68)

Copy of Circular letter No. 10405-4GS-62/30948, dated the 24th Sep., 1962 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

Subject: Procedure to be followed in cancelling the erroneous confirmation of Junior Officers.

I am directed to address you on the subject cited above and to say that there may be instances of some competent authorities having issued orders confirming temporary or officiating employees in permanent posts even though the employees concerned were not qualified in all respects for such confirmation under the relevant statutory rules, executive orders or administrative instructions. In all such cases the confirmation so made would have the effect of with-holding or postponing confirmation of other employees, who may be otherwise qualified in all respects for confirmation. Government take serious notice of such erroneous orders of confirmation which need to be regularised without delay. It is, however, felt that there being no clear instructions issued on the subject so far, authorities concerned might be confronted with procedural difficulties in cancelling the orders already passed even though erroneously.

2. After careful consideration of the whole matter it has been decided on the analogy of instructions issued by the Govt. of India in the Ministry of Home Affairs, that the following procedure should be observed in cancelling the erroneous orders of confirmation:—

(1) An order of confirmation which is clearly contrary to the relevant statutory rules may be cancelled by the competent authority straightway; for,

Where the order of confirmation was ab-initio void as it was ultra vires of the relevant rules and cancellation of the order would be justified on the ground that there was no valid subsisting order at all and the act of cancellation is a mere formality. The effect of cancellation would be to put the employee concerned in a position of never having been confirmed.

(2) An order of confirmation which is contrary to executive orders or administrative instructions may be cancelled by the competent authority, if such erroneous order of confirmation has operated to the prejudice of some identifiable person who would otherwise have been confirmed if the orders had been correctly applied for.

Where the order of cancellation would be just and equitable as the confirmation of the employee concerned operates unfairly to the detriment of another employee who would have otherwise been confirmed. Such cancellation will not have the effect of doing any injustice to the employee whose confirmation is cancelled since he was under the executive order or administrative instructions in force not entitled to confirmation.

3. The question of the applicability of Article 311 of the Constitution of India to such cases is not free from doubt. It is, however, safer to comply with these provisions. In a case of this nature, the provisions of Article 311 can be complied with by coming to a conclusion and then communicating the conclusion and documents etc. to the officer and asking him to show cause why he should not be deconfirmed,

or the orders of his confirmation should not be cancelled. The competent authority would, if the officer so desires, have to hear him and let him place any material he may like before it. The Govt. of India have also observed that before deconfirming persons in such cases a notice to show cause should be given to them in consonance with the principles of natural justice.

4. I am to request that the above instructions may please be brought to the notice of all concerned for strict compliance.

The receipt of this letter may also please be acknowledged.

(Circulated vide Secretary PSEB Patiala circular endst. No. 7203/23/HOS/G-148 dated 31-1-63)

**Copy of Circular letter No. 8372-3GS(II)-65/34785 dated 19th Oct. 1965 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.**

**Subject : Confirmation of Government Servants.**

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

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

(Since adopted by the Board)

**Copy of Circular letter No. 5958-SII-4(1)-68/2(599), dated the 29th July, 1968 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.**

**Subject : Erroneous confirmation of Government employees-procedure for cancellation-Instructions regarding.**

In supersession of the instructions contained in Punjab Government letter No. 10405-4 GS-62/30948, dated the 24th September, 1962, on the subject noted above, I am directed to say that on the analogy of instructions issued by the Government of India in the Ministry of Home affairs, the Punjab Govt. have decided that the following procedure should be followed while cancelling orders relating to confirmation of Government employees which are later on found to be erroneous :—

- (i) Confirmation can be cancelled if the order of confirmation was clearly contrary to the statutory rules, and there is no power or discretion to relax the Rules.
- (ii) If the order of confirmation was made when there was no substantive vacancy and the confirming authority had no power to create the post in which the officer was confirmed.
- (iii) If the order of confirmation was made in error e.g. naming wrong person-mistake in identity.

Orders of confirmation in the above mentioned cases are void ab-initio and the officer does not acquire any right to hold by post in which the order purported to confirm him. Provisions of Article 311 (2) of the Constitution are not therefore, attracted and the procedure of show cause notice is not required to be followed before cancelling the order of confirmation.

2. If the order of confirmation was made in contravention of executive or administrative instructions, it cannot be set aside. Cancellation of confirmation in such cases would amount to reduction in rank without any fault on the part of the officer confirmed.

These instructions take effect from the date of issue.

(Adopted w.e.f. 29.7.68 by the Board vide Secretary PSEB Patiala circular memo No. 116590/116660/ENG/G-148/L-193 dated 25.9.69)

**Copy of Secretary PSEB Patiala Circular memo No. 10862/990/BMP-690 dated 27th Feb. 1969.**

**Subject :— Confirmation**

The matter regarding confirmation of both Gazetted and non gazetted staff from a date preceding the re-organisation of the composite Board was under consideration of the Board for some time past. After considering the matter in detail it has been decided by the Punjab State Elec. Board that confirmation might take effect even from a date prior to the formation of the new PSEB viz 25.67 provided a scale vacancy existed in the area which is now under the jurisdiction of the PSEB.

**Extract from Secretary PSEB Patiala Circular memo No. 75863/913/EB-37/A-7 dated 4.11.70.**

**Subject :—** Procedure to be observed regarding regularisation of appointment, Crossing of efficiency bar, Confirmation, Promotion and retirement cases.

In supersession of the existing practice, the following uniform procedure is hereby laid down, on the above noted subject, for action in future :

×       ×       ×       ×       ×

(iii) At the time of affording confirmation to an individual, in addition to the consideration of qualification reports upon work and conduct for the entire preceding period, the complaints/enquiries, their nature and the stage of progress, shall be taken into account.

It may be emphasized that confirmation in a particular post

confers rights to an individual for holding that position and, therefore, it has to be allowed keeping in view the prospective fact of any disciplinary action against an incumbent in any pending enquiry in the immediate future.

×       ×       ×       ×       ×

2. Consequently for the events at (i) to (iv) above, it shall not be necessary to ask for clearance certificates from all quarters and only the office report based upon the personal file of an individual coupled with special reports from the Accounts and Vigilance Departments would do.

The need for promptitude in finalisation of such type of cases as have been mentioned above, is re-emphasised. In so far as possible, an employee should be spared the agony of having to correspond and remind about them.

In the cases currently under consideration, the above procedure shall be adopted.

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

**Copy of Circular letter No. 7678-SII (3)-71 dated 8th Dec. 1971 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.**

**Subject :—** Consideration of Work and Conduct in the cases of confirmation or promotions.

I am directed to invite your attention to the instructions contained in Punjab Government circular No. 4091-AS II-60/20836 dated 8th June, 1960, which inter alia lay down that where an officer/official is due for confirmation or promotion from a particular date, his work and conduct subsequent to that date and prior to the date of decision may also for good reasons, constitute an important relevant factor in deciding or deferring the matter. In this connection I am directed to clarify that when a right of being considered for promotion accrues to a person as a result of promotion of his junior, then his work and conduct

Annual confidential record only upto the date of his supersession, should be kept in view while deciding the matter relating to his promotion with retrospective effect. In other cases the principle enunciated in the above mentioned instructions i.e. taking into account the work and conduct subsequent to the date on which the officer/official had become due for promotion and prior to the date of decision, would hold good.

(Since adopted by the Board)

Copy of Secretary PSEB Patiala Circular memo No. 103095/435/ENG-16(1) dated 18.8.77.

Subject :- Procedure to be observed at the time of affording Confirmation to the Non-Gazetted employees of the Board.

Detailed instructions regarding procedure to be observed for the regularisation of appointment, crossing of Efficiency Bar, Confirmation, Promotion and retirement cases were issued vide this office Memo No. 75868/913/EB-37/A-7 dated 4.11.70, a copy of which is enclosed for ready reference. It was inter-alia provided in these instructions that at the time of affording confirmation to an individual, Qualification Reports upon work and conduct for the entire preceding period should be considered. In other words, it means that even where an official might be working in a higher rank than the one in which he is to be considered for confirmation, his upto-date Q. Rs have to be consulted. Experience has proved that this procedure has resulted into inordinate delay in the finalisation of confirmation cases of Non-Gazetted Employees. A proposal for the liberalisation of this process has, therefore, been engaging the attention of the Board for some time past and after careful consideration it has been decided that in the case of confirmation of Non-Gazetted employees, instead of screening the upto-date Q. Rs of an employee, his Q. Rs upto the date of availability of permanent posts against which he is to be confirmed or the date of

his promotion to the next higher rank, whichever is later, may only be considered for the purpose.

2. The confirmation cases of Non-Gazetted employees may please be processed in future in the light of the above decision.

Extract of Manual of Orders P.W.D. (EB) Edition 1962  
SUBMISSION OF REPORTS ON STAFF EMPLOYED ON  
PROBATION

Rule :

- 1.17. Reports concerning the Non-Gazetted staff appointed in an officiating capacity should reach the appointing authority at least two weeks before the expiry of the probationary period. Report must clearly and definitely state :—
- Whether the man is to be confirmed in his appointment.
  - Whether it is desirable to extend the period of probation for a further term (in which case the period for which extension is recommended and the reasons for the same should be stated).
  - Whether the man is not fit for retention and his services should be dispensed with. If officiating in a higher post on promotion whether he should be reverted to his substantive post. (Detailed reasons should be stated).
  - Whether any warning has been issued or any other penalty imposed on the man during the period under report, and if so, give particulars thereof.
  - Whether the usual health and age certificate has been produced by the Government servant and if so the date of its production.
  - Whether the man has enjoyed any leave other than casual leave during the probationary period, if so details thereof.

- (g) Whether the necessary security deposit agreement has been executed or not.
- (h) Whether the man has passed the Departmental Accounts Examination or not.

Extract from Secretary PSEB Patiala Circular memo No. 151088/151487/Reg. 292 Dated 29th Dec., 1981.

Subject :- Policy regarding consideration of cases of crossing of Efficiency Bar, Confirmation, Grant of Selection Grade & Promotion to the Selection posts.

It had been observed for some time past that although the Board had been adopting the Panjab Government instructions issued from time to time in the matter of crossing of Efficiency Bar, Confirmation and Grant of Selection Grade, there is actually no uniformity in their application by the different Competent Authorities. The matter has been considered by the Board in its meeting held on 7.12.1981 and it was decided to lay down the following broad guidelines/policy for uniform application :-

x                    x                    x                    x

## 2. CONFIRMATION

- (i) It shall be ensured that the employee concerned has completed the probationary period/extended probationary period satisfactorily and his antecedents have been got verified and found satisfactory.
- (ii) The employee concerned should have passed the prescribed Departmental Examination, test etc. if any, prescribed for that category and which is required to be passed before confirmation according to the service rules/instructions.
- (iii) The cases of confirmation of employees against whom disciplinary proceedings for serious allegations are pending shall be deferred till the finalisation of proceedings.

- (iv) The upto-date work and conduct/record of the employee who is due for confirmation according to seniority and availability of permanent posts shall be taken into consideration. In case the overall record is considered satisfactory, the employee shall be confirmed if due on the basis of seniority and availability of permanent vacancy, even if, some minor punishments or letter of advice etc., were awarded to him at some stage. However, the employee whose integrity has been reported as doubtful and the reporting officer has supported these remarks with substantial material and these remarks were not expunged after consideration of his representation shall not be considered suitable for confirmation. In such cases action shall be initiated under the Punishment & Appeal Regulations for his removal from service.
- (v) In case the confirmation of an employee is to be afforded in the rank lower than he may be holding at the time of confirmation on the basis of his seniority, he can be confirmed in the lower post straight-way on the availability of vacancy without consulting his record.

## CHAPTER II

### CROSSING OF EFFICIENCY BAR

Copy of Circular letter No. 3574-G-48/35863 dated 5th July, 1948 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

Subject :— Efficiency Bars.

To ensure uniformity of action by different Departments in the matter of stoppage of officers at efficiency bars, Government consider it necessary to lay down certain general principles for the guidance of all concerned.

2. The crossing of an efficiency bar is to be distinguished from the earning of an annual increment. In the case of the annual increment, onus is on the authority to show cause why it should be withheld, in the case of crossing a bar the onus is on the official, tacitly or otherwise, to show cause why he should cross it.

3. Crossing of an efficiency bar amounts to promotion; stoppage at one is a form of punishment under Rule 49 of the Civil Service (Classification, Control and Appeal) Rules or Rule 14.10 of Civil Services Rules (Punjab) Volume-I (Part-I). It is, however, not necessary, before it is decided to stop an officer at a bar, to inform him in writing of the grounds on which it is proposed to take such action. The order is, however, appealable accordingly as the officer concerned is a member of the All-India or Provincial and Subordinate Service and it is desirable that every case should be scrutinized carefully by the Head of the Department and good reasons given in support of an order of stoppage.

4. As the efficiency of a service depends to a great extent on the quality of the officials at the top, it is essential that each case is

dealt with care and that the passing of an efficiency bar is not regarded as a mere matter of formality.

Broadly speaking, efficiency and honesty should, taken together, be the deciding factors. These factors do not always hang together, on the contrary, a dishonest officer is more often efficient than otherwise while an honest officer may not necessarily be efficient.

5. There are usually two bars in every time-scale, the first at the stage when an officer may be considered as ceasing to be a 'Junior' and as fit to perform satisfactorily the ordinary duties of his service, and the second at the stage when he becomes a 'Senior' and may be expected to be fit to perform any of the duties which the service is called upon to undertake. No particular difficulty should arise with regard to the first bar and in respect of this bar, Government only desire to lay down that no officer should be allowed to pass this bar until he has proved himself competent to perform satisfactorily the ordinary duties of his service.

6. The second bar presents greater difficulty, and it is clear that, in the absence of definite instructions as to the standard required, number of officers, who are not fit to perform the highest duties that could be allotted to them in their service, have been nevertheless allowed to rise to the highest pay in the ordinary scale. Government consider that in future no officer should be allowed to cross the second and final bar unless he is adjudged fit to be placed in the charge of the full duties attaching to the heavier charges which officers of his rank can be called upon to fill. Heads of Departments will be able to fix in their minds the standard charge which each grade of officer should be expected to be able to fill before passing the bar, but in each case it should be remembered that the charge should be one which an officer can be called upon to fill in the ordinary course of the duties of his grade.

7. While Heads of Departments are required to exercise their judgement and discretion in each case, the following instructions will be helpful and should be kept in view :



(1) The efficiency bars must be real, and recommendations for passing them should not be given as a matter of course to those Government Servants who just manage to avoid getting into trouble :

(2) For the purpose of crossing the efficiency bars, Government servants will broadly fall into three divisions as below and their case will be dealt with as explained against each :

(a) **GOOD** : Are those who consistently earn good reports, and who will in the ordinary course be permitted by competent authority to cross the efficiency bars.

(b) **FAIR** : Are those who secure atleast 50 percent good reports. They should not be permitted to cross the bar unless the head of department is satisfied, on a careful study of the record, that they merit promotion and give promise of satisfactorily filling the heavier charges in the grade.

(c) **POOR** : Are the remainder, and they will not be permitted to cross the bar.

8. Heads of Departments while considering each case on the basis of the above classification should take into account the severity or leniency of the officers whose reports are under consideration and the nature of the work on which the Government servant was employed.

9. Stoppage at an efficiency bar should be for general bad work and inefficiency continued over several years and not for one or two lapses for which ordinary stoppage of increment (with or without future effect) should be the punishment.

10. AS there is at present no definite provision for periodical

review of orders stopping Government servants at efficiency bars Government consider that there should be such a provision and have accordingly decided that cases of stoppage at efficiency bar should be reviewed at the expiration of the period of one year from the date of the order, and, if necessary, at the same interval thereafter. In the case of an officer who is stopped at the bar by the Provincial Government, the most convenient procedure would be at the time of the passing of the order, to ask for a special report on his work at the end of one year or to require his superior officers to deal with the matter in the annual confidential report on him.

11. The procedure for giving effect to the orders regarding the review of cases of officers or services other than the provincial services is left to the Head of the Department to settle.

12. These instructions supersede all previous instructions whether Departmental or general, on the subject.

(Since applicable in the Board)

Copy of Circular letter No. 1055-G-51/1308, dated 23rd February, 1951 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

Subject : Efficiency Bars.

I am directed to invite a reference to paragraph 3 of the Punjab Government letter No. 3574-G-48/35863, dated the 5th July, 1948, on the subject noted above, in which it was inter-alia pointed out that while stopping an officer at an efficiency bar under rule 4(ii) of the Pb. Civil Services (Punishment & Appeal) Rules Published with Punjab Government notification No. 6693-G-40/47845 dated the 26th November, 1940, it was not necessary to inform him in writing of the grounds on which it was proposed to take action against him. With the promulgation of rule, 7-A, published with Punjab Government notification No. 7094-G-48/57526 dated 25th Oct. 1948, the position

has changed and it is now necessary before withholding an increment or promotion including stoppage at an efficiency bar, to afford an adequate opportunity to the Government servant concerned of making any representation that he may desire to make and such representation, if any, has to be taken into consideration before the order is passed. The requirements of this rule may, for sufficient reasons to be recorded in writing, be waived where there is difficulty in observing them and where they can be waived without injustice to the officer concerned. Government feels that the only cases in which this rule may be waived is where the Government servant absconds and cannot, therefore, be called upon to submit his representation. I am, however, to make it clear that the orders contained in paragraph 3 of Punjab Government letter of the 5th July, 1948, referred to above should be deemed to have been modified by Rule 7-A of the Punjab Civil Services (Punishment and Appeal) Rules and every Government servant upon whom it is proposed to impose any of the penalties referred to in clauses (i), (ii) or (iv) of Rule 4 *ibid* should be afforded an opportunity to make a representation and such representation, if any, should be taken into consideration before passing orders in the matter.

(Since applicable in the Board)

Copy of Circular letter No. 4091-AS II-60/20836, dated 8th June, 1960 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

Subject : Efficiency Bars.

I am directed to point out that doubt had arisen as to the policy to be followed in deciding the question of allowing a Government servant to cross the efficiency bar when he is subject to an enquiry or some other departmental proceedings. The point at issue was whether at the time of examining the question of allowing an Officer/Official to cross the efficiency bar.

- (a) his conduct and record upto the date on which he was due to cross the bar should be kept in view;
- or
- (b) Whether subsequent developments are also to be taken into account.

2. The question has been considered and it has been decided that in a case where the question of crossing the efficiency bar has not been decided before the due date the decision on it should be based on consideration of the officer/official's record and conduct upto the date on which the crossing of the efficiency bar became due. It may be added that allowing the officer to cross the efficiency bar with effect from the due date, notwithstanding his subsequent conduct, will not have any effect on the punishment which may have to be awarded to him for any misconduct after the date from which he is allowed to cross the bar. It would, however, be advisable to inform the officer at the time when he is allowed to cross the efficiency bar, should this be the decision, that the fact that he has been allowed to cross the bar is independent of the action which may be taken against him on the basis of disciplinary proceedings.

3. The analogy of this decision will not ipso-facto apply to cases of confirmations or promotions. In such a case, where an officer/official is due for confirmation or promotion from a particular date, his work and conduct subsequent to that date and prior to the date of decision may also for good reasons, constitute an important relevant factor in deciding or deferring the matter.

(Adopted vide Secretary PSEB, Patiala Circular endst No. 99092/632/ENG/G-148/G-110 dated 2nd August, 1968)

Copy of letter No. F.1 (II)-S-III(A)/67 from the Deputy Secretary to the Government of India, Ministry of Finance, Department of Expenditure, New Delhi, the 21st September, 1967, to the All Ministries of the Government of India etc. etc.

#### OFFICE MEMORANDUM

Subject: Withholding of increment at the Efficiency Bar in a time scale.

The Undersigned is directed to say that a question has been raised as to the date from which a Government servant, whose case for crossing the efficiency bar has not been considered on account of the pendency of a disciplinary/vigilance case against him, should be considered for being allowed to cross the efficiency bar, after the enquiry is over. It has been decided, in consultation with the Ministry of Home Affairs, that if, after the conclusion of the proceedings, the Govt. servant is completely exonerated, he may be allowed to cross the efficiency bar with effect from the due date retrospectively unless the competent authority decides otherwise. If, however, the Government servant is not completely exonerated, his case for crossing the efficiency bar cannot be considered with retrospective effect from the due date. Such cases can be considered only with effect from the date, following the conclusion of the disciplinary/vigilance case, taking into account the outcome of the disciplinary/vigilance case.

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

#### PUNJAB GOVERNMENT

No. SII-4 (I)-68/3187 Dated Chandigarh, the 13th February, 1968.

A copy each is forwarded to all Heads of Departments, Commissioners of Divisions, Deputy Commissioners and District and Sessions

Judges in the Punjab and the Registrar, Punjab and Haryana High Court, Chandigarh, for information and necessary action, in continuation of Punjab Government circular letter No. 4091-ASII-60/20836 dated the 8th June, 1960, regarding Efficiency Bars.

Sd/-  
Section Officer, Services-II  
for Chief Secretary to Government, Punjab

(Adopted vide Secretary PSEB Patiala Circular endst. No. 99092/632/ENG/G-148/G-10 dated 2nd August, 1968)

Copy of U.O. No. 49004/ENG/G-143/26 dated 26-6-70 and endst No. 49005/152/G-148/26 dated 26-6-70 from the Secretary PSEB Patiala to All CEs/SEs/Xens etc.

Subject: Crossing of Efficiency Bar.

Will the C.E (OP), PSEB, Patiala, kindly refer to his UO No. 12090/EO 1247 dated 16th March, 1970, on the above noted subject?

1. The problem of considering Q. Rs. in the cases of Efficiency Bar of Board Employees was posed by the Establishment Officer in the meeting between the representatives of the Technical Services Union and Whole Time Members held on 7.4.70/11.4.70 and it was decided under item 11 of the Minutes of the said meeting that average satisfactory report which did not contain any 'buts', 'ifs' and 'adverse remarks' might be treated as a qualifying report for crossing of Efficiency Bar. A copy of the Minutes has already been forwarded to him for action vide this office Endt. No. 35764/90/ENG-9 (2) dated 21.5.70.

2. As regards the date upto which the record of the officer/official is to be considered for processing the case of his Crossing the Efficiency

Bar, it has been decided that the previous orders of the Board contained in this office Circular endst No. 99092/632/ENG/G-148 dated 2.8.1968 should continue to be followed.

Copy of Secretary PSEB Patiala Circular memo No. 75368/913/EB-37/A-7 dated 4-11-70.

Subject : Procedure to be observed regarding regularisation of appointment, Crossing of efficiency bar, Confirmation, Promotion and retirement cases.

In Supersession of the existing practice, the following uniform procedure is hereby laid down, on the above noted subject, for action in future :

x x x x

(ii) For deciding as to whether an incumbent should be allowed to cross the efficiency bar, upto date annual confidential reports and special confidential reports if any regarding the work and conduct shall be considered.

If there is a gap of a period exceeding six months between the due date of crossing the efficiency bar and the date upto which the latest report had been written, a special report shall be obtained for the intervening period from the reporting authority through proper channel.

x x x x

2. Consequently for the events at (i) to (iv) above, it shall not be necessary to ask for clearance certificates from all quarters and only the office report based upon the personal file of an individual coupled with special reports from the Accounts and Vigilance Departments would do.

The need for promptitude in finalisation of such type of cases as have been mentioned above, is re-emphasised. In so far as possible, an employee should be spared the agony of having to correspond and remind about them.

In the cases currently under consideration, the above procedure shall be adopted.

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

Copy of Secretary P.S.E.B. Patiala Circular memo No. 16348/16855/ENG-9(2) dated 5-4-72.

Subject : Disposal of Efficiency Bar Cases.

It has been brought to the notice of the Board that the disposal of E.B. cases of field staff is abnormally delayed as a result of non-receipt of Q. Rs. from the Reporting/Receiving Officers. Since such delay causes hardship to the concerned officials, it has been decided by the Board that such cases should be taken up at least 2/3 months before the due date and disposed of by the competent authority on top-priority basis. In case where Qualification Report(s) of any official was awaited, the competent authority should ensure that the Reporting Officer sends the same within one month. If the wanting documents are not received within the prescribed period the competent authority should presume them as satisfactory and the E. B. cases processed accordingly.

In order to keep a constant and strict watch over the Progress in the disposal of E. B. cases, authority competent to sanction E.B. cases should prepare a master list of all pending cases every month, a copy of which should be submitted by them to the next higher authority with a copy to the respective Chief Engineer and the Board Secretariat.

The above instructions may please be noted by all the concerned officers for strict compliance and its receipt acknowledged.

Copy of Circular letter No. 3805 SII(3)-73/ dated the 16th Oct., 1973 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc

Subject : Crossing of Efficiency Bar-policy/rules regarding—uptodate position.

I am directed to invite your attention to Punjab Government Memo No. 3574-G-48/35863, dated the 5th July, 1948, on the subject noted above and to say that keeping in view the fact that the instructions contained therein were issued long ago and many changes have taken place since then, in relation to the crossing of efficiency bars, it is necessary to outline the uptodate position in connection therewith.

2. Rule 4.7 of the Rules quoted in the margin, interalia, lays down that an increment shall be drawn as a matter of course, unless it is withheld whereas under Rule 4.8, *ibid* when an efficiency bar is prescribed in a time scale, the increment next above efficiency bar shall not be given to a Government employee without the specific sanction of the authority empowered to withhold increments.

3. Under the Punjab Civil Services (Punishment and Appeal) Rules, 1952, withholding of increment or promotion including stoppage at efficiency bar, if any, was a penalty without any exception whether the stoppage of efficiency bar be on ground of unfitness or otherwise. However, under the Punjab Civil Services (Punishment & Appeal) Rules, 1970, stoppage of a Government employee at the efficiency bar in the time scale of pay on the ground of his unfitness shall, interalia, not amount to penalty. - vide Explanation given under rule 5 of the Rules, *ibid*. Under rule 15 of the Rules, *ibid*, an order stopping a Government employee at the efficiency bar including stoppage on grounds of his unfitness to cross the bar, is appealable.

4. In terms of Regulation 5 (b) and (c) of the

Regulations quoted in the margin, cases of the following nature are referable to the Punjab Public Service Commission before imposing the specified penalty :—

- (i) any original order proposed to be issued by the Punjab Government imposing, inter-alia, penalty of withholding of increment or promotion, including stoppage at an efficiency bar, with continuing effect, or with non-continuing effect for more than one year, as the case may be;
- (ii) any order proposed to be issued by the Punjab Government on appeal, amounting to enhancement of the penalty to that extent for which consultation with the Commission is necessary under Regulations, *ibid*.

5. (i) In the light of Rules quoted in para 2 & 3 above the crossing of efficiency bar is to be distinguished from the normal admissibility of an annual increment. A Government employee may be allowed to cross the efficiency bar when there is good reason to show that he is fit to cross it. i.e., he has acquired the requisite standard of efficiency.

(ii) As the efficiency of a service depends to a great extent on the quality of the officials at the top, it is essential that each case is dealt with care and that the crossing of an efficiency bar is not regarded as a mere matter of form.

(iii) There are usually two bars in every time scale of pay, the first at the stage when the Government employee concerned acquires a certain seniority in his cadre after having rendered a few years' service and is fit to perform satisfactorily the ordinary duties of his service and the second at the time when certain higher standards of responsibilities are expected from him.

Position under Pb. PSC (Limitation of functions) Regulations 1955.

General Position with regard to efficiency bar.

(iv) Stoppage at an efficiency bar should be for general bad work and inefficiency continued over several years and not for one or two lapses for which ordinary stoppage of increment (with or without future effect) should be adequate.

Arrangement for review.

6. Cases of stoppage of efficiency bar on grounds of unfitness should be reviewed at the expiry of one year from the date of the order and if necessary at the same interval thereafter. In order to make such a review realistic a special report on the work and conduct of the employee concerned should be obtained from the officer under whose control he may be working but such a special report is not necessary to be obtained in cases in which the annual confidential report of the employee concerned was written less than three months ago as in such cases the question of allowing to cross the efficiency bar should be decided on the basis of annual confidential reports already written.

Need for giving opportunity to the affected employees and the nature of order to be issued.

7. Where it is proposed to stop a Government employee at the efficiency bar in the time scale of pay as penalty, i.e., on grounds other than unfitness, the procedure laid down under rule 10 of the Pb. Civil Services (Punishment & Appeal) Rules, 1970 should be observed. As regards the stoppage at efficiency bar on grounds of unfitness, although it would not be a penalty as stated in para 3 above, yet keeping in view the principles of natural justice and the fact that the order of stopping the Government employee concerned, at the efficiency bar "entails evil consequences" for him, it is considered desirable to give him an opportunity to explain his position, before such an order is passed.

In terms of instructions contained in Punjab Government circular letter No. 3973-SII(3)-72/16816, dated 18.7.1972 where an order is issued stopping an employee at the E.B. for reasons other than unfitness, it should be a speaking order

but where it is solely on grounds of unfitness, it would be enough to indicate in the order that the stoppage at the efficiency bar is on grounds of unfitness.  
(Adopted except para 4 vide Secretary PSEB Patiala Circular endst. No 21774/22704/ENG/G-148 dated 1.3.74)

Copy of Circular letter No 2764-2SII-74, dated the 22nd April, 1974 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

Subject : Crossing of efficiency bar-policy/rules regarding—effect on promotions, punishments/compulsory retirement.

I am directed to invite your attention to detailed instructions issued, vide Punjab Government circular letter No. 3805-SII(3)-73, dated the 16th October, 1973 on various aspects of cases relating to crossing of efficiency bar and to say that the question as to what would be the impact of adverse entries in the annual Confidential Report etc., which are duly considered before allowing an employee to cross the efficiency bar, or his cases of promotion, punishments, compulsory retirement, as the case may, which arise subsequent to the crossing of efficiency bar, has been considered by law courts. The essential parts of the observation made by the courts are quoted below :—

State of Punjab v/s Dewan Chuni Lal

1970 S L R. 375 (Supreme Court).

"The subordinate Judge quashed the order being violative of Article 311 of the Constitution of India. The order was upheld by the High Court on the ground that dismissal violated the principles of natural justice. The State Government went in appeal before the Supreme Court against the said orders. Held, reports earlier to 1942 should not have been considered at all inasmuch as the respondent was 'allowed to cross the efficiency bar in that year.'"

**S. R. Jain v/s Union of India**

1973 S.L.R. 309 (Delhi High Court)

"By certifying him as fit for crossing the efficiency bar, the conclusion was that he was efficient enough to claim the higher pay. These facts could not later on be taken into consideration for the purpose of taking decision under Fundamental Rule 56 J (Fundamental Rule 56(J) relates to order of compulsory retirement.)"

**Shadi Lal v/s Deputy Commissionaer, Gurgaon & other**

1974 S.L.R. 217 (High Court of Punjab & Haryana).

"Constitution of India, Article 16 Crossing of efficiency bar condones all previous adverse entries - Such entries should not be taken into consideration at the time of promotion."

x x x x

"The learned Counsel for the petitioner submits that in view of the decision of their lordships of the Supreme Court in the State of Punjab V/s Dewan Chuni Lal, 1970 SLR 375, any adverse entries in the service record of the petitioner prior to November 1, 1964, could not be taken into consideration as the determining of efficiency bar due on November 1, 1964 condones all the previous adverse entries".

2. In the light of the above observations, the crossing of efficiency bar becomes an important land mark in the official career of an employee as it would be tantamount to condonation of or making redundant the previous adverse entries, if any, in the ACRs. This fact necessitates that the cases of crossing of efficiency bars should be carefully scrutinized, in the light of the instructions, dated 16th Oct., 1973 referred to above as well as the above observations. After having examined all cases in this manner if an employee is allowed to cross the efficiency bar, then while considering the cases of promotion, punishment, or compulsory retirement, etc., it would not be legally

tenable to again rely upon the previous adverse entries in the ACRs in the context of which the matter was considered and the efficiency bar was allowed to be crossed.

3. The above instructions may be brought to the notice of all concerned, particularly those dealing with the establishment cases.

4. Kindly acknowledge receipt.

(Adopted by the Board vide Secretary PSEB Patiala Circular endst. No. 55939/56689/ENG/G-148/26 dated 6.6.74)

Copy of Circular letter No. 504-2 SII-75/15048, dated the 15th May, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :—Crossing of efficiency bar-policy/rules regarding upto date position.

I am directed to invite your attention to Punjab Government Circular letter No. 3805-SII(3)-73, dated the 16th October, 1973 on the subject noted above and to say that following points have been raised for clarification :—

- (i) Should there be a time-limit for initiating cases regarding crossing of efficiency bar ?
- (ii) Whether it is necessary to indicate the period for which the efficiency bar may be stopped in cases where stoppage of efficiency bar is on grounds other than unfitness ?
- (iii) To what extent a penalty awarded under the provisions of the Punjab Civil Services (Punishment and Appeal) Rules 1970, to an employee before his efficiency bar was due to be crossed, should be taken into account while considering the question of crossing of efficiency bar ?

2. The position is clarified seriatim as follows:—

(i) In paragraph 2 of the instructions referred to above it has been stated that the increment next above efficiency bar shall not be given to a Government Employee without the specific sanction of the authority empowered to withhold the increment. It is neither desirable and nor conducive to administrative efficiency to prolong the decision in such cases. It is, therefore, incumbent upon the competent authority to take up the case of crossing of efficiency bar of a Government employee well in time so that a decision to allow or not to allow a Government employee to cross the efficiency bar is taken and orders issued before the date it falls due or if unavoidable, within reasonable time after due date.

In order to ensure that action in such cases is initiated well in time and a decision is taken without any avoidable delay, it would be appropriate to make it clear to the concerned officials/officers that it will be their personal responsibility to take up such cases well in time and without any delay. Suitable disciplinary action may be taken where such cases are delayed.

(ii) Paragraph 6 of the instructions referred to above provide for a review in cases where stoppage of efficiency bar is on grounds of unfitness. In other cases where stoppage of efficiency bar is on grounds other than unfitness, it is necessary that period for which an efficiency bar is stopped should be indicated in the order and after the expiry of the period so specified the Government employee concerned should be allowed to cross the efficiency bar by issuing another order unless some other factor has intervened to justify stoppage of efficiency bar according to rules for a further period. In that case a clear order may be passed within time.

(iii) In paragraph 5 of the instructions quoted above, it has, inter alia, been provided that stoppage at an efficiency bar should be for general bad work and inefficiency continued over several years and not for one or two lapses for which ordinary stoppage of increment (with or without future effect) should be adequate. In view of this position it would not be proper to order stoppage of efficiency bar merely by taking into account a penalty already awarded. As a matter of principle of natural justice and fairness the record as a whole prior to the date of efficiency bar should be taken into consideration by the competent authority so as to determine the yardstick of crossing the efficiency bar as laid down in paragraph 5 (iii) of the instructions *ibid.* But in the scales of pay in which there are two or more efficiency bars, the record subsequent to crossing of the earlier efficiency bar should be kept in view.

3. Receipt of this letter may please be acknowledged.

(Adopted vide Secretary, PSEB Patiala Circular endst. No. 44526/45526/ENG/G-148/26 dt. 30.6.75)

Copy of Secretary PSEB Patiala Circular memo No. 38092/38472/ENG/G-148/26/Loose 119 dated the 25th March, 1977.

Subject :—Crossing of Efficiency Bar.

Instances have come to the notice of the Board where a number of cases relating to crossing of efficiency bars of the officials employed in the field offices are pending with the various appointing authorities for want of verification of Character & antecedents and correct proof of date of birth. These formalities should have been completed by the appointing authorities at the time of entry of the official in Board's service and should not have been allowed to linger on till the date of crossing of efficiency bar of the official.



2. There are no codal rules nor any instructions have been issued to the effect that verification of Character and antecedents and authentic proof of date of birth should be obtained before the official is allowed to cross the efficiency bar. These two requirements have to be complied with independently and should not be linked up with the cases relating to efficiency bars.

3. It has also been noticed that as and when an official is transferred from one office to the other, the service record duly completed is not sent from the previous office to the office where the official has been transferred, with the result that it becomes difficult for the other office to take up cases relating to crossing of efficiency bars as and when the same become due. It would be desirable if the officers concerned are asked to send service books immediately as soon as the official concerned is transferred.

4. In order to avoid un-due hardship to the officials concerned in the matter of crossing of efficiency bar, the afore-said instructions may please be brought to the notice of all concerned for compliance.

Copy of Secretary PSEB Patiala Circular memo No. 43114/414/ENG/G-148/26/L-127 dated 6-4-77.

Subject :—Efficiency Bar cases.

It has been observed that the various authorities competent to allow the crossing of Efficiency Bar of Board employees are not clear as to whether the conduct and record of an official upto the date on which he was due to cross the Efficiency Bar, is to be considered for the purpose or whether subsequent developments are also to be taken into account. The instructions clarifying this position in detail are contained in the Chief Secretary to Government, Punjab Circular letter No. 4091-ASII-60/20836 dated 8-6-1960. Since these instructions are very old and these might not be available in the records of all the offices, a copy of the same is circulated here-with for the information, guidance and strict compliance by all concerned.

Copy of Circular letter No. 6660-7/778-2PP/33043, dated 20-10-78 from the Chief Secretary to Government, Punjab, to all Heads of Depts., 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.P. 456, 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 up to 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 services. To this extent, the Government instructions bearing No. 2764-2SII-74, dated 22-4-1974 stand modified.

(Adopted vide Secretary PSEB, Patiala Circular endst. 297/1547/ENG/G-148/L dated. 1.1.1979)

ਸਕੱਤਰ ਪੰਜਾ. ਵਿ. ਬੋ. ਪਟਿਆਲਾ ਦੇ ਡਾਕੂਮੈਂਟ ਪੱਤਰ ਸੀ.ਐਨ.ਜੀ./ਸੀ-148/26 ਮਿਤੀ 31-3-78 ਦੀ ਨਕਲ

ਵਿਸ਼ਾ :—ਨਿਪੁੰਨਤਾ ਰੋਕ ਪਾਠ ਕਰਨ ਸਬੰਧੀ ਹਦਾਇਤਾਂ।

ਨਿਪੁੰਨਤਾ ਰੋਕ ਪਾਠ ਕਰਨ ਦੇ ਸਬੰਧ ਵਿਚ ਬੰਗਲਾ ਦੇਸ਼ਾਂ ਸਮੇਂ ਸਮੇਂ ਤੇ ਪਿਠ ਐਕਟ ਨੰ: ਮਿਤੀ ਹਦਾਇਤਾਂ ਜਾਰੀ ਹੋਈਆਂ ਹਨ ਕਿ ਕਰਮਚਾਰੀਆਂ ਦੀ ਨਿਪੁੰਨਤਾ ਫੈਕਟ ਨੂੰ ਵਕਰ ਸਿਰ 99092/632 ਮਿਤੀ ਪਾਠ ਕਰਨਾ ਨਾ ਕਿ ਬੰਗਲਾ ਦੇ ਵਿੱਤ ਵਿਚ ਹੀ ਹੈ ਜਦੋਂ ਇਹ ਕਰਮਚਾਰੀਆਂ ਦੀ ਭਲਾਈ 2-8-68 ਦੇ ਵਿੱਤ ਵਿਚ ਵੀ ਹੈ। ਸੰਤੁਸ਼ਟ ਕਰਮਚਾਰੀ ਆਪਣਾ ਦਫਤਰੀ ਕੰਮ ਸਬੰਧ ਉਤਸਾਹ 49004/152 " ਅਤੇ ਏਕਾਗਰਤਾ ਨਾਲ ਕਰਦੇ ਹਨ ਪਰ ਹਾਜ਼ੀਰੇ ਵਿਚ ਦਰਜ ਹਦਾਇਤਾਂ ਦੇ ਬਾਵਜੂਦ 26-6-70 ਦੀ ਇਹ ਉਪਰੋਕਤ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਕਰਮਚਾਰੀਆਂ ਦੀ ਨਿਪੁੰਨਤਾ ਰੋਕ ਪਾਠ 75868/913 " ਕਰਨ ਸਬੰਧੀ ਕੋਸ਼ ਬਹੁਤ ਹਾਲਤਾਂ ਵਿਚ ਬਿਨ੍ਹਾਂ ਕਿਸੇ ਖਾਸ ਕਾਰਨਾਂ ਦੇ ਹੀ ਠਾਕਾ ਅਕਸਰ ਵਿਚ ਪਏ ਰਹਿੰਦੇ ਹਨ ਜਿਸ ਨਾਲ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਬਿਠੀ ਐਕਟਾਂ ਦਾ 4-11-70 ਸਾਕਮਣਾ ਕਰਨਾ ਪੈਂਦਾ ਹੈ। ਨਿਪੁੰਨਤਾ ਫੈਕਟ ਪਾਠ ਕਰਨ ਸਬੰਧੀ ਕੋਸ਼ ਆਮ ਤੌਰ ਤੇ 21774/22704 " ਵਿਚ ਠੀਕ ਠਮਕਾ ਅਕਸਰ ਵਿਚ ਪਾਏ ਕਢੇ ਹਨ ਕਿ ਉਨ੍ਹਾਂ ਦੀਆਂ ਖੋਜ਼ਰਾਂ ਰਿਪੋਰਟਾਂ 1-3-74

55939/56689 " 6-6-74  
 44526/45526 " 30-6-75  
 ਮੀਮੋ ਨੰ: 38092/ 38472 ਮਿਤੀ 25-3-77  
 ਮੀਮੋ ਨੰ: 43114/414 ਮਿਤੀ 6-4-77

ਸਬੰਧਤ ਅਧਿਕਾਰੀਆਂ ਤੋਂ ਉਡੀਕ ਵਿਚ ਹੁੰਦੀਆਂ ਹਨ ਅਤੇ ਦਫਤਰ ਵਲੋਂ ਬਾਰ ਬਾਰ ਲਿਖਣ ਤੇ ਵੀ ਸਬੰਧਤ ਅਧਿਕਾਰੀ ਯੋਗਤਾ ਰਿਪੋਰਟਾਂ ਨੂੰ ਭੇਜਣ ਵਿਚ ਸਹਿਯੋਗ ਨਹੀਂ ਕਰਦੇ। ਜਦੋਂ ਇਸ ਦਫਤਰ ਦੇ ਮੀਮੋ ਨੰ: 16348/16844/ਈ. ਐਨ. ਜੀ. ਮਿਤੀ 5-4-72 ਰਾਹੀਂ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕੀਤੀਆਂ ਹਨ ਕਿ ਜਿਥੇ ਯੋਗਤਾ ਰਿਪੋਰਟਾਂ ਨਹੀਂ ਮਿਲਦੀਆਂ ਉਥੇ ਇਨ੍ਹਾਂ ਯੋਗਤਾ ਰਿਪੋਰਟਾਂ ਨੂੰ ਤਮਿਲੀਬਖਰ ਸਮਝ ਕੇ ਨਿਪੁੰਨਤਾ ਰੋਕ ਪਾਰ ਕਰ ਦੇਣੀ ਚਾਹੀਦੀ ਹੈ, ਪ੍ਰੰਤੂ ਇਹ ਯੋਗ ਨਹੀਂ ਹੋਵੇਗਾ ਕਿ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਨੂੰ ਹਰ ਇਕ ਕੇਸ ਵਿਚ ਵਰਤਿਆ ਜਾਵੇ। ਇਹ ਹਦਾਇਤਾਂ ਸਿਰਫ ਕਿਸੇ ਖਾਸ ਕੇਸ ਵਿਚ ਵਰਤੀਆਂ ਜਾਣੀਆਂ ਚਾਹੀਦੀਆਂ ਹਨ ਜਿਥੇ ਕਿ ਹਰ ਡਰਾਂ ਦੀ ਕੋਮਿਸ਼ਨ ਕਰਨ ਦੇ ਬਾਵਜੂਦ ਸਮਰਥ ਅਧਿਕਾਰੀ ਨੂੰ ਤਮਿਲੀ ਹੋ ਜਾਵੇ ਕਿ ਕਰਮਚਾਰੀ ਦੀਆਂ ਯੋਗਤਾ ਰਿਪੋਰਟਾਂ ਗੁੰਮ ਹੋ ਗਈਆਂ ਹਨ ਤੇ ਇਨ੍ਹਾਂ ਦਾ ਮਿਲਣਾ ਮੁਸ਼ਕਲ ਹੈ। ਪ੍ਰੰਤੂ ਆਮ ਕੇਸਾਂ ਵਿਚ ਸਮਰਥ ਅਧਿਕਾਰੀ ਨੂੰ ਚਾਹੀਦਾ ਹੈ ਕਿ ਨਿਜੀ ਚਿੰਮਨ ਦੇ ਕੇ ਲੋੜੀਂਦੀਆਂ ਯੋਗਤਾ ਰਿਪੋਰਟਾਂ ਨੂੰ ਤਿਆਰ ਕਰ ਲਿਆਵੇ ਤੇ ਸਬੰਧਤ ਕਰਮਚਾਰੀ ਦੀ ਨਿਪੁੰਨਤਾ ਰੋਕ ਬਿਨਾਂ ਚੋਰੀ ਤੋਂ ਪਾਰ ਕਰਨ ਦੇ ਹੁਕਮ ਜਾਰੀ ਕਰੇ।

2. ਨਿਪੁੰਨਤਾ ਰੋਕ ਪਾਰ ਕਰਨ ਸਬੰਧੀ ਕੇਸਾਂ ਦਾ ਜਲਦੀ ਨਿਪਟਾਰਾ ਕਰਨ ਲਈ ਅਤੇ ਇਸ ਦਫਤਰ ਦੀ ਜਾਣਕਾਰੀ ਲਈ ਆਪ ਨੂੰ ਇਸ ਦਫਤਰ ਦੇ ਸਰਕੂਲਰ ਮੀਮੋ ਨੰ: 119262/622/ਈ.ਐਨ.ਜੀ. ਮਿਤੀ 28-9-77 ਰਾਹੀਂ ਬੇਨਤੀ ਕੀਤੀ ਗਈ ਸੀ ਕਿ ਨਿਸ਼ਚਿਤ ਪ੍ਰਫਾਰਮੇ ਤੇ ਕਮਰਾ ਅਦਸਦ ਵਿਚ ਪਏ ਨਿਪੁੰਨਤਾ ਰੋਕ ਪਾਰ ਕਰਨ ਵਾਲੇ ਕਰਮਚਾਰੀਆਂ ਦੇ ਕੇਸਾਂ ਦੀ ਵਰਤਮਾਨ ਸਥਿਤੀ ਦੀ ਸੂਚੀ ਹਰ ਮਹੀਨੇ ਦੀ 7 ਤਰੀਕ ਨੂੰ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ, ਪ੍ਰੰਤੂ ਇਹ ਦੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਪਾਲਣਾ ਠੀਕ ਢੰਗ ਨਾਲ ਨਹੀਂ ਕੀਤੀ ਜਾ ਰਹੀ ਅਤੇ ਲੋੜੀਂਦੀ ਸੂਚੀ ਬਹੁਤੇ ਸਾਰੇ ਦਫਤਰਾਂ ਵਲੋਂ ਨਹੀਂ ਆ ਰਹੀ। ਇਸ ਲਈ ਆਪ ਨੂੰ ਮੁੜ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਠੀਕ ਢੰਗ ਨਾਲ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਲੋੜੀਂਦੀ ਸੂਚੀ ਜਿਸ ਮਹੀਨੇ ਦੀ ਹੋਵੇ ਉਸਦੀ ਅਗਲੀ ਮਹੀਨੇ ਦੀ 7 ਤਰੀਕ ਨੂੰ ਸ਼ੁਰੂ ਦੀ ਪਹੁੰਚ ਜਾਰੀ ਚਾਹੀਦੀ ਹੈ।

**Copy of Circular letter No. 7/14/79-PP/3530, dated the 27th March, 1980 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.**

**Subject:—Withholding of increment at the efficiency bar stage when an official has been subject to disciplinary proceedings/enquiry.**

I am directed to say that the instructions contained in Punjab Government circular letter No. 4091-ASII-60/20836 dated 8.6.60, laid

down that in a case where the question of crossing the efficiency bar has not been decided before the date on which the employee concerned was due to cross it the decision on it should be based on consideration of his record upto the date on which the crossing of efficiency bar was due, and that allowing him to cross the same with effect from the due date, notwithstanding his subsequent conduct, will not have any effect on the punishment which may have to be imposed upon him for any misconduct after the date from which he has allowed to cross the efficiency bar. In case the concerned employee is allowed to cross the efficiency bar on the basis of his record, he is to be informed that the fact that he has been allowed to cross the efficiency bar is independent of the action which might be taken against him on the basis of disciplinary proceedings.

2. Detailed instructions on the subject of crossing of efficiency bar by government employees were issued in Punjab Government circular letter No. 3805-SII(3)-73, dated 16-10-73. In para-7 thereof, it was laid down that where it is proposed to stop an employee at the efficiency bar in the time scale of pay as a penalty i.e., on grounds other than unfitness on the basis of record the procedure laid down under rule 10 of the Punjab Civil Services (Punishment & Appeal) Rules 1970 should be observed. About stoppage of an employee at the efficiency bar on grounds of unfitness on the basis of record, it was clarified that although it would not be a penalty, yet keeping in view the principle of natural justice and the fact that the order of stopping an employee at the efficiency bar entails evil consequences for him, it would be desirable to give him an opportunity to explain his position before such an order was passed. These instructions are in accordance with the legal pronouncements of the Courts and contain the latest thinking of Government.

3. I am now to say that Office Memorandum No. F. 1 (II) E, III (A)/67, dated 21-9-67 addressed by the Ministry of Finance, Government of India, to all Ministries of the Government of India etc., was circulated to all Heads of Departments, Commissioners of Divisions

etc., vide Punjab Government Endst No SII-4(1)-68/3187, dated 13-2-68. It contained instructions to the effect that if the case for the crossing of efficiency bar by the Government employee had not been considered on account of the pendency of disciplinary/vigilance case against him, he may, in the event of complete exoneration, be allowed to cross the efficiency bar with effect from the due date retrospectively, unless the competent authority decides otherwise. But if the employee is not completely exonerated, his case for crossing of efficiency bar cannot be considered with retrospective effect from the due date and such a case may be considered only with effect from the date following the conclusion of the disciplinary/vigilance case, taking into account its outcome. The matter has been examined and it has been considered that the instructions contained in this Office Memorandum are at variance with those contained in Punjab Government circular letters dated 8-6-60 and 16-10-73, mentioned above. Besides, the application of these instructions would deprive an employee of an opportunity afforded by the instructions dated 16-10-73 and also cause double financial loss to an employee. In view of this position, I am directed to say that in future, cases of this type may be examined only in accordance with the provisions of Punjab Government circular letters dated 8.6.60 and 16.10.73 and not in accordance with the Government of India Office Memorandum dated 21.9.67, which would cease to be applicable to such cases.

(Adopted vide Secretary PSEB Patiala circular endst. No. 228442/9302/ADP-65 dated 24.12.80)

**Copy of Secretary PSEB Patiala Circular memo No. 208103/208691/ADP-65 dated 10.9.1981:**

**Sub: Crossing of Efficiency Bar of an employee who has been promoted on ad-hoc basis pending regularisation or recruited on ad-hoc basis pending regular selection through the prescribed Recruiting Agency-policy regarding.**

A doubt has arisen as to whether the employees who are working on ad-hoc basis can be allowed to cross the Efficiency Bar before their appointments are regularised. Ad-hoc appointments in the past had been made through direct recruitment and also by promotions. Insofar as ad-hoc appointments by direct recruitment are concerned, there should normally be no question of these appointments continuing for 5 to 6 years, that is, the time when the Efficiency Bar in a grade generally falls due. There may, however, be isolated cases where ad-hoc appointments have continued for such a long period that the employee has reached the stage for crossing of Efficiency Bar. It is clarified that in such cases, the provision governing the grant of increment and/or crossing of Efficiency Bar as contained in Regulation 4.8 of P.S.E.B. Main Service Regulations 1972 Vol. I Part I is equally applicable if such ad-hoc employees otherwise continue in service under orders of the competent authority. Similarly, in the case of ad-hoc promotions Regulation 4.8 of P.S.E.B. Main Service Regulations, 1972 Vol. I Part-I ibid shall also apply. It shall, however, be stipulated in the orders that the employee concerned is being allowed to cross the Efficiency Bar without prejudice to the decision in the matter of his regular appointment/promotion.

**Extract from Secretary P.S.E.B. Patiala Circular memo No. 151088/154187/Reg. 292 dated 29th December, 1981.**

**Subject: Policy regarding consideration of cases of crossing of Efficiency Bar, Confirmation, Grant of Selection Grade & Promotion to the Selection posts.**

It had been observed for some time past that although the Board had been adopting the Punjab Government instructions issued from time to time in the matter of crossing of Efficiency Bar, Confirmation and Grant of Selection Grade, there is actually no uniformity in their application by the different Competent Authorities. The matter has

been considered by the Board in its meeting held on 7.12.1981 and it was decided to lay down the following broad guidelines/policy for uniform application :-

### I. CROSSING OF EFFICIENCY BAR

The instructions contained in Punjab Government letter No. 3574-G-48/35863 dated 5.7.1948 (copy enclosed) shall be followed with the addition that average reports without any adverse remarks shall be considered satisfactory for the purpose of allowing an employee to cross the Efficiency Bar as per existing practice. The other Punjab Government instructions on the subject which were adopted from time to time shall also continue to be followed. The same are summed up below in brief :-

- (i) The cases of crossing of Efficiency Bar shall be taken up well in time so that a decision can be taken by the due date of crossing of Efficiency Bar.
- (ii) The increment above the Efficiency Bar shall not be allowed unless there is good reason to show that the employee concerned is fit to cross it by acquiring the requisite standard of efficiency.
- (iii) The decision regarding crossing of Efficiency Bar shall be based on the consideration of employee's record and conduct up to the date on which the crossing of Efficiency Bar becomes due. His subsequent conduct shall have no effect on it.
- (iv) Stoppage at an Efficiency Bar shall be for general bad work and inefficiency continuing over several years and not for one or two lapses.
- (v) An employee shall not be withheld at the Efficiency Bar by merely taking into account a penalty already awarded. As a matter of principle of natural justice and fairness the record as a whole prior to the due date of crossing of Efficiency Bar shall be taken into consideration so as to determine the suitability of the employee for crossing the Efficiency Bar.

- (vi) When there are two bars in a scale and the second bar is to be crossed, the record subsequent to crossing of earlier Efficiency Bar shall only be kept in view.
- (vii) In case some disciplinary case is pending against the employee at the time of allowing Efficiency Bar and it relates to a period subsequent to the due date, he can be allowed to cross the Efficiency Bar independent of action which might be taken against him on the finalisation of the disciplinary proceedings. In the orders allowing Efficiency Bar in such cases it shall be clearly mentioned that the same is without prejudice to the decision which will be taken in the disciplinary case pending against the employee concerned.
- (viii) Before an employee is stopped at the Efficiency Bar he shall be given adequate opportunity
- (ix) The order of stoppage of Efficiency Bar is appealable under the Employees Punishment & Appeal Regulations, 1971 although it is not a penalty under these regulations.
- (x) The cases of stoppage at the Efficiency Bar shall be reviewed at the expiry of one year from the date of order and at the same interval thereafter, if necessary.

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## CHAPTER III

### ANNUAL CONFIDENTIAL REPORTS

Copy of Secretary PSEB Patiala Circular memo No. 142376/3426/Reg. 20 vol. II dated 4.8.1976

Subject :— Instructions regarding Confidential Reports.

I am directed to say that the Punjab State Electricity Board has had under consideration for some time past, the procedure to be adopted for writing/draing with the confidential reports of its officers/officials. After careful consideration revised consolidated instructions on the subject have been framed and are circulated herewith for guidance of all concerned in supersession of all previous instructions on the subject. These instructions should be strictly followed in future.

#### INSTRUCTIONS REGARDING "ANNUAL CONFIDENTIAL REPORTS"

##### 2. Need for regular and punctual recording of reports :

- (1) It is essential that all Officers should write reports on the work and conduct of their subordinates regularly and punctually. Not only should a separate Annual Confidential Reports file for every person, whether Gazetted or Non-Gazetted (including Class-IV) Board employees be opened but it should be kept upto-date. It must be remembered that the Annual Confidential Report file of a person is used for various purposes e.g., promotion, punishment, appeals, memorials, or in dealing with the question whether his service has been really approved for the

purpose of a full pension. If, therefore, it is not carefully maintained and kept upto-date, it will result in the record being robbed of much of its value, and in fact the very purpose for which it is maintained will be largely defeated.

- (2) The period of suspension, long leave, deputation etc. and periods less than three months for which no report is written should invariably be recorded on a separate paper and placed at proper gaps just between the available (preceding and succeeding) reports concerned.
- (3) The Annual Confidential Reports shall be for the period from the 1st April to 31st March each year and should be written annually during the month of April and this should be adhered to rigidly.  

A certificate should be furnished during the month of May each year by all the Sectional Officers in the H.Q. and Xens/ S.Es./C.Es./C.A.O. to their next higher authorities concerned to show that Annual Confidential Reports for the previous financial year have been written in the case of all employees in their respective Sections/Divisions/Circles/Zones.
- (4) The countersigning authorities are stressed that the work of countersigning the Annual Confidential Reports should not be delayed and may positively be completed by 30th June every year. And that the officers concerned shall liable for disciplinary action for non-observance of these scheduled dates.

NOTE:— The Annual Confidential Reports should be recorded without delay. Further in the event of heavy delay occurring in isolated cases it should be possible for the higher authorities to discount to the extent necessary such reports as had been written after a lapse of a very long period and as were attended with suspicious features on one ground or another. The assessment of the record as a whole of the officer/official concerned could thus not be affected unduly by such a report.

3. What the reports should contain and points for the guidance of Reporting officers.

- (1) The Annual Confidential Reports for the officers, Technical, Drawing and Clerical Establishment should be written in the forms already in vogue or as may be revised/introduced by the Board from time to time.
- (2) The reporting officers should record their remarks against the various entries appearing in the forms with great care and in an impartial and honest manner. The remarks, when recorded, should specifically bring out defects, if any, in the officers/officials reported on, for which a separate entry exists in each form. No un-fortunate tendency should, however, develop in regard to recording remarks against this entry, such as—
  - i) Some reporting officers tend to make mention of very slight defects in a subordinate presumably because the entry is provided and it appears necessary to say something against it. On the whole, the Board is of the view that very slight defects are better brought to an officer's/official's notice verbally in the way of advice and guidance and the person concerned instructed about their removal, and need not find mention in annual confidential report unless they are of a type which have been more than once brought to the subordinate's attention, but which he nevertheless persists in. Like wise, remediable defects should also be pointed out during the year so that the officer/official concerned may make an effort to improve and to remove those defects.
  - ii) Often it is more convenient to get an overall assessment of an officer/official by pointing out some defects against one of the other entries in relationship to remarks made regarding his work with reference to that entry. It is not the intention of the Board that all defects should be

enumerated against the entry "Defects, if any" if their mention against one of the other entries permits of a more fair and balanced judgement of the officer/official. In these circumstances, it is better to mention the defects against the entry, where they seem relevant and merely state against the entry "Defects, if any" the fact that these have been pointed out already.

- iii) Generally, against the entry "Defects, if any" should be mentioned any significant general or particular defects in the subordinate, which is part of his method of work or manner, personality or reputation and minor matters can either be ignored or dealt with as mentioned at (i) above.
- (3) Where a pending enquiry finds mention in the Annual Confidential Report of an officer/official, it is incumbent upon the authority maintaining the Annual Confidential Report file of that officer/official to ensure that the result of the enquiry is also recorded in the Confidential Report file.
- (4) Normally the reporting authorities should give their remarks in the Annual Confidential Reports on the basis of their personal knowledge of assessment. There can, however, be occasions when a reporting authority receives complaints against an officer/official. It will not be appropriate for a reporting authority to make mention of such complaints in the Confidential Reports without trying to sift the truth. In such a case, he should give an indication whether he believes the complaints to be true or false, or that it is premature for him to form a definite opinion.
- (5) Some supervisor officers, while recording their remarks on the Confidential Reports of Gazetted Officers, in the column provided for them merely endorse the remarks recorded by the Officers next below them. As this kind of report is in-adequate the reporting officers should record their own remarks about the work and conduct of the officers concerned.

- (6) Suitable entries for the contribution made by an officer by writing books, paper or securing prizes and all such matters which are of considerable importance should find mention in the Confidential Reports of the individuals concerned in the appropriate column.

#### 4. Report regarding Integrity :—

A special mention should invariably be made regarding the integrity of the officer/official, as to this the Board attaches the greatest importance. It should be clearly stated if the person concerned is suspected of corruption or is believed to be corrupt and this opinion should be fortified by reasons, which may be in the possession of the reporting officer. Reporting Officers must be very careful and conscious while commenting on this matter, as any ill-considered or hasty remarks in this respect based only on hear say, may do a lot of mischief and harm. The reporting Officers must be quite honest and frank and discuss an officer's/official's worth from the point of view of his integrity/honesty quite frankly.

Some reporting officers are in the habit of making non-committal remarks like 'No complaints' against the entry relating to integrity/honesty. The Board views this practice with disfavour and desires that the practice of making non-committal entries regarding integrity or honesty should cease. Reporting Officers should give a definite opinion on the integrity/honesty of their subordinates while writing their Confidential Reports.

Further some instances have occurred, in which officers/officials are being proceeded against for serious forms of corruption, on the one hand and on the other, their Confidential Reports for the same period certify their integrity/honesty to be good. It is felt that contradiction of this type arises only because reporting officers are failing in their duty to make entries in the column relating to integrity/honesty forthrightly and with the full sense of responsibility. In case an officer/official has been given a good report for integrity/honesty, which is later proved to be wrong, the reporting officer will run the risk

of earning Board's displeasure. Ordinarily, the inference would be that either he did not exercise proper supervision or he was in dishonest collusion with his subordinate. The intention of the Board is that the truth about subordinates should be known to the reporting officers and brought to the notice of higher authorities. This would not, however, justify the entering of ill-considered remarks based on inadequate observations.

#### 5. Writing of Annual Confidential Reports of Officers/Officials :—

The following procedure may be adopted in writing the Confidential Reports of Officers :—

- (1) **Chief Engineers** :—Their reports will be written by the Technical Member and put-up to the Chairman.
- (2) **Superintending Engineers** :—Their reports will be written by the Chief Engineers and Countersigned by the Chairman.
- (3) **Executive Engineers/Assistant Architects** :—Their reports will be written by the respective S. Es. and put up to the Chief Engineer concerned and the Chairman.
- (4) **A.E. I, A.E. II and Apprentice Engineers** :— Their reports will be written by the Xens. concerned and put-up to the respective S Es. and Chief Engineers concerned.
- (5) **Chief Accounts Officer** :—His report will be written by the Accounts and Finance Member and put-up to the Chairman.
- (5-A) **Chief Auditor** :—His report will be written by the Accounts & Finance Member and put-up to the Chairman.
- (6) **Deputy Chief Accounts Officer** :—His report will be written by the Chief Accounts Officer and put-up to the Accounts and Finance Member and the Chairman.
- (7) **Sr. Accounts Officers and Accounts Officers** :—Their reports will be written by the Deputy Chief Accounts Officer/Sr. Accounts Officers and put-up to the Chief Accounts Officer and Accounts & Finance Member.

3 In case, there is no Dy. C.A.O. the reports of Sr. Accounts officers shall be initiated by the C.A.O. and countersigned by the A.F.M.

(7-A) **D.I.G. (Vigilance)** :—His report will be written by the Secretary and put-up to the Chairman.

(8) **Vigilance Officer (Now Dy. Secy/Vigilance)** :— His report will be written by the Secretary and put-up to the Chairman.

(9) **Dy. Vigilance Officer** :—His report will be written by the Vigilance Officer and put-up to the Secretary and Chairman.

(10) **Under Secretaries/Asstt. Secretaries/Estt. Officers** :—Their reports will be written by the Secretary and put-up to the A.M./Chairman.

The report of Estt. Officer (Zones) may be written by the Junior Chief Engineer and then routed through the Senior Chief Engineers to the Board and countersigned by the A.M./Chairman.

(11) **Deputy Secretary** :—His report will be written by the Secretary and countersigned by the A.M./Chairman.

(12) **Superintendents** :—Their reports will be written by the Dy Secretary/Under Secretaries/Asstt. Secretaries/E.O/A.Os./Sr. A.Os./Xens./S.Es/Other Officers Incharge of their Sections as the case may be and put-up to the next higher authorities/Secretary and then to A.M.

(13) **Public Relations Officer, I.R.O. and Land Acquisition Officer** : Their reports will be written by the Secretary and put-up to the A.M./Chairman.

(14) **Language Officer** :— His report will be written by the Dy. Secretary and put up to the Secretary/A.M./Chairman.

(15) **Asstt. Surgeon I/C, Board's Dispensary at Patiala** :— His

report will be written by the Secretary and put up to the A.M./Chairman.

(16) **Statistical Officer** :—(a) His report will be written by the Xen./S.E. concerned and put-up to the Chief Engineer/A.M.

NOTE—It is, however, left to the Secretary to secure Dy. Secretary's views with regard to the work submitted by a particular officer to him, where-ever he finds it necessary.

(b) The following procedure may be adopted in writing Confidential Reports of officials :—

(1) In the Head Office the Confidential Reports of the officials will be written by the Sectional Heads and then passed on to the Sectional Officers for adding their remarks before these are put-up to the next authority or final authority for countersignatures and record etc.

(2) In the Subordinate Offices, the Confidential Reports of the officials will be written by the S.Es./Xens/SDOs/A.Os./J.Es. and where there is no J.E. by the L/S. Incharge of Sub-Offices. The S.D.Os. while writing Confidential Reports may however, consult J.Es./Line Supdts., where considered necessary by them. The Confidential reports of R.As. & A.R.As. will be written by the S.D.O. and countersigned by concerned Xen. and finally recorded in C.A.O.'s Office. The Confidential Reports in respect of other Revenue Staff working in the Sub-Divisions/Sub-Offices will, however, be initiated by the R.A. and further remarks will be added/countersigned by the SDO./Xen./S.E concerned. The Confidential Reports of the Internal Auditors will be written by the A.Os/Field and of the Audit Clerks will be initiated by the Internal Auditor and further remarks will be added by the A.O. (Field). Final Remarks be given by the C.A.



6. Minimum period for which a Reporting Officer should have seen the work of a Subordinate before recording remarks on him:—

No reporting officer should record his remarks in the Confidential Report of an officer/official under him, unless he has seen his work and conduct for at least three months. If the officer/official has served under the reporting authority for less than three months, the opinion of the officer, under whom he has previously served, should be incorporated in the report care being taken to indicate how far the opinions expressed are based on personal knowledge and how far on reports of other officers.

EXPLANATORY NOTES:

- (1) A reporting officer while recording annual remarks may request his predecessor who has seen the work of the subordinate concerned for a period of more than three months to record his remarks but these later remarks should be submitted by the recording officer direct to the next higher authority who before adding his own remarks will take both sets of remarks, that is, those recorded by the present reporting officer as well as those recorded by his predecessor, into consideration.
- (2) The period of three months referred to in this paragraph means the period for which the reporting authority has actually seen the work of the officer/official reported on. Besides regular leave (casual leave is treated as duty), the period of suspension when a Board employee does not attend to his duties is not to be counted in calculating this period, nor the leave and suspension periods of the reporting authority, if any, when it does not see the work of the subordinate.
- (3) The Confidential Report should be written by the next authority irrespective of the period of report in a financial year. However in the cases where period of report is less than 3 months, the reporting officer shall normally not give any remarks on the work

& conduct of the subordinate unless there is something special of good or bad nature which the reporting officer considers essential to comment on.

7. Recording of remarks on the occasion of relinquishment of charge by Reporting authority:—
  - (1) An officer may, if he had not done so previously, record remarks for the Confidential Report file of officers/officials subordinate to him within six months of his relinquishing charge of his post or office, as the case may be.
  - (2) If an officer wishes to record his remarks either on account of his own transfer or because of the transfer of the subordinate in the middle of the year, there is no objection to his doing so, but his remarks should not be taken into consideration for any purpose, whatsoever, except at the end of year. Such a report will, however, be processed in the same manner as other normal reports.
  - (3) In the case of retiring officers, the C.Es./S.Es. or any other authority entrusted with the work of getting the reports written should get the reports written from the retiree on the date of his superannuation or immediately there-after but if it is omitted due to any reason, the best course would be to leave out the report of the officer who has retired and who is not either willing to record the remarks. Thus in the case of an Asstt. Engineer Class-II, if the Xen. concerned has retired, the report may be initiated by the S.E. if the S.E. has retired, Xen's report may go direct to the C.E. and if the C.E. has retired, the S.E.'s report may be taken as the final report.
  - (4) At present the Annual Confidential Reports initially written by the Reporting Officers are submitted by them to their next higher authority who, after recording their opinion, pass on the same to their next higher authority for countersignatures. It is observed that due to frequent changes of countersigning authorities delay

occurs in getting the Confidential Reports completed from them, since these are required to be sent to such officers who were actually in position during the period to which the reports related. As such in the case of Non-Gazetted Establishment the Confidential Reports may be got countersigned from the Officer who is actually in position at the time of getting the same countersigned, as countersignatures in their case is merely a formality. However in the event of their being a difference in opinion between the initial reporting officer and the next higher authority, only, then it would become necessary to send the Confidential Reports to both the countersigning authorities for recording their remarks. In such cases only one Confidential Report containing the views of the first reporting authority and the next higher authority should be sent for countersignatures and no splitting done.

In the case of Gazetted Officers the present practice may continue as in their case the countersigning authority personally known about their performance and is in a position to express his opinion about their work.

(5) An officer under suspension is not competent to record confidential reports on the work of his previous subordinates.

8. Confidential Reports not to be shown to the Officers/Officials reported on :—

The Confidential Reports, being confidential should not be shown to the individual concerned, whether they are officers or subordinates.

9. Issue of letters of Appreciation :—

The good work of an officer should be recognised by a letter of appreciation. It should, however, be noted that such letters are not to be issued indiscriminately, but this should be done in really deserving cases to encourage good work. The criterion for granting such commendatory letters should be based on a record of exceptionally

good work and not merely on the performance of one's routine duties with more than average ability and industry. Commendation loses much of its value if it is too easily won and it is essential that the greatest care should be taken to limit the number of commendatory letters and to grant them only in cases really deserving of notice. Such letters to officers, where necessary, will be issued by the Board only after considering the recommendations of their superior officers viz. Secy., C.Es. and C.A.O. etc. in this behalf.

#### EXPLANATORY NOTES :

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

#### CLARIFICATIONS :

- i) Where there is only one reporting authority and it recommends clearly the issue of an appreciation letter and also indicates the work proposed for commendation, an appreciation letter may be issued in such cases;
- ii) In cases where the first reporting authority recommends an appreciation letter in clear terms indicating the work proposed for commendation and the second authority simply endorses it by saying "I agree" an appreciation letter may be issued as the words "I agree" amount to endorsing the recommendation of the first reporting authority notwithstanding the fact that the second reporting authority did not clearly say in so many words that an appreciation letter may be issued.
- iii) Where two reporting authorities recommend the issue of an appreciation letter and the highest authority does not contradict that recommendation but records the words "seen" or "No remarks" or simply appends his signature, an appreciation letter

may be issued. Where, however, the final authority controverts the recommendation of the lower authority, no letter of appreciation should be issued.

- iv) Where the two lower reporting authorities do not recommend the issue of an appreciation letter but the highest authority makes the recommendation for such a letter in clear terms, a letter of appreciation should not be issued straightway. In such cases, reference to the two lower reporting authorities, where there are two or more such authorities, should be made asking for their views on the issue of a letter of appreciation. A letter of appreciation should be issued only if at least one of the lower reporting authorities is also of the view that an appreciation letter should be issued.
- 2) The intention is that, as a rule, such letters of appreciation should where necessary, be issued by the Board/Appointing Authority or at least by the authority competent to receive Confidential Reports, convey adverse remarks and maintain the Confidential Reports file of the officer/official concerned as defined in Para-17, and not by officers lower than that. Officers below the level of the authority competent to maintain the Confidential Report file of the officer/official concerned are not competent to issue letters of appreciation of commendation on the basis of generally good work done over a period of time. Their remarks in respect of generally good work done by subordinates should appropriately be recorded in Annual Confidential Reports.
- 3) Occasion does arise when an Executive Officer in the field feels the need of encouraging his subordinates by issuing them letters of commendation, particularly after good work done in connection with some specific incident e.g., continuity of supply, a local exhibition or a visit of some V.I.P. etc. In such cases letters of appreciation may be issued even by officers lower than the appointing authorities or the authority competent to receive

Confidential Reports, convey adverse remarks and maintain Confidential Reports files. Such letters will not however, be placed in Confidential Reports files and should be issued very sparingly.

10. Communication of Adverse Remarks —

- 1) The following general principles should be adopted in this respect:—
- a) When report is build-up on the individual opinions as noted of different departmental superiors in gradation it is only the opinion as accepted by the highest authority which need be considered from the point of view of communication;
- b) an officer/ official should not at any time be kept ignorant of the reporting officer's opinion where his service is not considered satisfactory; criticism should be communicated promptly and should indicate in suitable language the nature of the defects in question;
- c) Supervising Officers under whose instructions adverse remarks are to be communicated should carefully weigh which defects should be communicated and which not. Where a defect is more the outcome of an individual's misfortune than his fault it need not be communicated as it is not likely to do any good. For instance, it might do more harm than good to inform an officer/official year after year that his brains are below average or that he is unduly sensitive;
- d) the reporting officer should specifically state whether the defects reported have already been brought in any communication to the notice of the officer/official concerned;
- e) remarks in cases in which the Board or Head of an office or other officer suspends judgement should not be communicated;
- f) great attention should be paid to the manner and method of communication in order to ensure that the advice given or the warning or censure administered whether orally or in

writing, shall having regard to the temperament of the officer/official concerned, be most beneficial to him; and

- g) any remarks on an officer's/official's report which show that he has taken steps to remedy defects, to which his attention has been drawn in a previous year, should be communicated to him, so that he may know that his efforts to improve have not passed un-noticed.

The practice, if followed meticulously, would provide much needed encouragement and confidence to the officers/officials adversely reported upon during the previous years. Besides such intimations will go a long way to relieve the officers/officials concerned of the mental worry and also give them an incentive to improve and remove the defects pointed out. This function is, no doubt, the responsibility of the final reporting authorities who convey the adverse remarks and maintain the Confidential Reports files of the employees concerned.

Keeping the above principles in view, the adverse remarks recorded by the reporting authorities in Confidential Reports should invariably be communicated to the officers/officials concerned immediately.

Further the existing practice of conveying only adverse remarks in such communication is rather discouraging and leaves the officer/official concerned guessing as to the general total purport of his report. To avoid anxiety on this account, the Board have decided to let the officer/official know briefly (in a sentence or part sentence) the general total impression of his report. For example, it could be said, 'while your work has been assessed as of a good standard of efficiency and competence, it has been pointed out that you tend to delay cases; or, 'though your work is generally assessed as satisfactory during the year, you show a communal-tendency which is brought to your notice for correction' or, 'while you are a hardworking officer/official, you sometimes loses temper in your dealings with the public.'

It may be emphasized that, in the case of officers/officials rem-

-ediable defects should be pointed out very carefully and in suitable language, not with the intention of discouraging the officers/officials but with the sole idea of getting them to remedy the defects. The general record and reputation of an officer/official should be considered before conveying any adverse remarks of an isolated character.

#### EXPLANATORY NOTES :

- i) It is not the intention that even those adverse remarks which have been washed out by the remarks of some superior authority should be conveyed. The correct position is that only the adverse remarks recorded or endorsed by the highest authority reporting on an officer/official should be communicated. Where, however, an adverse remark has not been specifically denied by a higher authority, it should be conveyed. It is, however, open to that authority to decide that any adverse remarks need not be communicated. Where it is so decided, a specific order to this effect should be recorded. The criterion for such a decision should be based on Para-10(1) (c), above.
- ii) The reporting officer, while mentioning any defects in the reports, should as far as possible also give indication of what efforts have been made by way of guidance, admonition, etc. to get the defects removed and with what results.
- iii) It is noticed that instructions that adverse remarks in all cases should be communicated to the officers/officials are not being strictly observed with the result that officers/officials are deprived of the right of representation. It should, therefore, be made a regular form of routine discipline and procedure to invariably convey adverse remarks to the officers/officials concerned immediately after the Confidential Reports are countersigned by the final authorities. All competent authorities should make an occasional check of Confidential Reports entrusted to their custody in order to ensure that adverse remarks are in fact conveyed to the officers/officials concerned.

immediately. No notice should be taken in future of adverse remarks if they have not been conveyed. Where a competent authority does not convey adverse remarks to the officer/official concerned, the omission will be treated as discriminatory action on its part and due notice will be taken of it.

- iv) The highest reporting authority should be consulted at the time of communication of any adverse remarks if at the time of writing the report, his views were not by any chance recorded therein.
- v) Except to the extent indicated above, Confidential Reports are not to be communicated or shown to the officers/officials concerned.
- vi) While communicating the adverse remarks to the Board employees the identity of the superior officer making such remarks should not normally be disclosed. If, however, in a particular case, it is considered necessary to disclose the identity of the superior officer, the authority dealing with the representation may at his discretion allow the identity to be communicated.

#### II. Representations against adverse remarks :—

- 1) There is a strong tendency among officers/officials at all levels not to take adverse remarks in the spirit in which they are intended and as part of the normal incidents of a whole career of service, but to indulge in all kinds of pressure to get such remarks expunged. Such tendency produces ill-effects in regard to the recording of remarks, without fear or favour by reporting officers and such practice must be strictly and firmly discouraged and eliminated, if possible.
- 2) It is often forgotten that the primary purpose of maintaining a record of annual remarks, in regard to an officer's/official's work is to accumulate over a period of years a varied assessment regarding the performance, character, ability and integrity

of the officer/official in discharging the responsibilities which he has been called upon to tackle from time to time. This record is meant to enable the Board to assess the total worth of an individual officer/official over a period of years with a view to utilising him in the best way possible for the public service.

Primarily, therefore, the record of an officer/official is a document internal to the Board to be utilised for promotions, postings and transfers, encouragement and caution, etc. This main purpose of the record must, therefore, be borne in mind, namely, that it is the cumulative assessment of an officer's/official's worth to be utilised for the Board purposes and for public ends and it is only incidentally a means of bringing to the officer's/official's notice defects, which he should consciously endeavour to remedy.

Ordinarily, therefore, the authorities should not enter into any controversy with officers/officials in the matter of adverse remarks communicated to them on the basis of their Confidential Reports. After all it is the duty and privilege of a senior officer to report on the work of those under him.

- 3) Occasionally, however, cases arise where the adverse remarks are not made bonafide, or are based on a patent error of fact. An examination of their representations is, therefore, called for and these should not be turned down automatically. Where the preliminary examination of the representation does not prima-facie establish that the adverse remarks are mala-fide or based on a patent error of fact, there should be little hesitation in disposing of the representation on the general policy referred to above. Where, however, it appears prima-facie that the remarks are not bonafide and that these are based on a clear error of fact, the representation should be examined on merits. If as a result, it is felt by the highest administrative

authority that the adverse remarks should be toned down, he should make the necessary entry with the proper attestation at the appropriate place of the report. Past entries should not be corrected. In the rare event of the competent authority coming to the conclusion that the adverse remarks was inspired by malice or was based on a patent error of fact and, therefore, deserves expunction, he should score through the remark or put it up or obliterate it otherwise and should state that he has done so and sign at the appropriate place indicating the date. The reporting officer may also be informed and suitably warned where malafide intent is indicated. The representations and explanations against the adverse remarks should not be the Confidential Reports.

- 4) There may also be border-line cases, in which there may be some substance in the adverse remarks conveyed to the officer/official and also some justification for the representation made by the officer/official against the adverse remarks. In such cases, the proper course to adopt would be to place the representation on the Confidential Reports file, after obtaining the orders of the highest administrative authority.
- 5) Before passing final orders on a representation against adverse remarks, the comments of the reporting authority/authorities should invariably be obtained.
- 6) Representations against adverse remarks should not\* contain absurd and baseless allegations against reporting officers. If an employee has a genuine complaint against any officer, he should send him application separately through proper channel, so that suitable action be taken thereon in the normal way. In case any officer, in future, makes such allegation in his representation which can be construed indiscipline or misconduct,

\*The word "not" inserted vide circular memo no. 13340/14490/Reg.20/vol. II dated 20-1-77

not only his representation will summarily be rejected but he will also be liable to disciplinary action for contravention to Regulation 4 (1) (iii) PSEB Employees Conduct Regulations, 1971 or Rule 3 (1) (iii) of the Pb Govt. Employees (Conduct) Rules, 1966, as the case may be.

- 7) If a representation is made by any officer/official against the remarks communicated to him, such representation should be brought to the notice of the highest administrative authority and his orders should be obtained thereon. It would be very undesirable that an officer against whose adverse remarks, representations are submitted should also dispose of such representations.

The intention is that both for purposes of rejection and acceptance of representations against adverse remarks, there should be one authority and it should be the highest administrative authority.

#### EXPLANATORY NOTES :

The 'highest administrative authority' means the appointing authority or the authority to whom representation against the punishment of censure lies under the existing rules/regulations, whichever is higher. If such authority is himself the authority whose adverse remarks are communicated, the term 'highest administrative authority' should mean the next higher authority.

- 8) (1) It should be clearly borne in mind that the opportunity of making representation against adverse remarks cannot be utilised by the employee to express his irrelevant grudges against the Reporting Officer. It has been noticed that the employees do not hesitate even to throw mud on the concerned officer beyond limit. Undoubtedly the concerned employee has full right to explain his position, but it does not mean that they may write bluntly, what ever they have in their mind. In order to eliminate this tendency of blaming the concerned

officer the employees are advised that in their representations for expunging adverse remarks they should not add meaningless and baseless allegations. If any employee has a genuine complaint against any officer, most appropriately he may as soon as possible send his complaints separately through proper channel for necessary action by the competent authority. If any employee in his representation will add such things which could be considered as an act of indiscipline and misconduct his representation will not only be rejected originally but necessary action can also be taken against him for contravening the provisions of rule-3 (iii) of the Pb. Government Employees Conduct Rules, 1966/Regulation 4 (iii) of the P S E.B. Employees Conduct Regulations, 1971.

- (2) The representations against adverse remarks should be considered & disposed of by an authority next higher to the receiving authority of the Board. For instance the reports which end at the level of C Es./Secretary Board/C.A.O., representation in such cases may be disposed of at the level of A M. Similarly in cases where receiving authority is the Chairman, the representation against the adverse remarks, may be disposed of by the next higher authority, i.e. W T.Ms.

**12. Time limit for filing representations against the Adverse remarks and the authorities to whom the representations are to be addressed :-**

- 1) The Board does not encourage representations against adverse remarks given in Confidential Reports by the competent authorities. If, however, a representation is to be made, it should not be entertained, unless it is received within three months from the date of the letter communicating adverse remarks to the officers/officials concerned. It is dangerous to allow officers/officials to go on putting-up representations whenever they think the situation is favourable to them, and post facto

attempts to clean-up Confidential Reports Files must be resisted.

- 2) The representations against adverse remarks may be addressed direct to a authority conveying the adverse remarks.
- 3) Remarks recorded in the Annual Confidential Report against which representation has not been filed within the prescribed period or, if so filed, has been rejected, should not be expunged, inspite of the fact that at some later date a succeeding authority has a different view. The succeeding officer may record his own remarks and get the same also placed on the Confidential Report File of the employee reported upon where he has a different view in regard to the remark in the Confidential Report recorded by a previous officer.

Where an officer/official who wanted to represent against adverse remarks, but could not do so, because he was unable to lay hands on the relevant record in order to prepare his representation. In such cases officers/officials concerned should promptly intimate to the authority conveying the adverse remarks that he would be making a detailed representation after examining the relevant record. As far as possible, the detailed representation should also be sent within the prescribed time-limit of three months; but where this is not practicable owing to the circumstances beyond an officer's control and the authority dealing with the representation is satisfied about it, the representation may be entertained and dealt with as if it had been received within the prescribed time limit of three months.

**13. Nature of documents/communications which need to be placed on C/R. Files :-**

- 1) Besides the Confidential Reports on the work and conduct of an officer/official concerned, copies of documents/communi-

cations specified below, should also be placed in the Confidential Report files :—

- a) all orders imposing any of the penalties prescribed under Rule 5 of the P.S.E.B. Punishment & Appeal Rules, 1970/Regulation-5 of the P.S.E.B. Punishment & Appeal Regulations, 1971, as amended from time to time;
  - b) all communications conveying adverse remarks or appreciation of the Board (as distinct from commendatory letters of personal nature issued by authorities other than the Board);
  - c) those letters of appreciation which deal with outstanding nature of performance of an officer/official on an overall assessment on his work and conduct during the year in the light of the remarks recorded in his Confidential Reports;
  - d) a copy of the orders granting advance increment(s).
- 2) As regards warnings which are not the direct out come of Annual Confidential Reports (except those emanating from the Board), these shall not be placed on the Confidential Report Files without previous approval of the 'Appointing Authority'.
- The warning when given to the employee is not considered a punishment under P.S.E.B. (P & A) Rules, 1970/ P.S.E.B. Punishment & Appeal Regulations, 1971. But when a copy of it is placed in the Confidential Report file, it becomes a punishment from the legal point of view and can affect the service matters of the employee concerned. Therefore, it is constitutionally considered that before placing the copy of warning in the Confidential Report file of an employee, he should be given an opportunity of being heard.
- 3) In regard to other communications of the nature of advice or conveying displeasure of the Board, orders of the competent authority whether or not a copy should be placed in the Confidential Report file should be obtained in each individual case.

'Competent Authority' referred to above will be :—

- a) the Board in cases where the advice given to an employee is from the Board or the displeasure of the Board is conveyed or the Board is the authority competent to impose the punishment of censure; and
  - b) the authority competent to hear appeals from an order imposing the punishment of censure, in other cases, except when the advice given is that of a higher authority in which cases such higher authority should be the 'Competent Authority'.
- 4) Whenever an officer/official has attended an approved course of study or training in India or abroad :—
- a) the fact of his having done so should be entered in his Confidential Report.
  - b) the report received from the head of the Institution of the aforesaid study or training should either be placed in original with the Confidential Report or the substance of it entered therein.
  - c) an entry about the report submitted by the officer on his work should also find mention in the Confidential Report if it is outstandingly good, or is of a poor quality indicating that the officer/official had not made good use of his period of study or training.

NOTE :—Approved courses of training may be defined to include courses sponsored by the Government/Board or in which the cost or part of cost is borne by Government/ Board as also courses attended with the permission of the Board or for which the Board grants study leave. In respect of some of these courses it may not be possible or necessary to obtain reports which could not be incorporated in the Confidential Reports. For instance there are part-time courses and refresher courses where



an assessment of the candidate is not made. In such cases, however, entry in the Confidential Report of the fact of the officer/official having attended the course would nevertheless be useful in giving a more complete picture of the officer's/official's experience and accomplishments.

#### EXPLANATORY NOTES :

- i) As a result of delays detected by the Members of the Board, the official responsible for delays are sometimes warned and in certain cases it is decided that a copy of the warning should be placed in the Confidential Report file of the officer/official concerned. In such cases, it is not necessary to obtain the orders of the competent authority as defined above for placing a copy of the warning in the Confidential Report file.
- ii) It is the responsibility of the authorities maintaining the Confidential Report files to ensure that all documents required under the instructions of the Board to be placed in the Confidential Report files, are placed thereon.
- iii) The term 'Confidential Report file' means in this context the collection of Annual Confidential Reports on the work and conduct of a Board employee and copies of orders of punishment and appreciation letters etc. that may, in accordance with the foregoing instructions, form a part of this collection.

#### 14. Documents which are not to be placed in Confidential Report Files :-

The Confidential Report files should not be burdened with copies of personal letters or certificates issued by superior officers to their subordinates or letters of commendations issued by the Board in recognition of any special help that might have been rendered by the officer/official concerned on a particular occasion, e.g., a local exhibition and visit of a V.I.P. etc.

Letters of appreciation issued by various authorities or persons on any major event of work done or special contribu-

tion made by the officer/official towards the implementation of a particular scheme or successful conclusion of special campaign will not, therefore, be placed in the Confidential Report files.

#### EXPLANATORY NOTE :

Enquiry reports of the Vigilance unit some-times contain mention of un-substantiated allegations. In any case these are in the nature of investigations. Such enquiry reports shall not be placed in the Confidential Reports files.

#### 15. Procedure to be followed where a Reporting Authority is related to the officer/official to be reported on :-

- 1) When the reporting officer is the first reporting authority, he should be competent to record his remarks, but while doing so, he should clearly mention that he is related to the officer/official reported on and bring out the exact nature of relationship.
- 2) When the reporting officer is not the original reporting authority, he need not normally write any remarks. If, however, he feels that for some reasons, he must enter some remarks, he should, while doing so, act as under (1) above.

#### 16. Soliciting of remarks to be discouraged :-

There should be no undesirable tendency among the officers/officials to approach the higher authorities for getting remarks out of the way on their Confidential Reports. The fact of any such approach if made, should in fact be reported in the Confidential Report. The confidential remarks on the work of the Board employees will, however, be recorded by the competent authority in the normal-course when due i.e., in Confidential Reports. The officers/officials shall, on no account solicit for remarks in Confidential Report files from their other superiors.

#### 17. Custody of Confidential Report Files and authorities competent to convey adverse remarks in Confidential Reports :-

- 1) The Confidential Report files of different categories will remain

in the custody of the following authorities :-

- |   |   |
|---|---|
| a) All Gazetted officers under the Board including those on deputation.   | Secretary (Board)   |
| b) <u>Non-Gazetted Staff.</u>   |   |
| i) Dy. Supdt. Asstts., Stenographers, U.D.Cs., Stenotypists, Clerks and all other staff employed in the Head Office.  | Secretary, C.Es. and C.A.O. in respect of staff under them. |
| ii) S.A.S. Accts., Divl. Accts., Revenue Accts., Assistant Revenue Accts., Internal Auditors, Audit Clerks and Stock verifiers.   | C.A.O.  |
| iii) Circle Supdts., Circle Asstts., Head Clerks and U.D.Cs. in subordinate offices.  | C.Es. concerned   |
| iv) Head Store-keepers, Store-keepers on Store-keeping side.  | -do-  |
| v) J.Es./Line Supdts., S.S.Os., Telephone Supervisors, Installation/Test Inspectors, Sectional Officers, Foremen Special, Foremen, Asst. Foremen Cable Jointers and all other Technical & Misc. Staff for which C.Es. are the appointing authorities. | -do-  |
| vi) Chief Draftsmen, Circle Head Draftsmen, Divl. Head Draftsmen and Draftsmen on the Drawing side.   | -do-  |

vii) Linesmen, Sub-Station Attendants, Clerks, Asstt. Store-keepers, Tracers and all other Technical and Misc. staff for which S.Es. are the appointing authorities.

S.Es. concerned.

- 2) The authorities mentioned in sub-para (1) above will receive Confidential Reports and convey adverse remarks contained therein in respect of the employees of the Board whose Confidential Report files are maintained by them.

**18. Maintenance of Confidential Report files Index to Confidential Report Files :-**

- 1) The Board observe that, very often, annual Confidential Reports are neither written promptly by the recording authorities nor due importance is attached to the proper maintenance of Confidential Report Files, which are valuable service records of the employees of the Board. To remedy this state of affairs, an Index in the attached proforma (Annexure-'A') should form part of each Confidential Report file and entries therein completed when any new documents are filed.
- 2) The periods of suspension, long leave, deputation etc. and periods less than three months for which no report is written should invariably be recorded in the Index at proper gaps between entries of the reports concerned (succeeding and preceding reports).
- 3) To ensure proper up-keep of Confidential Report files it would also be desirable that the appointing authorities/Heads of Departments/Heads of Offices have the Confidential Report Files in their own custody and those in the custody of their subordinate offices inspected by a responsible officer once every year between the months of July and September.
- 4) The charge of Confidential Report files should be properly handed over/taken over by the concerned officers/officials and each Confiden-

tial Report should be minutely checked at that time. It would be the responsibility of the officer/official taking over the charge to point-out the deficiency and incompletions noticed at the time of taking over the charge, failing which the responsibility for any in-completion/deficiency noticed later on will be fixed on him. The Board has decided that one day should be allowed for handing/taking over 150- Confidential Reports files in a day by the officers/officials taking over/handing over charge and their joining time adjusted accordingly. The officers Incharge should also ensure that proper taking over of the charge of the Confidential Reports files is done at the time of transfer of officers/officials who are responsible for their custody before their charge report/departure report is accepted by them.

- 5) It is observed that Confidential Reports of certain employees on their transfer from one office to another office are not sent alongwith their personal record viz. personal files, service books etc. which delays their cases of promotion and efficiency bar etc. It is, therefore, desired that the Confidential Report files of the officer/official concerned should invariably be sent to the office concerned immediately after he is relieved of his duties and may not be retained in the old office. In case it is not received within three months of the arrival of the officer/official in the new office the same may be called for by that office promptly.

**19. Summary of Confidential Report files :**

- 1) In respect of Non-Gazetted Staff summary in the attached proforma (Annexure 'B') should form part of each Confidential Report file to facilitate the judging of relative merits of officials by the competent authorities making appointments, promotions, etc. For Gazetted Officers, these already exists part-II in their Confidential Report form for this purpose.
- 2) To facilitate this task further the grading should be done by the reporting officer. A column for 'overall assessment' should be

prepared in the form so that the year's work is assessed and graded in the recognised categories, namely 'A plus' (outstanding) 'A' (very good) : 'B plus' (good); 'B' (Average) and 'C' (Below average).

- 3) To facilitate the assessing of officer's/official's worth, on the basis of his Confidential Report file, the good and bad remarks should be side lined with red and black pencils, respectively while putting-up the Confidential Reports files in cases of promotion, disciplinary action and pension etc. This may also be done in case of Confidential Reports of Gazetted Officers.

**EXPLANATORY NOTE :**

A column for overall assessment should be provided in the form of Confidential Reports and the grading of an officer should be indicated in the said column.

**20. Report in respect of Class-IV Board employees :—**

Annual Confidential Reports should also be written in respect of all regular Class-IV Board employees in the State Electricity Board and their personal files maintained as in the case of other classes of Board employees. A sample form of Confidential Report, which may be used in this connection is at Annexure 'D'.

**21. Personal Considerations and safarish to be eschewed while recording reports : -**

The officers/officials recording Confidential Reports should realise the value and the importance of such reports in making or adversely affecting the careers of officers reported upon. While superior officers/officials have the fullest freedom and the right to record their opinion about the work and conduct of their subordinates, in doing so they should be guided solely by considerations of merit, justice and fair play. No personal considerations, approaches or safarish of any kind should be allowed to supervene and their conscience alone should be their guide in this matter.

**22. The Board would like to urge that the officers recording**

remarks in Confidential Reports should realise the value and importance of such reports in making or adversely affecting the careers of officers/officials reported upon. While the superior officers/officials have the fullest freedom and the right to record their opinion about the work and conduct of their subordinates, in doing so, they should be guided, solely by consideration of merit, justice and fair play. No personal considerations and approaches or 'Safarish' of any kind should be allowed to supervene and their conscience alone should be their guide in this matter.

ANNEXURE-'A'  
PUNJAB STATE ELECTRICITY BOARD

OFFICE OF THE.....  
INDEX TO ANNUAL QUALIFICATIONS REPORTS AND OTHER  
DOCUMENTS PLACED IN THE QUALIFICATION REPORT FILE  
OF.....

Sr. No.	Date on which placed on Q R. File.	Nature of document placed showing periods to which it relates.	Page Nos. of the documents filed.	Signatures, date and designation of attesting authority of the entry.	Remarks.
1.	2.	3.	4.	5.	6.

- N.B.—(1) The Index form should be printed on both sides of a thick folder.  
(2) Each Index sheet should have a Sr. No. in the right and top corner.  
(3) Proper account of Index Sheets should be maintained by each office.

ANNEXURE-B'

- (1) Name of the official with an indication of the service to which he belongs.  
 (2) Date of entry in the service.

Period covered by the report	Post(s) held	Name(s) with designation(s) of the reporting officer(s)	Whether the report is, on the whole, outstanding, very good, good, satisfactory or poor			Reference to pages.	Remarks.
			outstanding/very-good/good	Satisfactory/Fair.	Poor		
1.	2.	3.	4. (a)	(b)	(c)	5.	6.

ANNEXURE-'D'

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

1. Name.
2. Post held.
3. Date of Birth.
4. Scale of pay.
5. Educational qualifications.
6. Branch to which/Officer to whom attached.
7. Can he read and write Punjabi/Hindi/English ?
8. Observations on :—
  - i) Intelligence.
  - ii) Amenability to discipline.
  - iii) Honesty and Integrity.
  - iv) Punctuality.
  - v) Devotion to duty.
9. Is he fit for promotion to the grade of Jamadar/Daftri/Record lifter etc.
10. Are you prepared to retain him under you ?
11. Any other remarks.

Signature of Reporting Officer

Copy of Secretary PSEB Patiala Circular memo No. 178316/179516/Reg-20 Vol II dated 14/27-76.

Subject - - Instructions regarding Confidential Reports.

Para-7.3) of the consolidated instructions cited as subject, circulated vide this office letter No. 142376/3426/Reg-20/Vol-II dated 4-8-76, shall be substituted as under :-

"When-ever an officer retires, he should write the Confidential Reports of his subordinates before retirement. After retirement, he shall have no right what-so-ever, to comment on the performance of his subordinates".

**EXPLANATION :-**In the case of retiring officer, the next higher authority should get the reports written from the retiree on or before the date of his actual superannuation. If it is omitted due to some reason, the best course would be to leave-out the reports of the officer who has retired and in that event the next higher authority may initiate the reports. For instance, if an Xen. retires, the reports of the S.D.Os. may be initiated by the S.E., if the S.E. has retired Xen's report (reports initiated by the Xen.) may go direct to the Chief Engineer and if the Chief Engineer has retired, S.E.'s reports may be treated as final.

In the case of retiring of Chairman, it will be the duty of the Secretary of the Board to furnish the C.R. Forms of all officers whose reports are to be written by the Chairman, one month before the date of retirement. In case the Chairman does not write Confidential Reports before his retirement, the reports which were to be written by him will be written by the Senior Most Member of the Board, who, in any case, had seen the work & conduct of all the officers.

Copy of Secretary PSEB Patiala Circular memo No. 13340/14490/Reg 20/ Vol. II dated 20-1-77

Subject - - Instructions regarding Confidential Reports.

I am directed to say that the following amendments may be carried-out in the respective paras relating to the instructions regarding confidential reports circulated vide this office circular letter No. 142376/3426/Reg-20/Vol-II dated 4-8-76 :-

(I) Para-5(7)

The following shall be added at the end of first para i.e. after the words Accounts and Finance Member

"The reports of Accounts Officers (Field) shall be written by Dy. C.A.O or C.A.O./C.A."

(II) Para-5(16) (2)

Sub-para-2 of item-16 under Para-5 shall be substituted as under :-

In the Subordinate Offices, the Confidential Reports of the officials will be written by the S.E./Xens./SDOs/A.Os./J.Es. and where there is no J.E. by the L/S. Incharge of Sub-Offices. The SDOs while writing Confidential Reports may however, consult JEs/Line Supdts. where considered necessary by them. The Confidential Reports of R.As & A.R.As. will be written by the S.D.Os. and countersigned by concerned Xen. and finally recorded in C.A.O's Office. The Confidential Reports in respect of other Revenue Staff working in the Sub-Divisions/Sub-Offices will, however, be initiated by the R.A. and further remarks will be added/countersigned by the SDO/Xen./S.E. concerned. The Confidential Reports of Internal Auditors be written by A.O. (Field) and further remarks be added by Senior Accounts Officer. The Confidential Reports of Audit Clerks be written by Internal Auditors and seen by A.O's. (Field) and finally recorded after countersignatures/orders of Chief Auditor.

(III) Para-9

The word "and" appearing between "C.Es." and "C.A.O" in the last line of the first para be deleted and the word "and C.A." be added between the words "C.A.O." and "etc."

(IV) Para-11(6)

The word "not" shall be added in between the words "should" and "contain" in first line of item-6 under Para-11.

(V) Para-17 (1)(ii)

The word "C.A." may be added after "C.A.O." in column-2 against item (1) (ii) under Para-17.

**Copy of Secretary PSEB Patiala Circular memo No. 27395/28395/Reg. 20/Vol. II dated 15-2-77.**

**Subject :—**Instructions regarding Confidential Reports-Issue of letters of Appreciation.

Your attention is invited to paragraph 9 of the instructions contained in the Board Secretariat letter No. 142376/3426/Reg-20/Vol-II Dated the 4th August, 1976 on the subject cited above which, inter-alia, provides that the good work of an officer should be recognised by a letter of appreciation in really deserving cases. As mentioned therein, criteria for granting such commendatory letters should be based on a record of exceptionally good work and not merely on the performance of one's routine duties with more than average ability and industry. Such letters are to be issued by the Board and if at least two authorities when there are two or more such competent authorities, make a recommendation to this effect indicating the reasons for the grant of such commendation letter.

2. While recording remarks in the annual QRs, you are requested kindly to take into consideration the instructions contained in paragraph 9 *ibid* so that if an officer has done exceptionally good

work, the same should not escape the notice of the Board and that with a view to giving encouragement to such an officer, commendation letter is issued to him.

3. These instructions may also be brought to the notice of other reporting officers working under you.

**Copy of Secretary PSEB Patiala Circular memo No. 29868/30868/Reg. 20/Vol. II dated 21-2-77.**

**Subject :—**Instructions regarding Confidential Reports.

In continuation of this office circular letter No. 13340/14490/Reg-20/Vol-II dated 20.1.77, I am directed to say that the following shall be added at the end of the existing Para 5 (16) (2) relating to the instructions regarding confidential reports, as circulated vide circular letter referred to above :

"Similarly the annual confidential reports of staff placed under Divisional Accountants in the Divisional Offices will initially be written by the Divisional Accountant and then by the XENs/SEs."

**Copy of Secretary PSEB Patiala Circular memo No. 45370/380/ENG/S-39 dated 11-4-77.**

**Subject :—**Introduction of system of self-initiation of Q.Rs. by the concerned officers.

In order to eliminate delay in the writing of the Qualification Reports of Non-Gazetted Staff (including class IV employees) working in the Head Office and their timely submission to the quarters concerned, it has been decided to do away forthwith the prevailing practice of sending the Q.R. forms (with Informatory columns duly filled in) to the Reporting Officers and to introduce thereby the system

of self initiation of Q Rs by the concerned Reporting Officers. Under this new system, the initiation of the Q.Rs will be the primary responsibility of the Reporting Officer. Hereafter, the official to be reported upon, immediately on the end of the financial year i.e. 31st March or earlier on his transfer from one assignment to the other, shall make available blank Q.R. form with informatory columns, duly filled in by him, to his Reporting Officer to enable him to initiate the report timely. There-after, it will be the sole responsibility of the Reporting Officer to ensure that the Q.Rs of his subordinates are written and forwarded to the next receiving authority immediately so that the same may reach the Board Secretariat, Secret Cell/Non-Gazetted, by the end of May each year, at the latest. In the case of Class IV employees informatory Columns will also be filled by the Reporting Officer.

2. It is further added that the Reporting officer should write the Qualification Reports of the Non-Gazetted staff including class IV employees, strictly in accordance with the standing instructions of the Board. A certificate may be furnished during the month of May, by all the Sectional Officers to their next higher authorities, to show that the annual qualification reports for the financial year concerned have been written in respect of Class III employees (including Class IV employees) under their control.

3. The blank Q.R. forms shall be available with the Board's Printing & Stationery Section and shall be issued on demand, as per other articles of stationery.

4. The above instructions, which come into force with immediate effect, should be brought to the notice of all concerned and followed meticulously.

*Copy of Secretary PSEB Patiala Circular memo/endst. No. 122892/123300/Reg.20/Vol. II dated 26-5-77.*

*Subject:— Instructions regarding Confidential Reports.*

Reference your memo. No. C-342/Steno dt. 1-4-77.  
It has been decided that annual confidential reports of the staff placed under Circle Supdt. in a circle shall initially be written by the Circle Superintendent and countersigned by the Superintending Engineer. The above instructions should be brought to the notice of all concerned.

*Copy of Secretary (secret coll) PSEB Patiala Circular memo/endst. No. 7381/7462/ER-10/Vol. XXXI dated 20th September, 1977.*  
*Subject: Recording of qualification reports.*

Of late, it has been noticed that there is a wide spread policy of the Superintending Engineers and Chief Engineers to merely countersign the Q Rs of the SDO's as recorded by the Executive Engineers. Infact, there should not be only one assessing officer to assess the worth of an officer/official. The superior officer should not merely counter-sign the annual qualification report without adding his own remarks. The SEs. as well as CEs. are technical officers, and it is their job to assess primarily the work of young SDOs. It is the S.E. who is the "Reviewing Authority" and the CE who is the "Accepting Authority" of the annual Q.R for a particular year of a SDO and mere routine countersigning of the Q Rs does not serve any useful purpose. After considering the entire matter, it has been decided that in future, the SEs. would also record their assessment in the annual Q.Rs. (and not merely countersign the reports submitted to them by the Executive Engineers) of the SDOs; and the Chief Engineers also in their capacity as "Accepting Authorities". In case of Executive Engineers where the S.Es are the "Reporting Authority", the CE should add his own remarks as "Reviewing Authority".

The above instructions be followed meticulously.

*Copy of Secretary (secret cell) PSEB Patiala Circular memo/endst. No. 8106/8360/CST/R-138 Part II dated 9th Dec., 1977.*

*Subject:—Recording of Qualification Reports.*

While communicating adverse remarks to the officers based



upon entries in the annual Q.Rs it has been noticed that figures are mentioned against column 2(h) relating to fatal and non-fatal accidents and Col. 3(g) relating to defaulting amount, without stating whether these are due to improper maintenance of system, negligence, lack of efforts and initiative on the part of the officers reported upon. In case, complete entries are made, it can avoid lot of un-necessary work in communicating the remarks, calling for the explanations, inviting comments thereon and decision on the representation. Also, harassment to the officer concerned can be saved. This may please be noted for compliance in the Q.Rs to be written from now onwards.

In case of incomplete remarks, necessary note will be added in the confidential reports of the reporting officers themselves.

—  
**Copy of Secretary PSEB Patiala Circular memo No. 242239/800/Reg. 20 /Vol. II dated 21-12-77.**

The Punjab State Electricity Board has decided to add the following in between the words 'Concerned' and 'The' in 13th line in para 5 (16)(2) at page 5 of this office circular letter No 142376/3426/Reg-20 Vol. II dated 4.8.76 relating to the instructions regarding confidential reports :—

"The confidential reports of the Divisional Accountants will be written by the Xens., countersigned by the S.Es. and finally recorded in C.A.O.'s office."

—  
**Copy of Circular letter No. 11540-2 GSI-77/2402 dated the 23rd January, 1978 from Chief Secretary to Government, Punjab, to all Head of Depts. 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 Govt. 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 28.4.75, 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-75/5767, 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 record 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 3.5.60. 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 malafide 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 24.5.68 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 inspite 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 re-iterate the Government's policy as stated above for strict compliance and to stress that only if patent errors of facts or malafide intention behind the remarks are fully established, the adverse remarks should be expunged, otherwise not.

Kindly acknowledge its receipt.

(Circulated vide Secretary PSEB Patiala endst. No. 80955/81465/Reg. 20/Vol II dated 14.6.78)

Copy of Secretary, P.S.E.B. Patiala Circular No 1643/2402/CST/R-138 dated 18-4-78.

Subject :—Writing of Annual QRs.

Instructions regarding writing of QRs were circulated vide this office Memo No. 111176/840/CST/R-138 Part-II dated 6-12-75 wherein it was interalia mentioned that under the system of self-initiation of QRs by the concerned officers, the officer to be reported upon immediately at the end of the financial year i.e. 31st March or earlier on his transfer from one assignment to the other, should make available blank QR forms with informatory columns duly filled in by him to the reporting officer to enable him to initiate the report timely. Thereafter, it will be the sole responsibility of the reporting officer to ensure that the QR of his subordinates are written and forwarded to the next receiving authority immediately so that the same may reach the Board Secretariat, Secret Cell by the end of May each year at the latest but it has been noticed that QRs are not written and sent to this office well in time which results in the delay in finalisation of cases of EB/Promotion, Pension etc. besides causing mental agony and financial hardship to the employees concerned.

While re-iterating the above instructions, it is requested that whenever any Reporting Officer is transferred from one assignment to another, while submitting his charge report, he should simultaneously submit all the QRs of his subordinates to his next higher authority so that no QR of an employee is left over unwritten. This should be ensured by the respective controlling officers that the charge-report of an officer who is transferred is accepted only when he clears the QRs of all the subordinates who had worked under him.

Further, the officer to be reported upon, while submitting his blank QR form with informatory columns duly filled in to his reporting officer, in case of his period of report being less than three months, should specifically indicate the reasons thereof because in some cases, the period of reporting officers becomes less than three

months or the officer to be reported upon is posted at a particular station for a period of less than three months.

As enjoined in the instructions regarding confidential reports circulated vide circular No. 142376/3426/Reg.-20/Vol. II dated 4th August, 1966, a certificate should be furnished during the month of May each year by all the officers to their next higher authorities concerned to the effect that annual confidential reports for the financial year have been written in case of all employees in their respective Section/Division/Circles/Zones. Thus it is essential that all officers should write report on the work and conduct of their subordinates regularly and punctually.

The above instructions should be brought to the notice of all concerned and followed meticulously.

**Copy of Secretary PSEB Patiala Circular memo No. 57639/58759/Reg./Louse 53 dated. 24.4.78**

**Subject: Disposal of Efficiency Bar Cases.- Timely completion of Confidential Reports.**

It has been brought to the notice of the Board that main reason for the back log of E.B. cases is the non-availability of confidential reports in respect of the affected employee. One of the back ground for non-availability of confidential reports is reported to be non-writing of confidential reports in time by the officers on their transfer.

Board has already issued instructions from time to time to eliminate delays in writing confidential reports of the employees. It has also been laid down in para 7 (i) of the General instructions regarding confidential reports circulated vide this office circular No. 142376/3426/Reg. 20 Vol. II dated 4.8.76 that an officer may, if he had not done so previously, record remarks for the confidential

report file of officers/officials subordinate to him within six months of the relinquishing charge of his post or office, as the case may be. Under the system of self initiation of confidential reports already introduced by the Board the concerned employees on the transfer of their reporting officer, should provide such reporting officer with blank confidential report forms with informatory columns duly filled in and the respective reporting officer should then ensure their early initiation and not later than the period already prescribed in para 7 (i) of the general instructions referred to above.

Further the custodian of the confidential report files should also ensure timely completion of the confidential reports at the end of each financial year. If the confidential report of an employee is not received by him within the prescribed time limit already provided in the standing instructions he may bring it to the notice of the competent authority and remind the concerned authority for its early submission.

**Copy of Secretary PSEB Patiala Circular memo No.87664/88764/Reg. 20/L-2 dated 30.6.78.**

**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 para 10 of this office circular letter No. 142376/3426/Reg. 20/Vol. II dated 4.8.76, it was emphasised that the adverse remarks recorded by the reporting authorities in Confidential Reports should invariably be communicated to the officer/official concerned immediately.

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 Secretary P.S.E.B. Patiala memo No. 185/Reg./Loose.41 dated 10.7.78 to S.E Protection Circle, Patiala.

Subject : Instructions regarding confidential reports.

Reference your memo No. 691/EPT-698/Vol. II dated 11.1.78\* and subsequent reminders thereto.

No instructions regarding rewriting of confidential reports have been issued by the Board which are lost in transit. Writing of Annual Confidential Reports is an annual feature and is to be completed within a specified period. As such it is not administratively desirable to get the confidential reports written in bulk. The right course in such cases is that an entry may be made in the record that reports for such and such periods have been lost after ascertaining the period from all the quarter concerned and fixing the responsibility for the misplacement of the confidential reports in question.

\* Copy attached.

Copy of S. E. Protection Circle PSEB Patiala memo No. 691/EPT-698/Vol. II dated 11.1.78 to Secretary PSEB Patiala.

Subject :- Instructions regarding confidential reports.

It is to inform you that the QR of an official written by the Officer Incharge has been lost in transit and the action against the official responsible on this account has already been taken.

Now the QR of the said period is required in connection with the crossing of efficiency bar of the official. It is requested that necessary advice regarding writing of missing QR may please be conveyed to this office as there is no mention in your circular memo no: 142376/3426/Reg-20/Vo. II dated 4.8.76, containing detailed instructions for writing of QRs.

An early reply in this case is requested please.

—  
Copy of Secretary PSEB Patiala Circular memo No. 255764/256874/Reg. 20 vol II dated 7.11.1978.

Subject : Instructions regarding confidential reports.

The existing para 17 (I) (b) (i) of the consolidated instructions on the subject issued vide this office letter No. 142376/3426/Reg-20/Vol. II dated 4.8.76 shall be substituted as under :

Para 17 (I) (b) (i)

(b) Non Gazetted Staff.

- (i) Dy. Supdts., Asstts., Steno graphers, WDCs, Steno Typists, Clerks, Class IV employees and all other staff employed in the Head Office.

Secretary

Copy of Secretary PSEB Patiala Circular memo No. 272045/273145/Reg. 20 Vol II dated 8-12-78.

Subject : Instructions regarding confidential reports.

Sub para 10 of para-5 of the consolidated instructions cited as subject, circulated vide this office letter No. 142376/3426/Reg-20 Vol. II dated 4.8.76, shall be substituted as under :—

Para-5 sub para 10

Under Secretaries I & II

Their reports will be written by the Dy. Secretaries and reviewed/accepted by the Secretary.

NOTE-1 The report of Under Secretary (Finance) will be written by the Secretary and reviewed/accepted by the A & F.M.

NOTE-2 The report of the Under Secretary (Legal) will be written by the Legal Advisor and reviewed/accepted by the A.M.

NOTE-3 The report of Under Secretary (Zones) will be written by the senior most Chief Engineer and reviewed/accepted by the A.M.

Copy of Secretary PSEB Patiala Circular memo No. 1891/3041/Reg. 20 dated 8.1.79

Subject : Instructions regarding confidential reports.

Para 17 (2) of the consolidated instructions cited as subject, circulated vide this office circular letter No. 142376/3426/Reg. 20 Vol. II dated 4.8.76 shall be substituted as under :—

17 (2) The authorities mentioned in sub para-(1) above will receive confidential reports and convey adverse remarks contained therein, in respect of the employees of the Board whose confidential report files are maintained by them. These authorities may authorise any other Junior officer attached to them to convey adverse remarks on their behalf, if so desired.

PUNJAB STATE ELECTRICITY BOARD

Office Order No. 409/ENG/Secret/S-39 Dt. 17.4.79.

The following powers, vested in the Secretary, are hereby further delegated to the Deputy Secretary/General, in respect of all Non-Gazetted (Class-III & IV) staff, employed in the Head-Quarter Offices, as enjoined under instruction No. 17(2) of consolidated instructions regarding confidential reports, issued vide this office circular letter No. 142376/3426/Reg. 20/ Vol. II dated 4.8.76, and amended vide circular letter No. 1891/3041/Reg. 20/L dated 8.1.79 :—

Sr. No.	Nature of power	Present position of delegation	To whom now delegated.
1.	To receive confidential reports and convey adverse remarks in respect of the following employees of the Board :— Dy. Supdts., Assistants, Stenographers, U.D.Cs, Stenotypists, Clerks and all other staff employed in the Head Office, including class-IV employees.	Secretary Full powers.	Dy. Secretary (General) Full powers.

(Circulated in Board Sectt- vide Secretary PSEB Patiala endst. No. 42208/435/ENG/Secret/S-39 dated 17.4.79)

Copy of Secretary PSEB Patiala Circular memo No. 55878/56723/Reg. 20 Vol. II dated. 19-4-79

Subject : Instructions regarding Confidential Reports.

The instructions for writing annual qualification reports were

notified vide circular No. 142376/3426/ Reg. 20/Vol-II dt. 4-8-76 laying down therein the whole procedure of writing, onward submission and maintaining the annual confidential reports. Regarding writing of the A.C. Rs and their onward submission to next higher authorities, it has specifically been mentioned in these instructions that a certificate should be furnished during the month of May each year by all the Sectional Officers in the Head Office and XENs/SEs/CEs/CAO to their next higher authorities concerned to show that A.C. Rs for the previous financial year have been written in the case of all employees in their respective Sections/Divisions/Circles/Zones. The countersigning authorities are also stressed that the work of countersigning the ACRs should not be delayed and may positively be completed by 30th June every year.

But inspite of the issue of the above mentioned instructions, experience has shown that the QRs of the Gazetted Officers are not received by 30th June of each year, thereby delaying the crossing of E.B., Promotion etc.

It has now been decided by the Board to lay down the following procedure in partial modification of the said instructions :-

- A. i) All the XENs must write the reports of their AEs., AEEs., in the month of April and send the same to the SEs by 30th April.
- ii) A copy of the forwarding letter of their having furnished the QRs to the SEs shall be sent to the Secretary/Secret Cell directly. Likewise, SEs/CEs must write the ACRs, of the XENs/SEs and follow the above procedure.
- B. i) SEs must forward all reports of AEs., AEEs., received from the XENs in the month of May after recording the requisite remarks. This part of the job must be completed by 31st May.
- ii) A copy of forwarding of their having forwarded the ACRs to the C.E. shall be sent to Secretary/Secret Cell directly.
- C. i) CEs must send the reports of AEs., AEEs., XENs, at the

latest by 30th June to the Board's Sectt. It may be made clear that the ACRs WHICH ARE NOT RECEIVED BY THE SECRETARY, SECRET CELL UP TO 30TH, JUNE WILL NOT BE ENTERTAINED. The detail of the missing ACRs will be prepared by the Secretary, Secret Cell and the same will be treated as satisfactory with the approval of the WTM. The officers who do not send the ACRs, upto 30th June will be served with a letter of advice for non-submission of the ACRs in time. The letters of advice will be issued in the case of Xen & SE by the Secretary and in the case of Chief Engineer with the approval of the Chairman.

The details of the ACRs not received by 30th June will be worked out by the Secret Cell in the month of July and the same will be brought to the notice of AM/Chairman. The said missing ACRs will be treated as Satisfactory for all intents and purposes with the approval of WTM.

#### SPECIAL CONFIDENTIAL REPORTS.

At present, whenever the crossing of E.B. or promotion case is processed after 1st October to March next year i.e. beyond a period of 6 months of the last written ACR, a special ACR is obtained before dealing with such cases. This procedure unnecessarily delays the crossing of E.B. and promotion cases. It has, therefore, been decided that the procedure of having special ACR in such cases may be dispensed with. These cases may be decided on the basis of the ACRs received upto March of the preceding year.

While endorsing a copy of the forwarding letter sending QRs to the next authority to the Secretary/Secret Cell (Gazetted), it should be certified in the endorsement that the annual QRs of all the subordinate officers have been written. These letters should contain full name of the sender.

The above instructions should be followed strictly in future.

Subject :—Instructions regarding confidential reports.

The instructions for writing annual qualification reports were notified vide circular No. 142376/3426/Reg. 20/Vol. II dated 4-8-76 laying down therein the whole procedure of writing, onwards submission and maintaining the annual confidential reports. Regarding writing of the A.C.Rs. and their onward submission to next higher authorities, it has specifically been mentioned in these instructions that a certificate should be furnished during the month of May each year by all the Sectional Officers in the Head Office and Xens./S.Es /C Es/C.A.O./C.A. to their next higher authorities concerned to show that A.C.Rs for the previous financial year have been written in the case of all employees in their respective Sections/Divisions/Circles/Zones. The countersigning authorities were also stressed that the work of countersigning the A.C.Rs should not be delayed and may positively be completed by 30th June every year.

2. Despite issue of afore-mentioned instructions, experience has shown that the qualification reports of the Non-Gazetted staff (including Class-IV) are not received by the appropriate competent authority by 30th June of each year, with the result that promotion, confirmation, crossing of efficiency bar and other events of the various employees, which require decisions with reference to their qualification reports are in-ordinately delayed.

3. For ensuring expeditious/timely writing of annual qualification reports of Non-Gazetted staff (including Class-IV) it has been decided to lay down the following procedure, in partial modification of the said instructions:—

**A. For Field offices.**

**i) Reports which end at the level of Xens /R.Es.**

All the Reporting Officers in the Sub-offices and sub-divisions must write the reports of Class-III and IV Estt.

upto 30th April and send/forward the same to the Executive Engineers/R.Es by 15th May, the latest.

**ii) Reports which end at the level of Superintending Engineers.**

All the Executive Engineers/R.Es., after recording the requisite remarks, must forward the annual qualification reports, received from the Sub-Divn. (excepting those reports for which they are appointing/final receiving authority) alongwith the confidential reports, duly written, in respect of the divisional staff, to the concerned Superintending Engineer by 31st May, the latest.

**iii) Reports which end at the level of Chief Engineers.**

All the Superintending Engineers, after recording the requisite remarks must forward all annual qualification reports received from the Divisional Office (excepting those reports for which they are appointing/final receiving authority) alongwith the annual confidential reports of the Circle Office staff, to the concerned Chief Engineer/C.A.O./C.A. or any other authority (as may be the case) by 30th June.

**B. For Internal Audit Staff.**

i) All the reporting officers must write the annual qualification reports of Non Gazetted staff (including Class-IV) upto 30th April and forward the same to the Accounts Officer (Field)/next receiving authority by 31st May, the latest.

ii) The next receiving authority, after recording remarks must forward the annual qualification reports, alongwith the reports of staff, duly written, under him, to the Chief Auditor i.e. the final receiving authority by 30th June, the latest.

**C. For Head Quarter Offices.**

i) All the reporting officers must write the annual qualifica-

tion reports of the staff working under them, in the month of April and send the same to the next receiving authority by 30th April.

- ii) The next receiving authority/authorities, after recording the remarks, must forward all the annual qualification reports, received from the reporting officers, alongwith the reports of the staff, working under them, to the final receiving authority, by 31st May, the latest.
- iii) The final receiving authority (if it is other than Secretary, —such as C.A.O./C.A./C.Es.) must send the confidential reports of the non-gazetted staff, working against the Head quarter posts, to the Secretary/Secret Cell (E.N G.-I Section) by 30th June, the latest.

**D. General.**

- i) The reporting officers should simultaneously certify to the next receiving authority that the annual qualification reports of all Non-Gazetted staff (Class-III & IV) under them, have been written.
- ii) It is made clear that the annual confidential reports which are not received by the concerned final receiving authority upto 30th June, will not be entertained. The detail of the wanting qualification reports will be prepared by the concerned receiving authority and the same will be treated as 'satisfactory' for all intents and purposes, with the approval of the next higher authority.
- iii) The reporting officers/next receiving authorities who do not send the annual qualification reports upto 30th June, will be served with a letter of advice, for non-submission of the annual qualification reports in time, by the respective final receiving authorities, with the approval of the competent authority.
- iv) All final receiving authorities of the qualification reports,

will report to the Secretary/Board in Esst. (Non-Gazetted Section-I) about the action taken by them regarding item-D (iii) above by 31st July of each year. These receiving authorities are again mentioned below :—

Xens/R.Es.	In respect of those Q.Rs. which are finally received in their offices and are not to be transmitted to the S.Es./C.Es.
S.Es. ... ..	In respect of those Q.Rs. which are finally received in their offices and are not to be transmitted to Chief Engineers
C.Es./C.A.O./C.A.	In respect of those Q.Rs. which are finally received in their offices and are not to be transmitted to Secretary/Board. (Secret Cell/ENG-I).

**4. Special Confidential Reports.**

At present whenever the crossing of efficiency bar or promotion case is processed after 1st October to March next year i.e. beyond a period of 6 months of the last written A.C.R., a special A.C.R. is obtained before dealing with such cases. This procedure un-necessarily delays the crossing of efficiency bars and promotion cases. It has, therefore, been decided that the procedure of having special A.C.R. in such cases may be dispensed with. These cases may be decided on the basis of the A.C.R. received upto March of the preceding year.

5. The above instructions should be followed meticulously by all concerned, in future.

Copy of Secretary PSEB Patiala Circular memo No. 99578/99778/Reg. 20 dated 21-6-79.

Subject : Instructions regarding confidential reports.

Sub para 12 of para-5 of the consolidated instructions cited as



subject, circulated vide this office circular letter No. 142376/3426/Reg. 20 Vol-II dated 4-8-76, shall be considered to have been substituted, as under :—

**Para-5 Sub-para-12**  
**Superintendents**

Their reports will be written by the Dy. Secretaries/Under Secretaries/A.Os./Sr. A.Os./Xens./S.Es/other officers incharge of their sections as the case may be and put up to the next higher authorities for counter signatures. The reports will end with the Heads of Deptts. viz. C.Rs. of those working under the Chief Engineers with the C.Es. and C.Rs. of those working under the C.A.O./C.A./Secretary & D.I.G. with the C.A.O./C.A./Secretary/D.I.G. respectively.

**Copy of Secretary PSEB Patiala Circular memo No. 3372/3671/Secret/Loose dated 4-12-79.**

**Subject :— Writing of Annual Confidential Reports -Instructions regarding.**

It has been observed that in the confidential reports some adverse remarks like 'No', 'Not yet' etc. are recorded against the column 'fitness for promotion to the next scale' provided in Section II of confidential report forms of the Engineer Officers. 'Not fit for promotion' is a very definite adverse remark and is being conveyed to the officers reported against. The reporting officers come forward with the plea that this remark is not an adverse remark as the same has been added keeping in view short length of service put in by the concerned officer in that rank.

The matter has been considered and it has been desired that the reporting officers should be very particular and clear in recording such remarks in the confidential reports and therefore, where a person is considered 'not fit for promotion to the next scale' on account of the time gap alone, it should be clearly mentioned in the confidential report itself, otherwise such remark will be considered adverse and be conveyed to the officer reported against.

**Copy of Secretary PSEB Patiala Circular memo No. 12163/12764/Reg. 20 dated 25-1-80**

**Subject : Writing of Annual Confidential Reports-Recording of "No remarks" by the higher authority.**

I am directed to state that in the Annual Confidential Reports, if the final authority records the words "No remarks", "seen" or simply appends his signatures, the view is generally taken that the remarks recorded by the lower authority stand. It is not interpreted that the remarks of the lower authority get nullified or expunged, whether good or bad. However, a case had come to the notice where the first reporting authority recorded some adverse remarks and the higher authority recorded "No remarks". When the comments of that authority were called for on the representation of the officer, the higher authority sent a reply that the words "No remarks" recorded by it meant that the adverse remarks of the first reporting authority had been washed out.

2. In order to clarify the position, the following relevant extracts from the consolidated instructions on writing annual confidential reports contained in Board's circular letter No. 142376/3426/Reg. 20/ Vol. II dated 4-8-76 are reproduced :—

**"Para-10 Explanatory Notes"**

x x x

"Where, however, an adverse remark has not been specifically denied by a higher authority, it should be conveyed. It is, however open to that authority to decide that any adverse remarks need not be communicated".

x x x

**"Para-9 Clarifications"**

(iii) Where two reporting authorities recommend the issue of an appreciation letter and the highest authority does not contradict that recommendations but records the words "seen" or "No remarks" or simply appends his signature, an appreciation letter may be issued. Where, however,

the final authority controverts the recommendation of the lower authority, no letter of appreciation should be issued.

In the face of the above provisions, there can be no two opinions about the correct meaning of the higher authority's words "No remarks". Nevertheless in order to put the matter beyond any doubt, it is clarified that the recording of the words "No remarks" by the higher/highest authority does not mean that the remarks of the first or second reporting authority cease to exist. On the other hand, they mean that higher/highest authority agrees with the remarks or has no reason to differ from them, whether good or bad, recorded by lower authority/authorities.

3. These instructions may be brought to the notice of the all officers/officials working under you for information and guidance.

**Copy of Secretary, Secret Cell (Gazetted) PSEB Patiala Circular memo No. 4861/5175/CST/R-138 dated 17-11-80.**

**Subject :— Writing of Annual Confidential Reports - Instructions regarding.**

It has been observed that while assessing the worth of an officer/official, the remarks in the Annual Confidential Reports are not recorded clearly and properly. In Section II of the ACR, some reporting officers record the assessment as 'just average', 'above average' etc. which is not considered the correct method of assessing the worth of an Officer/Official. As per wording given in the ACR form, a person is required to be classified as outstanding, Good, Average or below average specifically.

2) It is desired that the Reporting Officers should be very particular in recording the overall assessment of an officer/official and that the assessment should invariably be recorded as per wording indicated in the ACR form.

3) The above instructions should be brought to the notice of all concerned and followed meticulously.

**Copy of Secretary PSEB Patiala Circular memo No. 217904/218208/Reg-20 dated 6-12-80**

**Subject :— Writing of Annual Confidential Reports.**

Sub-Para (2) of para-5 of Board's consolidated instructions cited as subject, circulated vide this office circular letter No. 142376/3426/Reg-20/Vol-II dated 4-8-76 shall be substituted with the following :—

"(2) **Superintending Engineers** : Their reports will be written by the respective Chief Engineers and put-up to the Technical Member and the Chairman".

**Copy of Secretary PSEB Patiala Circular memo No. 18992/19580/Reg-20/L-2 dated 20-1-81.**

**Subject :— Communication of adverse remarks—Representation there-against— Instructions regarding.**

The following shall be added at the end of existing Sub-para-5 of Para-11 of the consolidated instructions on the subject issued vide this office letter No. 142376/3426/Reg-20/Vol-II dated 4.8.76 :-

"In case reporting officer/authority who had recorded the adverse remarks has retired from service, the representation against adverse remarks should be decided by the competent authority on merits, keeping in view the factual position as corroborated by evidence and other documents given by the representationist".

**Copy of Circular letter No. 15/7/80-2PP/3386 dated 26-3-81 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.**

**Subject : Writing of Annual Confidential Reports.**

I am directed to invite your attention to the instructions con-

tained in explanatory note (i) below paragraph-3 of the consolidated circular letter No. 2334-ASI-60/15708, dated 3-5-60, wherein it was stressed that very slight defects should be brought to the notice of an officer verbally in the way of advice and guidance and need not find mention in confidential reports unless they are of a type which have been more than once brought to the subordinate's attention but which he nevertheless persists in. It has been observed by Government that the authorities while writing Annual Confidential Reports of their subordinates continue to make mention of such matters as have nothing to do with the performance of an officer, e.g., the officer has a long stay at a particular station and requires shifting etc., which as a matter of policy should not find place in the Annual Confidential Reports. An officer holds an appointment subject to the pleasure of the Govt. and his continuance at a particular station is not a matter of his choice. The remarks of the type mentioned above are not of a remediable nature for which the officer/official could make an effort to improve or remove the same. In view of this, I am directed to impress upon you that the instructions of Government referred to above, should be brought to the notice of all concerned again and the tendency of recording remarks unrelated to an officer's performance should be stopped immediately. The recommendations regarding transfers etc. should be sent to the authorities concerned in separate communications.

(Circulated vide Secretary PSEB Patiala endst. No. 192818/193517/Reg-20 dated 17-8-81 with the stipulation that similar instructions of the Board are contained in Sub-Para (2) (i) of Para 3 of the consolidated circular instructions regarding Confidential Reports issued vide this office memo No. 142376/3426/Reg-20/Vol. II dated 4-8-76. It is requested that the above instructions should be brought to the notice of all concerned and the tendency of recording remarks un-related to an officer's performance should be stopped.)

Copy of Secretary PSEB Patiala Circular memo. No. 199503/200453  
Reg-20 dated 31-8-81.

Subject: Checking of Energy Meters/M D.Is.  
The duties of the Sub-Divisional Officers, Executive Engineers and Superintending Engineers (Operation) regarding checking of Energy Meters/M D.Is. in their respective areas of jurisdiction have been laid down in detail in the Chief Engineer/DS (North)PSEB.Patiala circular Memo No.26422/26952 dated 31-7-75 and No. 54066/716/SS/RG-372/M dated 25th April 1977. In spite of these instructions, it has been noticed that the work of checking of energy meters/M.D.Is. is not being given due importance by the Sub-Divisional Officers/Executive Engineers (Operation) as a result of which a large number of cases of theft of energy/unauthorised extension of load/wrong metering are being detected by the Flying Squads. It has been reported that during the last financial year 233 cases of theft of energy, 421 cases of unauthorised extension of load and 378 cases of wrong metering were detected by the Flying Squad Agency and a sum of Rs. 39,10,471 was debited to the defaulting consumers. The above position, clearly shows that some of the Sub-Divisional Officers/Executive Engineers (Operation) are not performing their duties properly and are not making their Line Superintendents and Meter Inspectors to perform their duties faithfully. This also points lack of control by the supervisory officers.

2. The Board has taken a very serious view of the above matter and it has been decided that if in the jurisdiction of any Sub-Divisional Officer/Executive Engineer (Operation), the number of cases detected by the Enforcement Wing (Flying Squads) is found to be abnormal, that would be treated as black spot and would be reflected in the Annual Confidential Reports of the officer concerned.

3. The above decision may please be brought to the notice of all officers/officials concerned.

## CHAPTER IV

### GRANT OF LEAVE

Copy of Circular letter No. 684-GII-58/13153, dated the 14th February, 1958, from the Chief Secretary to Government, Punjab, to all Heads of Deptts, etc.

Subject : Grant of special casual leave to sportsmen.

I am directed to enclose a copy of office Memo. No. 46/7/50-Ests. dated 5th March, 1954, on the subject noted above and to say that it has been decided by Government to extend the concession contained therein Mutatis Mutandis to the sportsmen, who are in the service of State Government and are deputed by Government to participate in National or International events in India or abroad.

Copy of office memorandum No. 46/7/50-Ests, dated the 5th March 1954, from the Under Secretary to the Government of India, Ministry of Home Affairs, New Delhi, to All Ministries of the Government of India, etc.

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

The Government of India have had under consideration for some time past the question of treatment of the period of absence from duty of Central Government servants who are sportsmen of all India repute and who take part in sporting events, tournaments and matches of national or international importance held either in India or abroad.

In view of the important part played by sports in the national life of the country and in order that Government servants who have acquired proficiency in sports so as to be invited to participate in events of national and international importance may not be placed at a disadvantage by such participation, the Government have decided that such Government servants may be granted special casual leave, extent indicated in paragraph 2 and subject to the conditions stated in paragraph 3.

2. Special casual leave under these orders may be allowed to a Government servant for a period not exceeding 30 days in any one calendar year. The period of absence in excess of 30 days should be treated as regular leave of the kind admissible under the relevant leave rules applicable to the persons concerned. For this purpose Government servants may, as a special case, be permitted to combine special casual leave with regular leave. Special casual leave should not, however, be granted in combination with ordinary casual leave.

3. The special casual leave may be allowed only :—

- (a) for participation in sporting events of national or international importance; and
- (b) when the Government servant concerned is selected for such participation:—
  - (i) in respect of international sporting events by any one of the following organisations as a member of team which is accepted as representative on behalf of India;
  - (ii) The India Hockey Federation;
  - (iii) The Board of Control for Cricket in India;
  - (iv) The India Olympic Association;
  - (v) The All India Lawn Tennis Association;
  - (vi) The All India Badminton Association;
  - (vii) The Table-Tennis Federation of India ; and
  - (viii) The All India Women's Hockey Association ; or

- (c) In respect of events of national importance when the sporting event in which participation takes place, is held on an inter-State, inter-zonal or inter-circle basis, and the Government servant concerned takes part in the event in a team as a duly nominated representative on behalf of the State, Zone or Circle, as the case may be.

This concession is not to be allowed for participation either in a national or international sporting event in which such participation of the Government servant concerned takes place in his personal capacity and not in a representative capacity.

4. The grant of special casual leave will be subject to the general principles laid down in Section (V) (2) of the Administrative Instructions in Appendix 3 to the P & T's Compilation of the Fundamental Rules and Supplementary Rules Vol. II except for the modification indicated in paragraph 2 above. The power of granting special casual leave under these orders will be exercised by Heads of Departments as defined in Supplementary Rules 2(10) in the case of Government servants under their administrative control and by the Ministries of the Government of India in other cases. It is requested that the above instructions may be noted and communicated to all concerned.

5. Past cases, i.e. cases which have already been decided should not be re-opened.

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

(Adopted Vide Secretary PSEB Patiala Circular memo No. 139899/140529/ENG/G-292 dated 18th Oct. 1968)

Copy of Circular letter No. 3206-GII-58/54252 dated 18th July, 1958 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.  
Subject :—Penalty for late attendance.

I am directed to address you on the subject noted above and to say that according to paragraph 17(3) of the Punjab Civil Secretariat Instructions, one day's casual leave is to be forfeited for every three days late attendance provided the official is not late for more than two hours on each occasion and this practice is strictly followed in the Punjab Civil Secretariat. An enquiry has now been received as to whether these instructions also apply to other Departments or not. In order to maintain uniformity in all the Departments of Government it is considered necessary to adopt the same procedure throughout the State. I am, therefore, to request you that in future the instructions *ibid* (copy enclosed) should be followed in all Departments of Punjab Government.

Copy of para 17(3) of Secretariate Instructions, Punjab.

17(3) Penalty for late attendance.—One day's casual leave will be forfeited for every three days late attendance. At the end of each month, the Heads of Branches should examine the attendance registers and calculate the number of days on which the members of their branches were marked late and forward the statement in the form given below to the Assistant Secretary (Administration) upto the 5th of each month following the one to which it relates. In the last week of December the Heads of Branches will prepare a consolidated statement showing the total casual leave forfeited on account of late attendance and then examine whether the casual leave at the credit of an official has been exceeded or not. Any excess should be carried over as a debit entry to the next year's account. This consolidated statement together with the material on which it has been prepared should be submitted to the Assistant Secretary (Administration) punctually by the 15th January each year. The Assistant Secretary will then take such action on these statements as he may deem suitable.

Permission to attend office late by one or two hours will also be treated as late attendance for the above purpose.

Statement for the month of \_\_\_\_\_ showing the Names of late comers of \_\_\_\_\_ Branch \_\_\_\_\_

Serial No.	Name of official	Date/Time of arrival	No. of days to be deducted from C.L. A/C.	Total C. L. deductions of previous months	Total	Remarks
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(Circulated vide Secretary, P.S.E.B. Patiala memo/endst. No. 23522/27/Board dated 28th May, 1959. These instructions should henceforth be followed in all the offices of the Punjab State Electricity Board)

Copy of Circular letter No. 4376-G-II-59/2767/dated 28th May, 1959 from the Chief Secretary to Government, Punjab to all Heads of Dep'ts, etc.

Subject : Revised system of Earned Leave, Holidays and Working Hours.

### I. INTRODUCTION

1. **The Need for Revision.**— The question of rationalising the system of holidays and working hours at present observed by the Punjab Government, and also of the leave enjoyed by Punjab Government servants has been examined at some length. The present system is defective in many ways. The incidence of holidays is eccentric and often disturbs the continuity of work. Possibly because of their eccentric incidence holidays are in fact not always allowed to be treated as such, and miscellaneous work is often required to be done on these days. A system in which neither work nor leisure is undisturbed obviously need reform so that both are more effective. Leave rules

are not realistic in that although leave both privilege and casual, is admissible to Government servants at a liberal scale, it is seldom possible to take it in full in actual practice. Government are, therefore, of the view that a reform in the present organisation of work and leisure is necessary so that work is done and leisure enjoyed on a more rational basis. Government are convinced that with a better and more effective organisation of leisure it will be possible for Government servants to work longer and harder, particularly in the cooler months. Harder work from the Government servants is required in the context of the country's present economic struggle, and should be well within their capacity if they are given adequate and systematic rest and leisure.

2. **Aims of Revised System.**— Government have, therefore, decided to increase working hours during the cooler months so that more work is done, to re-organise holidays so that adequate rest is given and the continuity of work is not disturbed, and to rationalise leave rules so that an official without being entitled to inordinately long periods of absence can, and in fact generally does, take the leave due to him. The object is to introduce a system which combines hard work with real leisure.

### II. DATE OF COMMENCEMENT

The revised System will come into force on the 1st July, 1959.

### III. WORKING HOURS

3. (1) Hours of work will be —
  - (a) September 1st to April 30th—9.00 a.m. to 5.30 p.m. with half an hour's break for food.
  - (b) May 1st to August 31st—7.00 a.m. to 1.30 p.m.
- (2) **Exceptions** —
  - (a) The High Court have decided that subject to the provision for hill stations at (b) below, District Courts and Subordinate Courts shall observe these hours also except that these Courts shall work in the cooler months from 9.30 a.m. to 4.00 p.m.

Offices attached to Courts will, however, work from 9.00 a.m to 5.30 p.m. The decision regarding Courts is experimental for one year to begin with.

- (b) In the hill stations of Simla, Kasauli, Kandaghat, Dharamsala, Dalhousie, Dagshai, Kulu Sub-Division and Palampur, hours of work will be —

March 1st to October 31st ... as at (1) (a) above.

November 1st to the end ... 9.30 a.m. to 4.00 p.m. of February.

Offices attached to Courts will work as above and District and Subordinate Courts from 9.30 a. m. to 4.00 p.m. throughout the year.

#### IV. HOLIDAYS

4. (1) **General Holidays** will be as follows :—

All Sundays.

All Saturdays during the period September 1st to April 30th, Republic Day (January 26th).

Independence Day (August 15th).

Mahatma Gandhi's Birthday (October 2nd).

A midsummer break of three days—Thursday to Saturday (inclusive) nearest to June 21st (to be fixed each year by Government—for example for 1960, this will be June 23rd to 25th inclusive).

- (2) **Optional Holidays.**—Six in the year.

As Government will not now be allowing any holidays on festive and religious occasions, and as Government is nevertheless anxious that each employee should get the fullest opportunity of celebrating and observing such occasions as are important to him, a Government servant will be able to take, at his option, six holidays in a year. He may, if he so chooses, take two half days off work instead of an entire day. No particular days for this purpose will be prescribed and he will be able to take off any six days he likes. He should normally

not be refused permission to take these days nor questioned about his choice, unless there are circumstances of urgency or crisis which require some adjustment. For each Government servant an account of such holidayssimilar to his casual leave account will be maintained.

In the half year, July 1 to December 31, 1959, four such optional holidays will be permitted.

5. **Courts.**—The High Court has decided that as an experimental measure for an year to begin with, these holidays will also be observed by Courts and optional holidays will, likewise be given to the officials working in Courts and offices attached to them.

6. **Notifying Holidays.**—(1) The notification issued by Government declaring the holidays to be observed by Government for the second half of 1959, is at Enclosure I. A notification for Courts is being issued by the High Court containing an identical list of holidays.

(2) This list of holidays does not affect the list of holidays which are observed by banking and commercial institutions and which are notified under the Negotiable Instruments Act.

#### V. EARNED LEAVE

7. (1) **Scale.**—Earned leave will be admissible as follows :—
- |  |  |
|--|--|
| To employees with ten years service or less                | ...1/24th of the period spent on duty. |
| To employees with above ten and up to twenty years service | ...1/16th of the period spent on duty. |
| To employees with over twenty years service                | ...1/12th of the period spent on duty  |

(2) **Assessing length of service.**—For purposes of deciding the leave due to an employee, under the above slab system, length of service shall be determined as follows :—

- (a) Generally length of service will be counted from the

date of appointment of the employee in continuous service ; but

(b) where an employee has been retrenched from a previous job in the Punjab Government and then again appointed continuously, his period of service in the previous job shall be considered in determining the slab of leave to which he is entitled. For example, X has worked for 3 years as an assistant in the Rehabilitation Department, been retrenched, and after a gap of two years, been appointed continuously for seven years in the Excise Department. He will be considered to have 10 years service for purposes of calculating the leave due to him.

(c) In the case of women, if an employee resigned a previous job on grounds of having to look after her children, and is then appointed again, any service rendered before resignation shall be included in determining her "length of Service".

(3) **Contingent paid and allied Employees**—No leave will be admissible to temporary establishment paid from Contingencies on Contingent bills. Such establishment may, as hitherto be allowed extraordinary leave under Rule 8.137 of the Punjab C.S.R., Volume I, Part I.

8. **Accumulation of earned leave** will be permitted to any extent but the leave actually given at a time will be subject to the following limits :—

- |   |              |
|---|--------------|
| (i) In India  | ... 120 days |
| (ii) Abroad   | ... 240 days |
| (iii) Where an official goes on leave preparatory to retirement, whether in India or abroad | ... 180 days |

Provided that the limit of refused leave preparatory to retirement allowed to

an employee by way of extension in service shall be limited to 120 days.

(iv) If an official goes on a course of studies or research or work which in the view of the Government in the Administrative Department in consultation with Finance Department, increases his competence, knowledge or efficiency or adds to technical knowledge.

... To any extent necessary

9. **Notification**—A copy of the notification No. 3691-FRII-59/5176, dated Chandigarh, the 26th May, 1959, amending rules 8.21, 8.116, 8.117 (b), 8.117 (c), 8.133, 8.134, 8.69, 8.73, is at Enclosure 2. [These are the main rules affected. Some minor amendments in some other rules of comparatively rare applicability (e.g., rules 8.92, 8.97, 8.129 etc.) will also be necessary and will be notified in due course].

10. **Other Leave**—The existing rules regulating other kinds of leave i.e., leave on half average pay (rule 8.73, Punjab C.S.R., Vol. I, Part I, leave on half average pay (rule 8.119), leave on medical grounds, Special Disability Leave (rule 8.82 and 8.124), Study Leave (rules 8.85 and 8.126), read with appendix 20, of Punjab, C.S.R., Vol. I, Part II] and Maternity and Hospital leave (rules 8.127 and 8.128), will stand as they are and no change in them is contemplated.

11. **Leave accumulated prior to New System**—As the revised system will be brought into force from the 1st July, 1959, the leave accumulated up to the 30th June, 1959, at the existing scale will not lapse but will be counted. From the 1st July, 1959, onwards, the earned leave will be counted and added at the new scale given above. In adding earned leave accumulated up to 30th June, 1959, fractions will be resolved into whole numbers. Half a day or more will be counted as a full day and less than half a day will be ignored.



12. **Exception**—These leave rules will be applicable to all Government servants whose leave is regulated by the Punjab Government whether they were appointed before the issue of these instructions or are appointed afterwards, with the following exceptions:—

- (1) **Members of the Punjab Public Service Commission.**—(i) Holding office prior to the issue of these instructions and the enclosed amendments, will continue to be governed by the leave rules applicable to them at the time of their appointment. Members of the Commission appointed after the issue of these instructions will, however, be governed by the new leave rules contained in this letter.
- (ii) **Members of the ex-Secretary of State Services and of All-India Services.**—The Punjab Government is not competent to amend rules regulating their leave.
- (iii) Employees appointed on contract will be governed by the terms of their contract. In future contracts, terms of leave should conform to the revised scales.
- (iv) **Employees in a Vacation Department.**—To whom the existing rules 8.74 and 8.117 of C.S.R., Vol. I, Part I, apply will not be entitled to any earned leave except at the scale and in the manner provided for in these rules. These rules have also been amended to provide for leave at the revised scale to those who are prevented from availing of the vacation. The notification amending these rules is at Enclosure 2.

#### VI—CASUAL LEAVE

13. (1) **Scale:**—Casual leave will be admissible as follows:—
- (i) To employees with 10 years service or less ... 10 days
  - (ii) To employees with more than 10 years service but less than 20 years service. ... 15 days
  - (iii) To employees with over 20 years service. ... 20 days

(2) **How calculated.**—From the date on which an employee completes his 10th or 20th year of service, as the case may be, he will be given leave in that year according to the next higher scale. Thus if an employee completes 10 years service on the 30th April, 1960, he will be entitled to 15 days casual leave for the entire year 1960. Length of service will be assessed as at paragraph 7(2).

(3) **Accounting of Casual Leave.**—The casual leave account will be maintained annually from the 1st of January to 31st of December. All casual leave accounts will be closed on the 31st December and new accounts opened on the 1st of January, following, irrespective of the fact that an official takes a spell of casual leave which includes the last few days of December, and the first few days of January. Thus if an official takes leave from the 26th December, 1959, to 5th January, 1960, the period 26th December to 31st December will be debited to his leave account for the year 1959 and the period 1st January, to the 5th January, 1960, will be debited to his leave account for the year 1960.

(4) **Arrangements for half year of 1959.**—As casual leave is not accumulated and as the revised scales will come into force from the 1st July, 1959, i.e. in the middle of the year, leave admissible to an employee during 1959 will be calculated as follows:—

Ten days (i.e. half of the leave due for the half year from 1st January to 30th June, 1959), plus half the leave that would be due to him in a year according to the revised scale. Thus an official with ten years' service or less will be entitled to a maximum of ten days plus five days, i.e. fifteen days, and an official with above 10 and up to 20 years service to 10 plus  $7\frac{1}{2}$ , i.e.  $17\frac{1}{2}$  days leave during the year 1959. Those who have already availed of some leave will be given the balance which would be calculated according to the maximum limits arrived at in this manner.

However, as the new rules are being introduced in mid-year and without long notice, and as some employees may already have

exhausted their leave as calculated in this manner, it has been decided as a matter of grace, to allow during the half year beginning 1st July, 1959, a maximum of 3 days' casual leave to those who have exhausted their casual leave (whether according to the revised calculations or according to the old scale) and to those who according to the revised calculations will have less than 3 days leave due to them.

(5) **Length of Leave and Combination of Leave** - In taking casual leave, within the limits admissible above, an employee may remain continuously absent from duty for a maximum of 16 days. In this spell he will be permitted to include holidays which will not be debited to his casual leave account. The total spell, however, should in no case exceed 16 days. The balance of the casual leave can be taken in driblets. It may be emphasised that it is desirable, but not compulsory, for Government servants to take such a spell. Where a Government servant desires to take such a spell, permission should not ordinarily be refused although of course the competent authority may adjust the dates on which the spell is taken for administrative convenience.

Casual leave may, at the option of the sanctioning authority, be combined with optional holidays provided that the limit of a continuous absence of 16 days is not exceeded. Casual leave should not, except in hard circumstances to be determined by the sanctioning authority, be combined with the midsummer break.

(6) **Caution**:- Heads of Departments and Heads of Offices should ensure generally that the issue of these instructions does not lead to a general tendency on the part of their employees to take all the casual leave due before the 30th June, 1959. Casual leave up to the 30th June, 1959, should, therefore, be sanctioned with care.

VII-CONCLUSION

(14) (1) **Net effect of New System**-The following chart shows the comparative position under the existing and revised systems :-

Item	Existing Position	Revised System	Days
(a) Earned leave ... 33 days	... Up to 10 years' Service	... 15	} Average 22
	11 - 20 years' Service	... 20	
	Above 20 years' Service	... 30	
(b) Casual leave.. 20 days	Up to 10 years' Service	... 10	} Average 15
	11 - 20 years' Service	... 15	
	Above 20 years' Service	... 20	
(c) Public Holi- days—	(1) Sundays ... 52	(1) Sundays ... 52	} 92
	(2) Last Saturdays ... 12	(2) Saturdays (during 8 cooler months) ... 34	
	(3) Religious and National Holidays ... 30	(3) National days (Republic Day) Independence and Gandhi's Birthday ... 3	
	(4) Local Holidays 3	(4) Midsummer holidays ... 3	
(d) Optional Holidays for religious, National and festive occasions...			6
(e) Total No. of off days ... 150			135
(f) Total No. of working days 215			230

(g) Working Hours		
4 Summer months from 7 a.m. to 1.30 p.m.	4 Summer months 7a.m. to 1.30 p.m.	6½ hrs net
8 cooler months from 10 a.m. to 5.00 p.m. with half an hour lunch interval, i.e., 6½ hours net throughout the year.	8 cooler months 9 a.m. to 5.30 p.m. with half an hour lunch interval	8 hrs. net
(h) Total No. of working hours per year	... 1,398	1,709½

2. **Guidance regarding Emphasis** :— It is hoped that the new system will result in better and more work and better and more leisure. Officers at all levels are requested to conduct their activities in the spirit of the new system and in particular to respect the sanctity of holidays. The emphasis should be not to ask or permit employees to work on holidays or to work outside office hours except in emergency or crisis. Exceptions will of course have to be made in the case of specialised types of institutions and work such as those which deal with emergencies, nursing in hospitals etc., but barring these special cases the success of the new system will depend substantially on its strict observance. It is also the intention of Government that at all levels leave, applied for, particularly earned leave, should be considered favourably, unless there are special circumstances which do not permit this.

ENCLOSURE I

Home Department

GAZETTE

NOTIFICATION

Holidays

Dated Chandigarh, the 28th May, 1959

No. 4376-GII-59/2777—In partial modification of notification No 6784-GII-58/34912, dated the 19th November, 1958, it is hereby notified that the holidays enumerated in the annexed schedule shall

be observed as holidays in public offices under the State Government during the second half of the year 1959, i.e. 1st July, 1959, to 31st December, 1959.

In addition, all Government servants will be entitled to 4 optional holidays to celebrate festive or religious occasions according to their choice. A Government servant may at his discretion take two half holidays instead of a complete holiday.

This notification does not apply to holidays to be observed by the High Court and Civil Courts subordinate thereto or to Government servants in educational and industrial institutions which are governed by special instructions.

SCHEDULE

List of closed holidays for the second half of the year 1959

Names of Holidays	Dates on which they fall	Saka era 1880-81	Day or days of the week	Number of holidays
All Saturdays after 1st September, 1959	...	...	...	17
All Sundays	...	...	...	26
Independence Day	15th August	24th Sravan	Saturday	1
Mahatma Gandhi's Birthday	2nd October	10th Asvin	Friday	1

**ENCLOSURE 2**  
**Finance Department**  
**REGULATION**  
**NOTIFICATION**

The 26th May, 1959

No 3691-FRII-59/5176.—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 amendments in the Punjab Civil Services Rules, Volume I, Part I, namely :—

**AMENDMENTS**

**A—Leave beyond the date of compulsory retirement**

(1) Rule 8.21,—

- (i) in sub-rule (a) (2), for the words 'six months' in the 7th line, the words 'four months' shall be substituted.
- (ii) in sub-rule (a)(7) the words 'subject to a maximum of 120 days' shall be inserted after the word 'leave' in the penultimate line.
- (iii) in sub-rule (b) the figures and words '1/12th' shall be substituted for '1/11th'.

**B—Modification of the Old Leave Rules—Admissibility of Leave on Average Pay**

(2) In Rule 8.69 the words and figures "5/22nds, 2/11th and 1/11th" wherever they occur, shall be replaced by "5/24ths, 1/6th and 1/12th" respectively.

(3) In clause (a), Rule 8.73, after the words "plus one-eleventh of the period spent on duty subsequent to that date" the words "up to 30th June, 1959, and one-twelfth of the period spent on duty thereafter", shall be added

(4) In clause (b)(i) of Rule 8.73 after the words "one-eleventh of the period spent on duty after that date" the words "up to 30th

June, 1959, and one-twelfth of the period spent on duty thereafter", shall be added.

(5) In clause (b) (ii) of Rule 8.73, after the words "four months", the words "or six months in the case of leave preparatory to retirement", shall be inserted.

(6) In clause (b)(ii) of Rule 8.73, the following shall be added at the end before the proviso :—

"up to 30th June, 1959, and 1/12th of the period spent on duty thereafter."

**C—Modification of the Revised Leave Rules**

(a) *Earned Leave, its admissibility and accumulation.*

(b) *Grant of extra-study leave.*

(7) The following shall be substituted for Rule 8.116 of the said rules :—

"8.116. (1) The earned leave admissible to a Government servant in permanent employ is :—

- (a) 1/24 of the period spent on duty, during the first 10 years of his service,
- (b) 1/18 of the period spent on duty, during the next 10 years of his service, and
- (c) 1/12 of the period spent on duty, thereafter.

*Note :—*For the purpose of assessing the 'length of service' under this sub-rule, break in service caused as a result of retrenchment shall not entail forfeiture of previous service. Further in the case of women Government servants break in service due to resignation as a result of family circumstances of the Government servant concerned, shall also be condoned by the re-appointing authority, provided the duration of break does not exceed 10 years.

- (2) Accumulation of earned leave shall be permissible to any extent but the maximum earned leave that may be granted at a time to a Government servant shall be (a) 120 days if spent in India, b) 240 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman, Diou, Nepal and Pakistan, provided that

where earned leave exceeding 120 days is granted under this sub-rule the period of such leave spent in India shall not in the aggregate exceed 120 days :

Provided further that except as provided in the Study Leave Rules contained in Appendix 20 to the Punjab Civil Services Rules, Volume I, Part II, if a Government servant goes on a course of study or research or work which in the Government's view increases his competence knowledge or efficiency or adds to the technical knowledge, he may be granted earned leave to the extent it is due to him and not limited to 120 to 240 days.

Note :—The consent of the Finance Department is not presumed to the grant of such study leave.

(3) Leave preparatory to retirement may be allowed up to 180 days on full pay provided it is due."

(c) *Earned leave admissible to Vacation Departments*

(8) The following shall be substituted for clause (b) of Rule 8.117 of the said rules :—

"(b) The earned leave admissible to such Government servant in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears to the full vacation :—

- |  |     |         |
|--|-----|---------|
| (i) to a Government servant with 10 years' service or less   | ... | 15 days |
| (ii) to a Government servant with more than ten years' service but not exceeding 20 years' service | ... | 20 days |
| (iii) to a Government servant with over 20 years' service  | ... | 30 days |

If in any year he does not avail himself of the vacation, earned

leave will be admissible in respect of that year in accordance with the provisions of Rule 8.116."

(9) In clause (c) of Rule 8.117, the words "or under the exception thereto as the case may be" shall be deleted.

D—Earned leave, etc., to Government servants not in permanent employ

(10) The following shall be substituted for Rule 8.133 :—

"8.133 The provisions of rule 8.116 to 8.119 apply also to a Government servant not in permanent employ, provided that—

- (a) no half pay leave shall be granted unless the authority competent to sanction leave has reason to believe that the officer will return to duty on its expiry, and
- (b) no leave not due shall be granted."

(11) Rule 8.134 of the rules shall be deleted.

#### E—Date of effect

These amendments shall come into force on the 1st July, 1959.

J.S. BASUR,  
Secretary to Government, Punjab,  
Finance Department.

(Circulated vide Secretary PSEB Patiala memo No. 43884/98/RB/J-3 dated 29-7-59)

Extract of office order no. 189/PSEB dated 26th June, 1959.

The Punjab State Electricity Board is pleased to order the following changes in working hours, holidays and the grant of leave (both Casual and Earned) to the staff :—

x x x x x x

#### (3) CASUAL LEAVE

Casual Leave upto 15 days in a calendar year will be admissible to all the employees of the Board, including the Government servants on foreign service with the Board, subject to a maximum of 11 days at a time including one Sunday on either side. Casual leave in excess of 15 days will not be granted, without specific approval of the Board. On

occasion of religious festivals, not declared as holidays, casual leave, if applied for and due, will invariably be granted.

#### (4) EARNED LEAVE

All employees of the Board (Class I, II, III and IV) will be allowed 22 days earned leave during a year, subject to the following restrictions —

- |   |          |
|---|----------|
| (i) Maximum amount of earned leave to be accumulated.                   | 180 days |
| (ii) Maximum amount of leave admissible at a time, on full pay, if due. | 120 days |
| (iii) Maximum amount of leave admissible on full pay ex-India, if due.  | 180 days |
| (iv) Maximum amount of leave preparatory to retirement, if due.         | 180 days |

The contingent establishment, if any, will not be entitled to earned leave.

Detailed regulations on the subject of earned leave to the Board's employees will issue in due course.

The permanent Government employees, including probationers on foreign service with the Board, will be governed in respect of these matters by the existing terms and conditions of the Punjab Government, as modified from time to time.

2. The places not mentioned above as Hill Stations will be treated as Plains for the purposes of these orders, unless specifically declared as Hill Stations by the Board.
3. The above orders shall have effect from July 1, 1959

(Circulated vide Secretary, PSEB Patiala endst. No. 33183/33453/Board dated 26-6-59.)

Copy of Circular letter No 6592-G-II-59/16329 dated 25-9-59/5-10-59 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Revised system of Earned leave, Holidays and working hours.

I am directed to invite a reference to Punjab Govt letter No. 4376-G-II-59/2767 dated the 28th May, 1959 on the subject noted above and to say that the figure '1/18th' shall substitute for the figure '1/16th' occurring in the 6th line of sub paragraph 7(1) thereof.

(Circulated vide Secretary PSEB Patiala endst. No.68107/200/Board/G-143 dated 6-11-59).

Copy of Circular letter No 9091-G-II-59/19223 dated 27-10-1959 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of casual leave to Government employees.

In continuation of Punjab Government letter No. 4376-G-II-59/2767 dated 28th May, 1959, on the subject noted above, I am directed to say that the question of the number of spells of casual leave which should be allowed to a Government servant during a calendar year and their duration has been under consideration of Government. It has been decided that there should be no restriction in regard to the duration and number of spells. Henceforth, it would be within the competence of the sanctioning authorities to sanction any amount of casual leave without any limit of spells within the amount of casual leave admissible subject to the condition that one spell at a time will not exceed 16 days as already provided in sub para (5) of para 13 of Punjab Government letter referred to above.

(Circulated vide Secretary PSEB Patiala endst No 71627/62/RB dated 20-11-1959).

Copy of Circular letter No. 10711-GII-59/24455, dated the 30th November, 1959, from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Grant of special casual leave to sportsmen.  
I am directed to address you on the subject noted above and to say that according to the instructions contained in Punjab Government circular letter No. 684-GII-58/13153, dated the 14th/20th February, 1958, special casual leave not exceeding 30 days in one calendar year can be granted to Government servants who are sportsmen and take part in sporting events, tournaments and matches of national or international importance held either in India or abroad. The question of extending this concession to employees who participate in inter-district matches and in preliminary tests for selection to Punjab teams for inter-state i.e. All India Sports events has been engaging the attention of Government for sometime past. After careful consideration, it has been decided that in principle there should be no objection to giving the special casual leave to such employees, but each case should be dealt with on its merits by the authorities competent to grant leave, keeping in view the type of tournament etc.

(Adopted vide Secretary PSEB Patiala circular memo No. 139899/140529/ENG/G-292 dated 18th October, 1968)

Copy of Circular letter No. 1929-GII-60/12689 dated 14th April, 1960, from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

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

I am directed to invite a reference to sub para 7(2) of Punjab Government circular letter No. 4376-GII-59/2767, dated the 28th May, 1959, on this subject, and to inform you that a clarification has been sought from Government as to whether the service rendered by an employee under the Government of India or another State Government or in a

Semi-Government body prior to his joining service under the Punjab Government, will count for assessing length of service for calculating earned leave/casual leave under the revised system of Earned leave, Holidays and working hours. After careful consideration it has been decided that such service should not be taken into account for the aforesaid purpose. However, once a person has joined the Punjab Government service, his service, if any on deputation with the Central Government or other organisations, such as Corporations, Municipalities etc. will count for the purpose of determining the extent of casual leave/privilege leave due.

2. I am accordingly to request you to settle all such cases in the light of the decision contained in the preceding para.

(Circulated vide Secretary PSEB Patiala endst. No. 333415/626/Z-16 (Misc.) dated 31-5-1960)

ORDER NO. 585/PSEB, DATED PATIALA THE 20TH APRIL, 1960.

In partial modification of the orders contained in its order No. 189/PSEB dated 26-6-1959, the Punjab State Electricity Board is pleased to order that earned leave at the rate of 1/16th of the period spent on duty will be admissible to all employees of the Board (Class I, II, III and IV), subject to the following restrictions:—

- (i) Maximum amount of earned leave to be accumulated. 180 days
- (ii) Maximum amount of earned leave admissible at a time, on full pay, if due. 120 days
- (iii) Maximum amount of earned leave admissible on full pay ex-India, if due 180 days
- (iv) Maximum amount of earned leave preparatory to retirement, if due. 180 days

(Circulated vide Secretary PSEB Patiala endst. No 21862/910/Board/M-29 dated 21-4-1960)

ORDER NO. 656/PSEB DATED PATIALA, THE 1st JUNE, 1960,

The Punjab State Electricity Board is pleased to order that following of its employees shall be entitled to the concessions mentioned against each category, in the matter of casual leave, in addition to 15 days as sanctioned vide its order No. 189/PSEB dated 26-6-1959:—

- i) Officials posted in Lahual and Spiti areas but not belonging to that area be granted normal casual leave as admissible plus 6 journey days on account of local difficulties for journey etc.; and,
- ii) who undergo sterilization operation under the family planning scheme be granted special casual leave not exceeding 6 working days, so that they may take necessary rest after the operation.

(Circulated vide Secretary PSEB Patiala endst. No. 36382/592/Board dated 7-6-60)

—  
Extract of para 2 of Office Order No. 723/PSEB, dated 27th July, 1960

x            x            x            x            x

2. The Board is also pleased to sanction a spell of six days with one or two Sundays in the beginning and/or at the end for rest and recreation over and above the 15 days casual leave already allowed vide order referred to above. Detailed instructions in this behalf will issue shortly.

(Circulated vide Secretary PSEB Patiala endst. No. 47773/48124/Bd/M-35 dated the 27th July, 1960 in partial modification of order No. 189/PSEB dated 6.6.59)

Copy of Secretary PSEB Patiala Circular U.O./endst. No. 52132/588/Bd-22/35 dated 10th August, 1960.

Subject : Grant of leave for rest and recreation purposes.

Continuation paragraph 2 of the Board Order No. 723/PSEB, dated 27-7-1960, copies forwarded under Endst. No. 47773/48073/Board/M-35, of even date.

2. The grant of leave for a spell of six days with permission to affix Sunday at each end, has been granted purely for rest and recreation, during the year 1960 to the total exclusion of all other considerations and purposes. Due care should be exercised to see that the purpose envisaged in granting this leave is fully achieved. The leave should be granted, work permitting, on the following conditions:—

- (i) It should not be granted in continuation of any other kind of leave. In case of extension, the total period of absence will be converted into leave of the kind due under the orders of Competent Authority. A public holiday intervening this period will not increase correspondingly the period of absence on this leave.
- (ii) It must be sanctioned as one spell. It is not to be sanctioned or availed of in parts.
- (iii) It is not debitable to leave account. A separate account for this leave may, however, be kept on the analogy of casual leave account.
- (iv) This leave is admissible during the current calendar year.

A proper roster should be drawn up in each office/Section with a view to planning ahead the leave programme and eliminating, as far as possible, the dislocation of office work.



Copy of Secretary PSEB Patiala Circular endst. No. 64715/65190/Board M-22/35 dated 16th September, 1960

Subject: Grant of leave for rest and recreation purposes.

Continuation Board U.O No. 52132/34/Bd/22/35, dated 10th August 1960, on the above noted subject.

2. It has been decided by the Board that the following categories of staff should not be allowed six days spell for rest and recreation :-

- (i) Employees having less than one year's continuous service to their credit at the time of applying for the spell.
- (ii) Employees who have enjoyed more than two months earned leave during the year for reasons other than on medical certificate.

3. If the spell of six days has already been availed of by any officials to whom it is not due according to above orders, it may be treated as casual or earned leave, as may be due.

Copy of Circular letter No. 9999-5GS-60/45171, dated 16th December, 1960, from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Revised system of Earned leave, Holidays and working hours-scope of application.

I am directed to invite a reference to Punjab Government letter No. 4376-GII-59/2767, dated the 28th May, 1959, on the subject noted above, and to clarify that the revised leave rules are uniformly applicable to all employees of the Punjab State except, those mentioned in para 12 of the letter under reference, irrespective of the fact whether or not the employees belonging to the erstwhile Pepsu State had opted

for the Punjab Leave Rules. Necessary amendments to the Pepsu Leave Rules have also been issued vide Punjab Government notification No. 6919-FRII-60/6357, dated the 22nd July, 1960.

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

3. The receipt of this letter may be acknowledged.

Finance Department,  
Regulations  
Notification  
The 22nd July, 1960.

No. 6919-FRII-60/6357. In exercise of the powers conferred by the proviso of Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Pb. is pleased to make the following amendments in the PEPSU Services Regulations, Vol. I namely :-

#### Amendments

I. In Article 10.5 as amended in PEPSU Finance Department notification No. PSR/I/AM/26 dated the 2nd May, 1955, for the words "subject to a maximum of the P. leave due" in the last line, the words "subject to a maximum of 120 days" shall be substituted.

II. The following shall be substituted for Article 10.9 of the said rules:-

"10.9-The provision of Article 10.23 applies also to a Government servant not in permanent employ".

III. The following shall be substituted for Article 10.23 of the said rules :-

"10.23-(1) The privilege leave admissible to a Government servant in permanent employ is :-

- (a) 1/24 of the period spent on duty, during the first 10 years of his service.
- (b) 1/18 of the period spent on duty, during the next 10 years of his service, and

Note : (c) 1/12 of the period spent on duty, thereafter. For the purpose of assessing the "length of service" under this Sub-rule, break in service caused as a result of retrenchment shall not entail forfeiture of previous service. Further in the case of women Government servants break in service due to resignations as a result of family circumstances of the Govt. servant concerned, shall also be condoned by the reappointing authority provided the duration of break does not exceed 10 years.

(2) Accumulation of privilege leave shall be permissible to any extent but the maximum privilege leave that may be granted at a time to a Government servant shall be (a) 120 days if spent in India (b) 240 days if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman, Diu, Nepal and Pakistan, provided that where privilege leave exceeding 120 days is granted under this sub-rule the period of such leave spent in India shall not in the aggregate exceed 120 days.

Provided further that except as provided in article 10.43 if a Government servant goes on a course of study or research or work which in the Government's view increases his competence, knowledge or efficiency or adds to the technical knowledge he may be granted earned leave to the extent it is due to him and not limited to 120 to 240 days.

Note : The consent of the Finance Department is not presumed to grant of such study leave.

(3) Leave preparatory to retirement may be allowed upto 180 days on full pay provided it is due

IV. The following shall be substituted for Article 10.29 of the said rules :-

"10.29- The privilege leave admissible to such Government servant in respect of any year in which he is prevented from availing himself of the full vacation in such proportion of the following periods as the number of days of vacation not taken bears to the full vacation :-

- (i) to a Govt. servant with 10 years' service. 15 days
- (ii) to a Govt. servant with more than ten years' service but not exceeding 20 years, service. 20 days
- (iii) to a Govt. servant with over 20 years' service. 30 days

If in any year he does not avail himself of the vacation, privilege leave will be admissible in respect of that year in accordance with the provisions of Article 10.23.

V. The following amendments shall be made in Article 10.86 of the said rules :-

- (i) The word "comptroller" occurring therein shall be substituted by the words "Accountant General, Pb."
- (ii) The words "in permanent employ" occurring therein and also the last sentence thereof shall be deleted.

VI The following amendments shall be made in Form 8 (Leave Account Form) as it appears in the said rules :-

- (i) The words "in permanent employ" occurring therein shall be deleted.
- (ii) The words "Accumulation upto days" occurring therein shall be deleted.

These amendments shall come into force on the 1st of July, 1959.

(Circulated vide Secretary PSEB Patiala endst No. 7618/7896/Board/G-143 dated 3-2-1961 along with notification No. 6919-FRII-60/6357 dated 22-7-1960)

Extract of para III of Office Order No. 863/PSEB dated 19th December, 1960.

In partial modification of its Order No. 189/PSEB, dated 6th June, 1959, and in supersession of its order No. 723/PSEB, dated 27th

July, 1960, the Punjab State Electricity Board is pleased to order that the following schedule of working hours, holidays and casual leave to its employees, including Government servants on foreign service with the Board, shall be observed in its various offices located in the Plains and Hills with effect from 1st January, 1961.—

× × × × ×

### III. CASUAL LEAVE

Casual leave for a maximum of 15 days in a calendar year will be admissible to all the employees of the Board, including Government servants on foreign service with the Board. Maximum continuous absence from duty on casual leave (which will be counted for working days only) combined with Sundays and other holidays, shall not exceed one spell of 16 days. The remaining casual leave may be utilised in driblets not exceeding four days at a time, including Sundays and other holidays

(Circulated vide Secretary PSEB Patiala endst. No. 94685/95225/Board/M-43/29 dated 21st December, 1960)

Copy of Secretary PSEB Patiala Circular letter No. 78438/688/Board/M-43/29 dated 9th August, 1961.

Subject :— Grant of Casual Leave.

Board Order No. 868/PSEB, dated 19.12.1960, provides that casual leave for a maximum of 15 days shall be admissible to the employees during a calendar year and maximum continuous absence from duty on casual leave shall not exceed one spell of 16 days. The remaining leave is to be utilized in driblets not exceeding four days at a time including Sundays and other holidays. Enquiries are being received in this office as to the number of spells exceeding four days that can be enjoyed by the employees who do not avail themselves of the 16 days' spell allowed under the above orders.

2. In this connection it is clarified for information and guidance

of all concerned that in the case of the employees who do not avail 16 days spell, the general instructions for the grant of casual leave as contained in Appendix 17 rule 1 (ii) of the Punjab C.S.R. Volume I, Part II, which inter-alia provide that leave exceeding 4 days is not to be granted on more than two occasions during the year unless a third spell is allowed in special circumstances by the competent authority shall be applicable to them.

ORDER NO. 1260/PSEB, DATED PATIALA 27TH SEPTEMBER 1961

In partial modification of its order No. 29/PSEB, dated 27.2.1959, the Punjab State Electricity Board is pleased to delegate to Sectional Officers in the Board's Office full powers for sanctioning casual leave to the non-gazetted staff employed under them.

(Circulated vide Secretary PSEB Patiala endst. No. 91487/91661/Board/G-63/M-43/29 dated 29-9-61)

Copy of Circular letter No. 3446-8GS-62/9556 dated 26th March, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

Subject:— Grant of special casual leave to Government servants for attending annual general meetings of their recognised associations and meeting with the Government representatives or the Head of Department.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 10893-4GS-61/37545, dated the 20th October, 1961, according to which the concession of grant of special casual leave upto a maximum of ten days in a calendar year has been allowed to office bearers of the recognised Service Associations for participating in executive meetings, conferences and other activities of their respective Associations subject to the condition that half of the leave enjoyed in this manner will be debited to the ordinary casual leave account of the official concerned and the remaining half to his

special casual leave account for the aforesaid purpose. The maximum number of special casual leave allowed in this manner is to be five days in a year. I am to inform you that Government after careful consideration have decided to extend this facility of grant of special casual leave to the office bearers of the recognised associations/trade unions formed by the employees of the government-run undertakings in the manner laid down above.

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

(Circulated vide Secretary PSEB Patiala endst. No. 174195/283/HOS/G-148 dated 3-11-62)

Copy of Circular letter No 2393-8GS-62/11431 dated 9th April, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

Subject - Grant of special casual leave to sportsmen.

I am directed to address you on the subject noted above and to say that according to the instructions contained in Punjab Government circular letter No 694-GII-58/13153, dated the 14th/20th February, 1958, special casual leave for a period not exceeding 30 days in a calendar year can be granted to Government servants who are sportsmen and take part in sporting events, tournaments and matches of national or international importance held either in India or abroad. Vide Punjab Government letter No. 10711-GII-59/24455, dated the 30th November, 1959, this concession has also been extended to the employees who participate in inter-district matches and in preliminary tests for selection to Punjab teams for inter-State, i.e. All India Sports events. The question of extending this concession to such temporary Government Servants, as are employed on six/three months basis, has been engaging the attention of Government for sometime past. I am to inform you that after careful consideration, it has been decided that special casual

leave to the extent of 15 days to Government Servants employed on six months basis and seven days to those employed on three months basis may be granted, but each case should be dealt with on its merits by the authorities competent to grant leave, keeping in view the type of sporting event, tournament, etc.

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

(Adopted vide Secretary PSEB Patiala circular memo No. 139899/140529/ENG/G-292 dated 18th October, 1962)

Copy of Chief Engineer/South, PSEB Patiala Circular memo/endst No 15177/15556/ES/M-I dated 1.6.62 to Secretary/C. & S. Ex. Xems./SDOs/Sectional Heads at the Head Quarters.

Subject - Grant of leave for preparation and appearing in A.M.I.E. Examinations to student members of the Institution of Engineers (India).

The Institution of Engineers (India), Punjab Centre has approached the Punjab State Electricity Board to consider the question of grant of leave upto one month to its student members for preparation and appearing in the examination during a year. This request was considered and it has been decided to allow leave of the kind due to all bonafide candidates in a year. These instructions will come into force with immediate effect.

Copy of Circular letter No 14939-8GS-62/39028 dated the 14th November, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Deptts etc.

Subject :- Revised system of Earned leave, Holidays and Working hours.

I am directed to refer to para 7(2) (b) of Punjab Government

letter No 4376-GII-59/2767, dated the 28th May, 1959, on the subject noted above and to clarify that for the purpose of deciding the title of leave to erstwhile Pepsu employees, the service rendered by them in the erstwhile Pepsu State shall also be taken in account. This clarification shall be deemed to have taken effect from the 28th May, 1959, the date on which these instructions were originally issued. This may please be brought to the notice of all concerned for information and guidance and its receipt may be acknowledged.

(Circulated vide Secretary PSEB Patiala endst. No. 6899/7065 HOS/G-148 dated 30-1-1963)

ORDER NO. 1878/PSEB DATED PATIALA, THE 3rd DECEMBER, 1962.

In continuation of para (ii) of its Order No. 656/PSEB, dated 16-1-1960, the Punjab State Electricity Board is pleased to order that the concession of special casual leave not exceeding six working days, shall also be admissible to the work-charged establishment who undergo sterilisation operation under the Family Planning Scheme.

The above order shall take effect from the date of issue of these orders.

(Circulated vide Secretary PSEB Patiala endst. No. 197220/547/M-86/4 dated 3-12-1962)

Copy of Circular letter No. 1952-8GS-63/6924, dated 21st Feb., 1963, from Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

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

I am directed to invite your attention to Punjab Government

letter No. 2393-8GS-62/11431 dated the 9th April, 1962 and to say that the concession of 30 days casual leave allowed under these instructions, to Government employees who are sportsmen, will also be admissible to sportsmen who are sponsored by the State Government for coaching or training in the National Institute of Sports, Patiala.

The receipt of this letter may be acknowledged.

(Adopted vide Secretary PSEB Patiala circular memo No. 139899/140529/ENG/G-292 dated 18-10-1968)

Copy of Circular letter no. 2152-8GS-63/7043 dated 25th Feb, 1963, from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

Subject :- Grant of special casual leave to sportsmen.

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

2. The instructions will come into operation from the date of issue and past cases which have already been decided will not be re-opened.
3. A complete and up-to-date list of National Sports Federations/Associations recognised by the all India Council of Sports will be circulated in due course.
4. The receipt of this communication may be acknowledged.

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

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

The undersigned is directed to invite a reference to this Ministry's Office Memorandum No. 46/7/50-Ests. dated the 5th April, 1954, on the above subject, and to say that the Government of India, have decided to extend the concessions granted therein to those Government servants also whose services are utilised in any of the organisations mentioned in sub para 3 (b) (i) of the communication mentioned above or by a State, Zone or Circle in connection with the coaching or administration of the teams participating in sporting events of national or international importance.

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

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

(Adopted vide Secretary PSEB Patiala circular memo No. 139899/140529/ENG/G-292 dated 18.10.1968)

ORDER NO. 2282/PSEB, DATED PATIALA, THE 19th OCT., 1963.

The Punjab State Electricity Board is pleased to sanction grant of special casual leave of 10 days to the Shift Engineers and other Supervisory staff not governed by the provisions of the Indian Factories Act, in lieu of gazetted and religious holidays which they cannot enjoy on account of their shift duties.

(Circulated vide Secretary PSEB Patiala endst. No. 82748/839/Meeting/M-102/4 dated 19.10.1963.)

Copy of Circular letter no. 2295-9GS, II)-64/13551 dated the 22nd/27th April, 1964 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

Subject :- Grant of leave to Civil employees who are wives of Defence Services personnel.

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

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

2. These instructions are issued with the concurrence of the Finance Department, vide their U.O. advice No. 3435-FRII-64, dated the 4th April, 1964.

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

(Adopted vide Secretary PSEB Patiala circular endst No. 46836/47245/HOS/G-148 dated 13-7-64)

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

Subject : Procedure for accounting for short leave.

I am directed to address you on the subject noted above and to say that in the absence of any specific instructions regarding accounting for short leave which may range from half an hour to more than 2 or 3 hours, different procedures are being adopted in the Government offices in the State. In order to maintain uniformity in all the departments of Government it has been decided that in future the following procedure should be adopted in all the departments of Punjab Government:—

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

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

(Since adopted by the Board)

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

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

I am directed to invite attention to Punjab Government circular letter No. 2202-GII-60/8429, dated the 24th March, 1960, on the subject

noted above under which Government employees who undergo sterilization operation under the Family Planning Scheme are entitled to special casual leave not exceeding six working days. Cases have been brought to the notice of Government wherein the initial operation not having been successful, the employees had to be operated for the second time. Government have decided that in such cases another six days should be allowed as special casual leave for re-sterilization.

(Circulated vide Secretary PSEB Patiala endst. No. 88385 /985/Bd/EB-16 Vol. III dated the 17th July, 1968)

ORDER NO. 3076/PSEB DATED PATIALA THE 1ST JULY, 1967.

In continuation of order No 656/PSEB dated 1-6-1960, read with subsequent Order No. 1878/PSEB dated 3-12-1962, the PSEB is pleased to order that the employees, undergoing sterilization operation under the Family Planning Scheme for the second time, the initial operation having not been successful, shall be allowed another six days as special casual leave for re-sterilization.

(Circulated vide Secretary PSEB Patiala endst No. 60141/ 683/M-86/4 dated 22-8-1967).

Copy of Secretary PSEB Patiala Circular memo No. 83629/857/Estt. N.G. dated 7-12-67.

Subject :— Sanction of leave to the Officials/Officers under suspension.

Instances have come to the notice of the Administrative Member that where the employees have been placed under suspension and/or transferred on one reason or the other, the Officers have allowed leave to such persons, which is not in the interest of the Board. In future no leave to any official placed under suspension and or transfe-

should be granted until and unless the concurrence of the authority who has ordered suspension/transfer is obtained before hand.  
The receipt of this communications should please be acknowledged.

Copy of Circular letter No. 4087-4SI-67/32084 dated 6/7th December, 1967 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

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

I am directed to refer to Punjab Government letter No. 1607-4-GS II-66, dated the 2nd April, 1966, on the subject cited above and to say that it has been decided by the Punjab Government that the following concessions may be extended to the female Government employees :-

- (i) 14 days special casual leave be granted to female Government employees undergoing tubectomy operation (in case of non puerperal sterilization); and
- (ii) one day's non-debitable casual leave to female Government servant for the day of insertion of loop.

2. These orders will come into force from the date of issue and old cases need not be re-opened. This letter issues with the approval of the Finance Deptt. vide U. O. No. 6479-FR.67 dated the 14th November, 1967.

(Adopted vide Secretary PSEB Patiala circular endst. No. 88385/985/Bd/EB-16 Vol. III dated 17.7.1968 from the date of issue.)

Copy of Secretary PSEB Patiala Circular memo No. 40911/41360/ENG/G-302 dated 25.4.1968.

Subject :- Submission of earned leave/casual leave.

It has been observed that employees of the Board generally proceed on earned/casual leave without getting the same sanctioned from the competent authority, which besides being irregular breeds indiscipline and in subordination. Detailed instructions for the submission of casual leave applications before hand have already been issued vide this office Circular Memo. No. 25632/26087/ENG/G-302 dated 13.3.1968 for strict compliance. Similar instructions for the submission of earned leave applications before hand are contained in paragraph 1.65 and 1.66 of E.B. Manual of Orders. Accordingly application for leave other than casual leave should be submitted so as to reach the authority competent to sanction such leave atleast two months in the case of gazetted staff and three weeks in the case of non gazetted staff before the date from which leave is required. Failure to comply with the above instructions may result in the leave being refused.

2. As regards extension of leave it is stressed that the application for extension of leave should reach the authority competent to sanction such extension sufficiently in advance of the expiry of leave already granted to enable the authority to pass orders on the request for extension of leave.

The officers/officials are in no case authorised to absent themselves from duty without obtaining proper sanction. Failure to do so will render them liable to have their absence treated as absence from duty without leave. The possession of a medical certificate for leave or extension of leave does not in itself confer upon a Board Servant any right to leave as per rule 8.16 of the Punjab C.S.R. Vol. I Part I.

3. In order to check this practice, it should be brought home to all employees that they should proceed on earned/casual leave only after the same is sanctioned by the competent authority. Save in exceptional/unforeseen circumstances.



In case of violation of these instructions they should be marked absent and on their re-joining service, the period of absence should be treated as break in service.

4. The receipt of these instructions may please be acknowledged.

Copy of Secretary PSEB, Patiala Circular memo No. 65516/ENG/G-302 dated 14th June, 1968.

Subject:—Sanction of leave to the officers/officials under transfer/suspension.

Instructions were issued vide this office memo No. 83629/857/Estt. N.G., dated 7.12.1967 that no leave to any official placed under suspension and or transferred should be granted until and unless the concurrence of the authority who ordered suspension/transfer was obtained before hand. It was further desired vide this office Memo No. 8042/8332/BET/P-1261, dated 19.1.1968 that in respect of execution of the transfer orders, the employee concerned should be relieved immediately, the officer to whom issued transfer order being advised on the same date about it and the officer to whom the employee is to report for duty is required to see that the official concerned joins in time and to bring it to the notice of supervisory officer if he fails to join on or before the due date. It was also, interalia, laid down that the person under orders of transfer should be granted leave by the authority who issued his orders of transfer. Normally all requests for leave after transfer orders had been issued should be rejected and only in exceptional cases such request might be transmitted to the authority for issuing suitable orders.

In spite of the above instructions it has come to the notice of the Board that the employees proceed on leave as and when they are transferred to some other place against their wishes and submit medical certificate in support of their leave from a Registered Medical Practitioner/Hakim/Vaid etc. As a matter of discipline the employees under

transfer should join at new stations and if they are actually sick or are involved in the sickness of any member of their family, they should come forward with genuine difficulties after joining the new stations. Proceeding on leave/jasking for leave at the time of transfer tantamounts to indiscipline.

It has, therefore, been decided that in case, where the employees under orders of transfer do not join their new places of posting on medical grounds, their applications for leave should be supported by a Medical certificate from the Chief Medical Officer/Deputy Chief Medical Officer of Civil Hospital/District Headquarters and the Doctor Incharge of Government Dispensary in case of Hospital/Dispensaries at places other than District headquarters. In the case of employees stationed at Patiala, Ganguwal, Joginder nagar and Malikpur etc. where there is a Dispensary of the Board, the leave application should be supported by a medical certificate from the Doctor Incharge of the Board's Dispensary. In this connection your attention is also invited to Rule 8.16 of Punjab CSR Vol I part I, which clearly lays down that the grant of medical certificate to a government servant does not in itself confer upon the employee concerned any right of leave. It requires that the certificate should be forwarded to the authority competent to grant the leave and the orders of that authority should be awaited and the official who absent himself from duty without permission of the competent authority is liable to have his absence treated as absence from duty without permission. In cases of doubt, the officers who are competent to grant leave in the light of the instructions referred to above should not hesitate to invoke the provision of this Rule.

The receipt of this communication may please be acknowledged.

Copy of Secretary PSEB Patiala Circular memo No. 176292/494/ENG/G-302 dated 30th December, 1968.

Subject:—Submission of Earned Leave/Casual Leave.

Your attention is invited to this office Circular Memo No. 40911/

41360 dated 25.4.1968 vide which it was stressed that as laid down in para 1.65 and 1.66 of the E.B. Manual of Orders, application for leave other than casual leave should be submitted so as to reach the authority competent to sanction such leave at least two months in the case of gazetted staff and three weeks in the case of non-gazetted staff before the date from which the leave is required. But it is observed that the instructions are not being followed properly. It is, therefore, desired that strict compliance of these instructions may be ensured and in case applications are not received in time, the authority competent to sanction leave should not hesitate to refuse the leave.

ਮੁੱਖ ਸਕੱਤਰ/ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ੈਰ ਪੱਤਰ ਨੰ: 10147-ਸੇਵਾਵਾ.2(2)-69/586 ਮਿਤੀ 8 ਜਨਵਰੀ 1970 ਦੀ ਕਾਪੀ।

ਵਿਸ਼ਾ :— ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਜੋ ਫੌਜ ਵਿਚੋਂ ਨਕਾਰਾਪਨ ਹੋਣ ਕਰਕੇ ਕੱਢੇ ਗਏ ਸਨ ਅਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਅਧੀਨ ਮੁੜ ਰਖੇ ਹੋਏ ਹਨ, ਸਪੈਸ਼ਲ ਸਾਧਾਰਨ ਫੁਟੀ ਵਾਰੇ ਫੈਸਲਾ।

ਮੈਨੂੰ ਆਪ ਵਲ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਬਾਰੇ ਇਹ ਲਿਖਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਭਾਰਤ ਸਰਕਾਰ ਵਲੋਂ ਉਨ੍ਹਾਂ ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਜੋ ਫੌਜ ਵਿਚੋਂ ਨਕਾਰਾ ਹੋਣ ਕਰਕੇ ਕੱਢੇ ਗਏ ਸਨ ਅਤੇ ਜੋ ਸਿਵਲ ਅਥਾਰਟੀਆਂ ਪੁਰ ਮੁੜ ਸੇਵਾਵਾ ਵਿਚ ਰਖੇ ਗਏ ਹਨ, ਉਨ੍ਹਾਂ ਦੇ ਨਕਾਰਾਪਨ ਦੀ ਡਾਕਟਰੀ ਮੁੜ ਸਰਵੇਖਣ ਬੋਰਡ (ਮੈਡੀਕਲ ਰੀ-ਜਰਵੇ ਬੋਰਡ) ਵਲੋਂ ਫੈਸਲਾ ਨਿਰਧਾਰਨ ਕਰਾਉਣ ਸਬੰਧੀ ਵਧ ਤੋਂ ਵਧ 15 ਦਿਨ ਦੀ ਸਪੈਸ਼ਲ ਸਾਧਾਰਨ ਫੁਟੀ ਚੋਨਾ ਪਾਸਿਆਂ ਵਲੋਂ ਸਰਕਾਰ ਵਿਚ ਭਿਰਾਏ ਦਿਲਾ ਸਮੇਤ, ਇਹੀ ਸਾਰੀ ਹੈ। ਕੁਝ ਵਿਚਾਰ ਤੋਂ ਪਿਛੋਂ ਹੁਣ ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਵੀ ਮੁੜ ਸਰਵੇਖਣ ਡਾਕਟਰੀ ਬੋਰਡ ਅਗੇ ਪੇਸ਼ ਹੋਣ ਵਾਸਤੇ ਅਜਿਹੇ ਸਾਬਕਾ ਫੌਜੀਆਂ ਨੂੰ ਵਧ ਤੋਂ ਵਧ 15 ਦਿਨਾਂ ਦੀ ਸਪੈਸ਼ਲ ਸਾਧਾਰਨ ਫੁਟੀ ਦੇਣ ਦਾ ਫੈਸਲਾ ਕੀਤਾ ਹੈ। ਇਹ ਫੈਸਲਾ ਜਿਹੜਾ ਇਸ ਚਿੱਠੀ ਦੇ ਜਾਰੀ ਹੋਣ ਦੀ ਤਾਰੀਖ ਤੋਂ ਲਾਗੂ ਹੋਵੇਗਾ, ਆਪ ਦੇ ਅਧੀਨ ਸਿਵਲ ਅਥਾਰਟੀਆਂ ਪੁਰ ਲਗੇ ਹੋਏ ਸਬੰਧਤ ਸਾਬਕਾ ਫੌਜੀਆਂ ਦੇ ਨੋਟਿਸ ਵਿਚ ਲਿਖਾਵਾ ਜਾਵੇ।

2. ਇਸ ਪੱਤਰ ਦੀ ਪ੍ਰਕ੍ਰਿਤੀ ਰਜਿਸਟਰ ਕੀਤੀ ਜਾਵੇ।

(Adopted vide Secretary PSEB Patiala circular memo No. 30166/30880/G-197/Vol. II dated 16.5.73)

Copy of Circular letter No. 1338-2SIII-70/5819 dated 17th March, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :—Grant of earned leave to Government employees.

I am directed to invite your attention to Recommendation No. 172 (vii) of the Punjab Administrative Reforms Commission wherein it has been laid down that all officials should be encouraged to take leave regularly and low paid employees given a holiday bonus once a year. The Punjab Government have considered the recommendation and have accepted it to the extent that the employees should be encouraged to take leave regularly and as far as possible the leave should be given liberally. You are, accordingly requested to bring these instructions to the notice of all concerned for compliance.

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

(Circulated vide Secretary (Board Section) PSEB Patiala endst. No. 44638/45285/Bd/EG-7(H) dated 19.6.1970)

Copy of Secretary (Misc. Section) PSEB Patiala Circular memo No. 51558/657/ASM-46 dated 15.6.1970 to all Sectional Heads in the Head Quarter Offices, Patiala.

Subject :—Granting of short leave.

As a result of surprise checking of Board employees in Headquarters offices, it has come to notice that while sanctioning short leave applications neither the time of departure is indicated by the official nor by the sanctioning authority. This is irregular much less against office decorum. All Sectional Heads in the Headquarters Offices are, therefore, requested to ensure that the time of departure while granting short leave is indicated invariably.

Copy of Circular letter No. 4123-2SIII-70/22691 dated 28th August, 1970, from the Chief Secretary to Government, Punjab, to all Heads of Depts etc.

Subject:—Grant of special casual leave to work-charged establishment who undergo sterilization operation under 'Family Planning Scheme'.

I am directed to invite a reference to Punjab Government letter No. 4087-4SI-67/32084, dated the 5th/7th December, 1967, on the subject noted above and to say that the following concessions which have been allowed to Punjab Government employees, are also extended to the employees of work-charged establishments with immediate effect:—

1. Six days' special casual leave to the employees who undergo Vasectomy/Salpingectomy operation.
2. Another six days' special casual leave to the employees who undergo Vasectomy operation for the second time in the event of the first operation being unsuccessful.
3. 14 days' special leave to female employees undergoing tubectomy operation (in case of non-puerperal sterilization).
4. One days' special casual leave to female employees for the day of insertion of loop.

2. These orders are being issued with the concurrence of Finance Department vide their U.O. No. 4186-4FR-70, dated 1.8.1970,

(Adopted vide Secretary PSEB Patiala Circular endst. No. 82673/83349/Bd/EB-16 dated 18.12.1970)

ਸਕੱਤਰ, ਪੰ. ਰਾ. ਬ. ਓ. ਪਟਿਆਲਾ ਦੇ ਡੇ. ਸ. ਗਬਤੀ ਪੱਤਰ ਨੰ. 68492/597/ਦੀ.ਐਨ.ਜੀ./ਦਿ-1561 ਮਿਤੀ 24.9.1970 ਦੀ ਨਕਲ

ਵਿਭਾ : ਕਮਾਈ ਫੁੱਟੀ ਖਾਣੇ ।

ਇਹ ਵੇਖਣ ਵਿੱਚ ਆਇਆ ਹੈ ਕਿ ਬੰਗਲ ਸਕੱਤਰੇਤ ਵਿੱਚ ਕੰਮ ਕਰਦੇ ਅਭਿਆਸੀ ਕਰਮਚਾਰੀਆਂ ਦੀ

ਕਮਾਈ ਫੁੱਟੀ ਦੀਆਂ ਅਰਜੀਆਂ ਫੁੱਟੀ ਸ਼ੁਰੂ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਹੀ ਪਹਿਲਾਂ ਇਸ ਵਧਾਵੇ ਨੂੰ ਮੰਨਦੇ ਹਨ ਅਤੇ ਫੁੱਟੀ ਜਾਰੀ ਰੱਖਣ ਅਤੇ ਫੁੱਟੀ ਮੰਨਦੇ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਹੀ ਸਮਾ ਅਧਿਕਾਰੀਆਂ ਵੱਲੋਂ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਫੁੱਟੀ ਦੇ ਜਾਣ ਦੀ ਆਗਿਆ ਦੇ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ। ਅਜਿਹਾ ਕਰਨ ਨਾਲ ਬਿਜਲੀ ਸ਼ਾਖਾ ਦੇ ਮੌਜੂਦਗ ਅਤੇ ਆਫ਼ਸ ਦੇ ਪੈਰੋ 1.66 ਅਤੇ 1.65 ਅਤੇ ਇਸ ਉੱਤੇ ਬੰਗਲ ਦੇ ਆਦਿ ਪੱਤਰ ਨੰ: 176292/495/ਦੀ.ਐਨ.ਜੀ./ਜੀ 302 ਮਿਤੀ 30.12.1968 ਦੁਆਰਾ ਜਾਰੀ ਕੀਤੀ ਹਦਾਇਤ ਦੀ ਉਲੰਘਣਾ ਹੁੰਦੀ ਹੈ। ਇਸ ਵਿੱਤੀ ਅਨੁਸਾਰ ਕਰਮਚਾਰੀਆਂ ਦੀ ਫੁੱਟੀ ਦੀਆਂ ਅਰਜੀਆਂ (ਜੋ ਅਚਨਚੇਤੀ ਫੁੱਟੀ ਨਾ ਹੋਣ) ਸਮਝਣ ਅਧਿਕਾਰੀ ਕੋਲ ਮੰਨਦੇ ਹਨ ਅਤੇ ਫੁੱਟੀ ਸ਼ੁਰੂ ਹੋਣ ਤੋਂ 3 ਹਫ਼ਤੇ ਪਹਿਲਾਂ ਪਹੁੰਚਣੀਆਂ ਚਾਹੀਦੀਆਂ ਹਨ। ਕਦੀ ਵਾਰ ਇਹ ਵੀ ਵੇਖਿਆ ਗਿਆ ਹੈ ਕਿ ਕਰਮਚਾਰੀ ਮੰਨਦੇ ਹਨ ਫੁੱਟੀ ਦੇ ਖਤਮ ਹੋਣ ਤੋਂ ਬਾਦ ਹਾਜ਼ਰ ਨਹੀਂ ਹੁੰਦੇ ਅਤੇ ਆਪਣੀ ਫੁੱਟੀ ਦੇ ਵਿੱਚ ਵਾਧੇ ਵਾਲੀ ਅਰਜੀਆਂ ਭੇਜ ਦਿੰਦੇ ਹਨ ਅਜਿਹੀ ਹਾਲਤ ਵਿੱਚ ਫੁੱਟੀ ਦੇ ਵਧਾਉਣ ਦੀ ਅਰਜੀ ਸਮਝਣ ਅਧਿਕਾਰੀ ਕੋਲ ਪਹਿਲੀ ਫੁੱਟੀ ਦੇ ਖਤਮ ਹੋਣ ਤੋਂ ਕਾਫ਼ੀ ਸਮਾਂ ਪਹਿਲਾਂ ਪਹੁੰਚਣੀ ਚਾਹੀਦੀ ਹੈ ਤਾਂ ਜੋ ਫੁੱਟੀ ਦੇ ਮੰਨਦੇ ਹਨ ਤੇ ਵਿਚਾਰ ਕੀਤਾ ਜਾ ਸਕੇ। ਇਸ ਬਾਰੇ ਬੰਗਲ ਦੇ ਆਦਿ ਪੱਤਰ ਨੰ. 40911/41360/ਦੀ.ਐਨ.ਜੀ./ਜੀ 302 ਮਿਤੀ 25.4.1968 ਵਾਲੀ ਜਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਵੱਲ ਧਿਆਨ ਦਿਵਾਇਆ ਜਾਵੇ।

ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਸਖਤੀ ਨਾਲ ਪਾਠਣਾ ਕੀਤਾ ਜਾਵੇ ਅਤੇ ਫੁੱਟੀ ਦੇ ਮੰਨਦੇ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਕਰਮਚਾਰੀ ਨੂੰ ਫੁੱਟੀ ਦੇ ਜਾਣ ਦੀ ਆਗਿਆ ਨਾ ਦਿੱਤੀ ਜਾਵੇ।

ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਦੀ ਪਹੁੰਚ ਰਾਹੀਂ ਭੇਜੀ ਜਾਵੇ।

Copy of Secretary, PSEB Patiala Circular letter endst. No. 111777/2293/LWO-119 dated 3.11.70.

Subject:—Grant of special casual leave to Government servants for attending annual general meetings of their recognised associations and meeting with the Government representatives or the Head of Department.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 10893-4GS-61/37545 dated 20th October 1961, according to which the concession of grant of special casual leave upto a maximum of ten days in a calendar year has been allowed to office bearers of the recognised Service Associations for participating in the executive meetings, conferences and other activities of their respective Associations subject to the condition that half of the leave enjoyed in this manner will be debited to the ordinary casual leave account of the official concerned and the remaining half to his special

The maximum number of special casual leave allowed in this manner is to be five days in a year.

I am to inform you that after careful consideration PSEB have decided to extend the facility of granting special casual leave to the office bearers of the PSEB Employees Federation in the manner laid down above.

The receipt of this letter may please be acknowledged.

ਸਕੱਤਰ, ਪੰ. ਰਾ. ਬਿ. ਬ. ਪਟਿਆਲਾ ਦੇ ਡੀ. ਸ. ਕਸਤੀ ਪੱਤਰ ਨੰ. 84026/84136/ਈ. ਐਨ. ਜੀ. ਏ-1561 ਮਿਤੀ 26-11-71 ਦੀ ਨਕਲ।

ਵਿਸ਼: - ਥੋੜੇ ਸਮੇਂ ਲਈ ਕਮਾਈ ਫੁੱਟੀ ਬਾਰੇ।

ਇਹ ਵੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਖੇਤਰ ਸਕੱਤਰਾਂ ਵਿਚ ਕੰਮ ਕਰਦੇ ਕਰਮਚਾਰੀਆਂ ਦੀ ਕਮਾਈ ਫੁੱਟੀ ਦੀਆਂ ਅਰਜ਼ੀਆਂ ਫੁੱਟੀ ਸ਼ੁਰੂ ਹੋਣ ਤੋਂ ਕੁਝ ਦਿਨ ਹੀ ਪਹਿਲਾਂ ਕਈ ਬਾਰ ਫੁੱਟੀ ਸ਼ੁਰੂ ਹੋਣ ਤੋਂ ਬਾਦ, ਇਸ ਦੌਰਾਨ ਨੂੰ ਮੰਨਸੂਰੀ ਲਈ ਤੋਜੀਆਂ ਜਾਈਆਂ ਹਨ। ਅਜਿਹਾ ਕਰਨ ਨਾਲ ਬਿਜਲੀ ਬਹਾਰ ਦੇ ਮੈਨੂਅਲ ਆਫ ਆਰਡਰ ਦੇ ਪੰਨੇ 1.65 ਅਤੇ 1.66 ਅਤੇ ਇਸ ਉੱਤੇ ਖੇਤਰ ਦੇ ਡਾ. ਪੱਤਰ ਨੰ: 176292/495/ਈ. ਐਨ. ਜੀ. / ਜੀ-302 ਮਿਤੀ 30-12-68 ਦੁਆਰਾ ਜਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਹੁੰਦੀ ਹੈ। ਇਸ ਅਨੁਸਾਰ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਫੁੱਟੀਆਂ ਦੀਆਂ ਅਰਜ਼ੀਆਂ, (ਜੋ ਅਚਨਚੇਤ ਫੁੱਟੀ ਨਾ ਹੋਣ ਕਰਕੇ) ਸਮਰਥ ਅਧਿਕਾਰੀ ਕੋਲ ਮੰਨਸੂਰੀ ਲਈ ਫੁੱਟੀ ਹੋਣ ਤੋਂ 3 ਹਫ਼ਤੇ ਪਹਿਲਾਂ ਪਹੁੰਚਾਈਆਂ ਚਾਹੀਦੀਆਂ ਹਨ।

ਕਈ ਵਾਰ ਇਹ ਹੁੰਦਾ ਹੈ ਕਿ ਕਰਮਚਾਰੀ ਅਚਨਚੇਤ ਫੁੱਟੀਆਂ ਸਾਲ ਖਤਮ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਹੀ ਖਤਮ ਕਰ ਬੈਠਦੇ ਹਨ ਅਤੇ ਆਖਰੀ ਮਹੀਨਿਆਂ ਵਿੱਚ ਥੋੜੇ ਥੋੜੇ ਦਿਨਾਂ ਦੀ ਕਮਾਈ ਫੁੱਟੀ ਮੰਗਦੇ ਹਨ। ਇਸ ਪਰਿਸਥਿਤੀ ਨੂੰ ਵੇਖਣ ਲਈ ਇਹ ਚਰਚੀ ਸਮਝਿਆ ਗਿਆ ਹੈ ਕਿ ਹਰ ਕਰਮਚਾਰੀ ਨੂੰ ਅਚਨਚੇਤ ਫੁੱਟੀ ਇਸ ਤਰੀਕੇ ਨਾਲ ਦਿਤੀ ਜਾਵੇ ਕਿ ਉਸ ਕੋਲ ਸਾਲ ਦੇ ਆਖਰੀ ਮਹੀਨਿਆਂ ਲਈ ਭੀ ਕੁਝ ਫੁੱਟੀਆਂ ਬਚ ਸਕਣ ਤਾਂ ਜੋ ਥੋੜੇ ਸਮੇਂ ਲਈ (ਕਈ ਵੇਲੇ) ਵਿੱਚ ਇਹ ਜਾਂ ਈ ਦਿਨਾਂ ਦੀ ਕਮਾਈ ਫੁੱਟੀ ਮੰਗੀ ਕਰਦੀ ਹੈ। ਕਮਾਈ ਫੁੱਟੀ ਲੈਣ ਦੀ ਲੋੜ ਨਾ ਪਵੇ। ਕਮਾਈ ਫੁੱਟੀ ਇਸ ਤਰੀਕੇ ਨਾਲ ਪਰਚਾਨ ਕਰਨੀ ਹੁਲਾਂ ਦੇ ਵਿਰੁੱਧ ਹੈ।

ਥੋੜੇ ਥੋੜੇ ਜਾਂਦੀ ਹੈ ਕਿ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਸਾਰੇ ਕਰਮਚਾਰੀਆਂ ਕੋਲੋਂ ਨੋਟ ਕਰਵਾ ਲਈਆਂ ਜਾਣ ਅਤੇ ਦਿਨਾਂ ਦੀ ਸ਼ਖ਼ਤੀ ਨਾਲ ਪਾਲਨਾ ਕੀਤੀ ਜਾਵੇ।

ਇਸ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਇਸ ਦਫ਼ਤਰ ਨੂੰ ਭੇਜਣ ਦੀ ਕਿਰਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ।

Copy of Secretary PSEB Patiala Circular letter endst. No. 101913/102462/ IRO - 114 dated 21-12-71.

Subject :- Grant of special casual leave to Government servants for attending annual general meetings of their recognised associations and meeting with the Government representatives or the Head of Department.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 10893-4GS 61/37545 dated 20th October, 1961, according to which the concession of grant of special casual leave upto a maximum of ten days in a calendar year has been allowed to office bearers of the recognised Service Associations for participating in the executive meetings, conferences and other activities of their respective Associations subject to the condition that half of the leave enjoyed in this manner will be debited to the ordinary casual leave account of the official concerned and the remaining half to his special casual leave account for the aforesaid purpose. The maximum number of special casual leave allowed in this manner is to be five days in a year.

I am to inform you that after careful consideration, the Punjab State Electricity Board have decided to extend the facility of granting special casual leave to the office bearers of the PSEB Technical Services Union in the manner laid down above.

The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 1278-2SIII-72/5831 dated 21st February, 1972 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

Subject : Grant of special casual leave to Government servants for participation in cultural programmes of national/international importance.

I am directed to say that it has been represented to Government

that such employees, as are sometimes selected by the Information and Publicity Department to take part in important cultural programmes of national/international importance, find it difficult to participate therein, on account of the limited amount of casual leave at their disposal. The matter has been considered by Government and it has been decided that employees drawn from various Government Departments (other than those of the Information and Publicity Department who will be treated as on duty) will be allowed a concession of special casual leave upto 10 days at a time for participation in any of the following cultural events or programmes, subject to the condition that an overall limit of such special casual leave in a year will not exceed 30 days :—

- (1) Republic Day Celebrations at Delhi.
- (2) Visit of Cultural troupes to border areas.
- (3) Visit of Cultural troupes to other States during National Celebrations.
- (4) All India Drama Festivals Organised by the Ministry of Information and Broadcasting.

2. These instructions may please be brought to the notice of all employees in your departments/offices.

3. These instructions issue with the concurrence of Finance Department vide their U.O. No. 4685-4FR-71, dated the 1st Oct., 1971.

(Adopted vide Secretary PSEB Patiala Circular memo No. 33771/34292/ENG/G-292 dated 13-6-72, with the addition that the concession contained in this circular shall also be applicable to the Board employees for participation in Meets/Cultural Shows arranged by the State Electricity Boards).

Copy of Secretary (Gazetted Section) PSEB Patiala Circular letter endst. No. 23203/928/BS. 13-A dated 4-5-72.

Subject : — Grant of special casual leave to Government servants for attending annual general meetings of their recognised associations and meeting with the Government representatives or the Head of Department.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 10893/4GS-61/37545, dated 20th October, 1961, according to which the concession of grant of special casual leave upto a maximum of ten days in a calendar year has been allowed to office bearers of the recognised Service Associations for participating in the executive meetings, conferences and other activities of their respective Associations subject to the condition that half of the leave enjoyed in this manner will be debited to the ordinary casual leave account of the official concerned and the remaining half to his special casual leave account for the aforesaid purpose. The maximum number of special casual leave allowed in this manner is to be five days in a year.

I am to inform you that after careful consideration, the Punjab State Electricity Board have decided to extend the facility of granting special casual leave to the office bearers of the PSEB Engineers Association in the manner laid down above.

The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 5416-2SIII-72/20290 dated 16th August, 1972 from the Chief Secretary to Government, Punjab, to all the Heads of Deptts., etc.

Subject : Grant of special casual leave to Government servants under 'Family Planning Scheme'

In continuation of Punjab Government circular letter No. 4087-4SI-67/32084, dated the 5th/7th October, 1967, I am directed to say

that the question whether a male Government servant whose wife undergoes a non-puerperal Tubectomy Operation should be granted any special casual leave for looking after his wife, has been engaging the attention of Punjab Government for some time. It has now been decided that a regular Punjab Government employee, whose wife undergoes such an operation, may be granted special casual leave upto seven days to look after his wife. This will, however, be subject to the condition that the concerned male employee produces a certificate from the doctor, who performs the operation, to the effect that the presence of the Government employee is essential for the period of leave to look after his wife during her convalescence after operation.

2. This issues with the concurrence of Finance Department vide their U.O. No. 4457-4FR-72, dated 1-8-1972.

(Adopted vide Secretary PSEB Patiala Circular endst. No. 91611/91920/Bd/EB-16/Vol. IV dated 29-9-72).

**Copy of Circular letter No. 4213-SII(3)-72/26696 dated 9th Oct., 1972, from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.**

**Subject :** Grant of special casual leave to ex-servicemen in civil posts, who stay in hospital for replacement/treatment of their artificial limbs.

I am directed to say that disabled ex-servicemen, who have been provided with artificial limbs as a result of injuries sustained in operations and re-employed in civil capacity and who have to report to Artificial Limb Centre and stay in hospital as and when their artificial limbs require replacement/treatment, do not get any special casual leave for such purposes. When no leave is due to their credit, they have to be granted leave without pay and allowances resulting in financial hardship to them. The matter has been considered by the Government and it has been decided that special casual leave for a

maximum period of 15 days admissible to ex-servicemen for appearing before the Medical Re-survey Board for re-assessment of their disability under the Government instructions issued, vide letter No. 10147-SII 2)-69/586, dated 8-1-70 will also be applicable to the categories of ex-servicemen mentioned above, in a calendar year, who go to hospital in connection with the replacement/treatment of their artificial limbs.

(Adopted vide Secretary PSEB Patiala circular memo No. 30166/30880/G-197/Vol. II dated 16-5-73).

**Copy of Circular letter No. 2449-2SIII-73/11861 dated 17th April, 1973, from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc**

**Subject :** Grant of Special Casual Leave to Government servants for participation in sports events.

In continuation of Punjab Government circular letter No. 1461-2SIII-69/11361, dated the 1st May, 1969, on the subject noted above, I am directed to say that Punjab Government have decided that the concession of Special Casual Leave allowed to Government servant for participation in sports events of national and international character will also be admissible to those Government servants who participate in such events to act as Umpires/Refrees/Judges.

(Adopted vide Secretary PSEB Patiala Circular memo No. 55628/56378/ENG/G-292 dated 12-7-73).

**Copy of Circular letter No. 1097-2SIII-73/11863, dated 17th April, 1973, from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.**

**Subject :** Grant of casual leave to Punjab Government employees.

It has come to the notice of Government that there is a growing tendency among Government employees to exhaust whatever casual leave is left in their account, during the month of December in a calendar year. As a result, Government work suffers during this period

due to thin attendance in offices. In the public interest, this practice needs to be discouraged effectively and casual leave should be allowed during the month of December as in other months of the year only when its need is genuine. I am, therefore, to request you that, while sanctioning casual leave towards the close of a calendar year, it should be ensured that it is allowed only to meet genuine requirements of the Government employees and not if the intention is to consume the balance casual leave left in their accounts.

I am, further to request that these instructions may also be brought to the notice of all employees working under you for guidance and compliance.

(Circulated vide Secretary PSEB Patiala memo No. 36519/37259/ENG/G-148/L dated 23-5-73)

**Copy of Circular letter No. 3409-2SIII-73/15403, dated the 19th May, 1973, from the Chief Secretary to Government, Punjab, to all Heads of Deptts, etc.**

**Subject : Grant of special casual leave to Government servants under Family Planning Scheme-Extension of the facility to Industrial Employees of State Government.**

In continuation of Punjab Government letter No. 5416-2SIII-72/20290, dated the 16th August, 1972, on the subject noted above, I am directed to say that Government have decided to extend the concession of special casual leave, upto seven days, to a male industrial employee of the State Government whose wife undergoes a non-puerperal Tubectomy operation, to look after his wife, subject to the condition that the concerned male employee produces a certificate from the doctor, performing the operation, to the effect that the presence of the employee is essential for the period of leave to look after his wife during her convalescence after operation

The concurrence of Finance Department has been obtained, —vide their U.O. No. 2723-4FR-73, dated 11th May, 1973.

(Adopted vide Secretary PSEB Patiala circular endst No. 48474/802/Bd/EB-16/Vol.-IV dated 2-7-73)

**Copy of Secretary PSEB Patiala Circular memo No. 58657/59737/M-185/ Spl. 6 dated 26-5-73.**

**Subject: Affixing of restricted holidays to regular leave/gazetted holidays etc.**

I am directed to say that, commencing from the year 1973, the Board has introduced the system of allowing to its employees two restricted holidays which can be availed of by them on certain specified festivals. The festivals/occasions have been enumerated in Note (1) below the list of gazetted holidays for the year 1973. A question arose whether a restricted holiday can be affixed to earned leave like other holidays. The matter has been considered and it is clarified that, like other gazetted holidays, a restricted holiday, when availed, can also be prefixed/suffixed to earned leave or combined with casual leave or gazetted holiday.

**Extract of Regulation 8.52 of PSEB Main Services Regulations Vol. I, Part I.**

8.52 (1) The earned leave at the rate of 1/16th of the period spent on duty will be admissible to the employees of the Board (Class I, II, III & IV) subject to the following restrictions:-

- |   |                  |
|---|------------------|
| (i) Maximum amount of earned leave to be accumulated                          | upto any extent. |
| (ii) Maximum amount of earned leave admissible at a time on full pay, if due. | 120 days.        |

(iii) Maximum amount of earned leave admissible on full pay ex India, if due. 240 days.

(iv) Maximum amount of earned leave preparatory to retirement, if due. 180 days.

Note : For the purpose of assessing the "length of service" under this Sub-regulation, break in service caused as a result of retrenchment shall not entail forfeiture of previous service. Further in the case of women Board employees, break in service due to resignation as a result of family circumstances of the Board employee concerned shall also be condoned by the re-appointing authority; provided that duration of break does not exceed 10 years.

Provided further that, except as provided in the Study leave Regulations contained in Appendix 20 of Pb. C. S. R. Vol. I, Part II (till the Board frames its own regulations and thereafter the relevant Appendix thereof). If a Board employee goes on a course of study or research or work in or out of India which in the Board's view increases his competence, knowledge or efficiency or adds to the technical knowledge, he may be granted earned leave to the extent it is due to him and not limited to 180 days.

Note : The consent of the Board is not presumed to the grant of such study leave.

(2) Leave preparatory to retirement may be allowed upto 180 days on full pay, provided it is due.

(Circulated vide Secretary PSEB Patiala memo No. 47268/48068/ENG/G-377 dated 30.6.1973)

Copy of Circular letter No. 4285-SII(3)-73/27201 dated 31st Aug., 1973, from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Grant of maternity leave to female Government employees- admissibility of leave in the case of those recruited on temporary/adhoc basis for a limited period.

I am directed to address you on the subject noted above and to say that the question as to whether rule 8.137-A of the Punjab Civil Services Rules, Volume I, Part I, is applicable in the case of female Government employees who have been recruited on adhoc basis for a limited period, has been considered in consultation with the Government of India and it is now clarified that the rule referred to above is uniformly applicable to permanent and temporary Government employees within the limitations mentioned in Chapter I of the Punjab Civil Services Rules, Volume I Part I, particularly Rule 1.2 and 1.4 ibid. Accordingly, maternity leave may also be granted to such female Government employees as have been recruited on adhoc basis for a limited period.

It may, however, be mentioned that the question of grant of maternity leave to a female Government employee during the first 6 months of the employment would not arise because women candidates for recruitment to State Services who at the time of medical examination on first entry into Government Service are found to be pregnant of 12 weeks' standing or over, are to be declared temporarily unfit until the confinement is over. In other words such temporarily unfit persons will not be recruited to service even on adhoc basis till they are fit for duty after the confinement. This limitation for medical point of view needs to be kept in view and duly observed.

(Adopted vide Secretary PSEB Patiala circular memo No. 108448/9048/ENG/G-148 dated 19.12.73)



Copy of Circular letter No. 7560-2SIII-73/35080 dated 17th Nov., 1973 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of special casual leave to Government servants under Family Planning Scheme-Extension of facility to work-charged establishment in Punjab.

I am directed to say that in Punjab Government letter No. 5416-2SIII-72/20290, dated the 16th August, 1972, a concession of special casual leave, upto seven days, was granted to a Punjab Government employee whose wife undergoes a non-puerperal Tubectomy operation, to look after his wife, subject to the condition that the concerned male employee produces a certificate from the doctor, performing the operation, to the effect that the presence of the employee is essential for the period of leave to look after his wife during her convalescence after operation. It has now been decided by Government to extend this concession to employees borne on work-charged establishment with immediate effect.

2. Concurrence of Finance Department has been obtained vide their U.O. No. 7383-4FR-73, dated 2.11.1973.

(Adopted vide Secretary PSEB Patiala circular endst. No. 109978/110400/Bd/EB-16/L-7 dated 24.12.1973)

Copy of Circular letter No. 1234-4FR-74/8679 dated 20th May, 1974 from the Secretary to Government, Punjab, Finance Department, Chandigarh to all Heads of Depts., etc.

Subject: Deputation of Government Employees on Foreign Service-Grant of maternity leave

I am directed to address you on the subject cited above and to clarify that during the deputation on foreign services of women Government employees, their salary and allowances for the period of

maternity leave, should be borne by the foreign employer, as no leave salary contribution is payable by the borrowing organisations in respect of this leave.

(Adopted vide Secretary PSEB Patiala circular endst. No. 63612/64522/ENG/G-148 dated 1-7-74)

Copy of Circular letter No. 3146-2SIII-74/18280 dated 7th June, 1974 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of Special Casual Leave to Government servants for participation in sports events.

In continuation of Punjab Government circular letter No. 2449-2SIII-73/11861, dated the 17th April, 1973, on the subject noted above. I am directed to say that the Punjab Government have decided that the concession of Special Casual Leave allowed to Government servants for participation in sports events of national or international character will also be admissible to those Government servants, who participate in Mountaineering Expeditions, subject to the conditions that:-

- (i) the expedition has the approval of the Indian Mountaineering Foundation;
- (ii) there will be no change in the overall limit of 30 days of special casual leave for individual Government servant for one calendar year for participation in sporting events of national or international importance.

2. The period of absence in excess of 30 days should be treated as leave of the kind admissible under normal rules, and that leave may be permitted to be combined with special casual leave as a special case.

3. Past cases, if any, will not be re-opened.
4. Concurrence of Finance Department has been obtained vide their U.O. No. 850-4FR-74, dated 12-4-74.

(Adopted vide Secretary PSEB Patiala circular endst No. 103578/109503/ENG/G-292 dated 20-11-74).

**Copy of Secretary, (Gazetted Section) PSEB Patiala Circular memo No. 72529/73459/EG/L-376 dated 17-7-74.**

**Subject :** Sanction of leave to the officers/officials under transfer/suspension.

The detailed instructions with regard to sanction of leave to the officers/officials under transfer/suspension were circulated vide memo No. 65516/ENG/G-302, dated 14-6-68, (copy enclosed for ready reference). It has, however, been noticed that the employees are not following these instructions and instances have come to the notice of the Board where the officers/officials under transfer apply for leave on some pretext or the other without joining their new stations of posting, which is not at all desirable.

2. It is, therefore, desired that the instructions contained in circular dated 14-6-1968 may be brought to the notice of all officers/officials working under you and violation of these instructions may be severely dealt with.

**Copy of Circular letter No. 1442-2SII-75/8009, dated 22nd May, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.**

**Subject:—** Grant of leave to civil employees, who are wives of Defence Services Personnel.

I am directed to refer to Punjab Government circular letter

No. 2295-9GS (II)-64/13551, dated the 22nd/27th April, 1964 on the above subject, vide which it was interalia provided that the wives of Defence Services Personnel, in temporary civil employment might be granted extraordinary leave, in relaxation of rules, for the period during which their husbands remained posted to family stations and such employees could rejoin civil post on the expiry of the period of their husband's posting to family stations.

2. The instructions referred to above are deficient about the limit on the duration of extraordinary leave at a time. The matter has further been considered and in order to check uncertainty as well as to avoid any misuse of this facility it has been decided that in such cases not more than six months' leave may be granted at a time as admissible under rule 8.137 of the Punjab Civil Services Rules, Volume I, Part I.

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

(Since adopted by the Board)

**Extract of Appendix-8 of PSEB M.S.R. Vol. I Part II circulated vide this office order No. 235/Reg. 48 dated 30.6.75**

Scale : Casual leave will be admissible as follows :—

- |   |         |
|---|---------|
| (i) To employees with 20 years service or less... | 15 days |
| (ii) To employees with over 20 years service...   | 20 days |
- (For detailed instructions Appendix 8 of PSEB M.S.R. Vol. I Part II may be consulted)

**Copy of Circular letter No. 2800-2SIII-75/21926 dated 2nd July, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.**

**Subject :** Grant of Special Casual Leave to Government servants for participation in sports events.

I am directed to refer to Punjab Government Circular letters

No. 1461-SIII-73/11361, dated the 1st May, 1969 and No. 2449-2SIII-73/11861, dated the 17th April, 1973, on the subject noted above and to say that it has come to the notice of Government that the officers/officials who go to participate in various sports events/meets, coaching/training camps or act as a manager of a contingent etc., do not get the special casual leave sanctioned in advance from their competent authorities. Instead, they approach the Department concerned/Government to get their absence regularized after they have actually participated in such events. Government take strong exception to this tendency on the part of its employees. It has, therefore, been decided that such officers/officials should in future be not permitted to avail of the benefit of special casual leave unless they apply for the same well in advance and get it sanctioned before actually proceeding to participate in such events etc.

2. I am to add that in every application for special casual leave, the officer/official concerned should indicate in detail the specific duties that he would be performing when he accompanies a contingent.

3. (For Secretary Education only). All Sports Bodies in India/Punjab may please be asked to intimate to Government whenever any official is selected for appointment by name as office bearer of an Association.

(Adopted vide Secretary PSEB Patiala circular endst. No. 59968/60998/ENG/G 292 dated 6-8-75)

**Copy of Circular letter No. 3885-2SIII-75/27600 dated 5th August, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.**

**Subject : Grant of special casual leave to ex-servicemen in civil posts, who stay in hospital for replacement/treatment of their artificial limbs.**

I am directed to refer to Punjab Government letter No. 4213-SII (3)-72/26696, dated the 9th October, 1972 which inter-alia provides that

special casual leave for a maximum period of 15 days, once in a calendar year, should be allowed to ex-servicemen who are employed in a civil capacity and who have to go to Artificial Limb Centre and stay in Hospital for the purpose of replacement/treatment of their artificial limbs and to say that the matter has been reconsidered by Government and it has been decided that the concession of special casual leave for 15 days may be allowed to such ex-servicemen on more than one occasion in a calendar year, if need be.

(Adopted vide Secretary PSEB Patiala circular endst. No. 14111/15161/ENG/G-197 dated 6-2-76)

**Copy of Secretary PSEB Patiala Circular memo No. 64356/5146/ENG/G-302 dated 14-8-75.**

**Subject : Restriction on grant of leave to Government employees in the context of the present Emergency in the country.**

During the present Emergency the administrative work on many fronts has to be discharged with more promptness. The immediate enforcement of the economic measures announced by Government requires all the more vigorous functioning of the Board's administration. With this object in view, it has to be ensured that all the Board employees and functionaries devote their maximum attention to their duties. For doing so their un-interrupted presence is very essential.

2. In the above circumstances, you are requested to ensure that in order to discharge additional responsibilities leave should be sanctioned to Board Employees only for unavoidable and pressing reasons. In this context, it need not be repeated that in terms of rule 8.15 of the Punjab Civil Services Rules Volume I, Part I/Regulation 8.15 of PSEB Main Service Regulations (as the case may be) leave cannot be claimed as of right.

3. Kindly get these instructions noted by all concerned and acknowledge receipt.

Copy of Circular letter No. 3806-2SIII-75/34783 dated the 26th September, 1975, from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Restriction on the grant of maternity leave to women Government employees

I am directed to address you on the subject noted above and to say that maternity leave to female Government servants is admissible under rules 8.86 and 8.137-A of the Punjab Civil Services Rules, Vol. I, Part-I, but there is no provision about the number of occasions on which this leave can be granted.

2. It has now been decided by the Punjab Government that maternity leave shall not be granted to female Government servants who have three or more children living. This decision, however, will not affect the existing rules and instructions applicable to cases of miscarriage/abortion.

3. Necessary amendment is being carried out by the Finance Department in the relevant rules.

(Adopted vide Secretary PSEB Patiala circular endst. No. 99119/100119/ENG/G-148/LC-883 dated 30.10.1975)

ਸਕੱਤਰ, ਪੰ. ਰਾ. ਬਿ. ਬੋ. ਪਟਿਆਲਾ ਦੇ ਡੀ. ਸ. ਗਸਤੀ ਪੱਤਰ ਨੰ: 91150/307/ਈ.ਐਨ.ਜੀ./ਜੀ 302 ਮਿਤੀ 13-10-1975 ਦੀ ਕਾਪੀ

ਵਿਸ਼ਾ : ਕਮਾਈ ਵੁੱਟੀ ਬਾਰੇ।

ਇਹ ਵੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਬੋਰਡ ਸਕੱਤਰੀ ਵਿਖੇ ਕੰਮ ਕਰ ਰਹੇ ਅਗਲੀ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਕਮਾਈ ਵੁੱਟੀ ਲਈ ਅਰਜ਼ੀਆਂ ਵੁੱਟੀ ਸ਼ੁਰੂ ਹੋਣ ਤੋਂ ਕੁਝ ਦਿਨ ਹੀ ਪਹਿਲਾਂ ਜਾਂ ਕਈ ਵਾਰ ਵੁੱਟੀ ਆਰੰਭ ਹੋਣ ਤੋਂ ਬਾਦ, ਇਸ ਬਾਰਡ ਨੂੰ ਮਨਜ਼ੂਰੀ ਲਈ ਭੇਜੀਆਂ ਜਾਂਦੀਆਂ ਹਨ। ਅਜਿਹਾ ਕਰਨਾ ਬਿਜਲੀ ਬਰਾਦ ਦੇ ਮੈਨੂਅਲ ਆਫ ਆਰਡਰ ਦੇ ਪੈਰਾ 1.65 ਅਤੇ 1.66 ਅਤੇ ਇਸ ਦੇ ਯਾਦ ਪੱਤਰ ਨੰ. 176292/493 ਮਿਤੀ 30.12.1968 ਅਤੇ 84026/84136 ਮਿਤੀ 26.11.1971 ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਹੈ। ਇਸ ਅਨੁਸਾਰ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਕਮਾਈ ਵੁੱਟੀ ਲਈ ਅਰਜ਼ੀਆਂ ਸਿਰਫ਼ ਅਧਿਕਾਰੀ ਵੱਲ ਮਨਜ਼ੂਰੀ ਲਈ ਵੁੱਟੀ ਸ਼ੁਰੂ ਹੋਣ ਤੋਂ 3 ਹਫ਼ਤੇ ਪਹਿਲਾਂ ਪਹੁੰਚਾਈਆਂ ਜਾਣੀਆਂ ਹਨ।

ਬਲੀ ਵਾਰ ਵਿਚ ਪੁੱਛਾ ਹੈ ਕਿ ਕਰਮਚਾਰੀ ਸਾਲ ਮੁਕੰਮਲ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਹੀ ਅਰਜ਼ੀਆਂ ਵੁੱਟੀਆਂ ਭੇਜ ਕੇ ਵੁੱਟੀਆਂ ਲਈ ਅਰਜ਼ੀਆਂ ਮਹੀਨੇ/ਸਾਲ ਵਿਚ ਕੋਈ ਕੰਮ ਲਈ ਕਮਾਈ ਵੁੱਟੀ ਮੰਗਦੇ ਹਨ। ਇਸ ਪ੍ਰਕਾਰ ਨੂੰ ਰੋਕਣ ਲਈ ਭਾਗਾਂ ਦੇ ਮੁਖੀਆਂ ਨੂੰ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਹ ਅਗਲੇਰੇ ਵੁੱਟੀ ਵਿਚ ਚੋਣ ਨਾਲ ਦੇਣ ਤੇ ਕਰਮਚਾਰੀ ਕੋਲ ਅਰਜ਼ੀ ਮਹੀਨੇ/ਸਾਲ ਲਈ ਕਰ ਕੇ ਵੁੱਟੀਆਂ ਭੇਜ ਦਿਓ ਅਤੇ ਇਹ ਇਹ ਵੀ ਚਿੰਨ੍ਹ ਲਈ ਕਮਾਈ ਵੁੱਟੀ ਦੀ ਲੋੜ ਨਾ ਪਵੇ। ਐਤ ਵਿਚ ਇਹ ਇਹ ਕੰਮ ਕਿਹਾ ਜਾਣਾ ਹੈ ਕਿ ਅਗਲੇਰੇ ਅਧਿਕਾਰੀ ਵੁੱਟੀ ਮਨਜ਼ੂਰ ਕਰਨ ਵਿਚ ਇਨਕਾਰੀ ਤੋਂ ਸੇਕੇਂਚ ਨਹੀਂ ਕਰੇਗਾ, ਜੇਕਰ ਵੁੱਟੀ ਬਾਦ ਤੋਂ ਪਹਿਲਾਂ ਇਹ ਮਨਜ਼ੂਰ ਨਾ ਕਰਾਈ ਲਈ ਅਤੇ ਕਮਾਈ ਵੁੱਟੀ ਵਿਚ, ਇਹ ਜਾਂ ਵੀ, ਚੋ ਚਿਨ੍ਹਾ ਲਈ ਮੰਗੀ ਲਈ ਜਦੋਂ ਤੱਕ ਇਸ ਦੀ ਕਾਪੀ ਸਖਤ ਕੋਲ ਨਾ ਹੋਵੇ।

Copy of Circular letter No. 7316-2SIII-75/43847 dated 13th November, 1975, from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Application of leave-indication of leave address.

I am directed to refer to Punjab Government Circular letter No. 2068-2SIII-75/28316, dated the July 1975 on the subject noted above.

2. It has been observed by Government that Government employees proceeding on earned leave often do not mention their leave address in the application. Some of them do mention their leave address but proceed to a station different from that mentioned in the leave address, as a consequence of which, in the event of an emergency, the employees cannot be contacted at short notice. This causes unnecessary inconvenience to Government.

3. I am, therefore, to request that it may be brought to the notice of all state Government employees working under you that a Government employee before proceeding on leave has invariably to give his complete address where he can be contacted according to need. If during leave he is compelled by any circumstance to change his address, he should immediately inform the leave sanctioning authority of the change. Negligence in this regard should be taken serious note of.

(Adopted vide Secretary PSEB Patiala circular endst. No. 3479/4479/ENG/G-302 dated 16.1.1976)

Copy of Circular letter No. 8033-2S111-75/53231 dated 17th December, 1975 from the Chief Secretary to Government, Punjab to all Heads of Depts., etc.

Subject: Grant of Special Casual Leave to Government Servants for participation in tournaments.

I am directed to say that the Punjab Government have issued a number of instructions regarding grant of special casual leave to their employees for participating in sports events of national or international importance held in India or abroad etc from time to time. For facility of reference, all those instructions are consolidated in the succeeding paragraphs:

Conditions regarding admissibility of Special Casual Leave.

- Pb. Govt. Letter No. 684-G11-58/13153, dt. 14.2.58.
- Special Casual Leave can be allowed in the following cases :-
- a) For participation in Sports events of national or international importance; and
  - b) When the Government Servant concerned is selected for such participation.
- i) In respect of international sports events by any one of the following organization as a member of team which is accepted as representative on behalf of India.
    - ii) The Indian Hockey Federation.
    - iii) The Board of Control for Cricket in India.
    - iv) The India Olympic Association.
    - v) The All India Lawn Tennis Association.
    - vi) The All India Badminton Association.
    - vii) The Table Tennis Federation of India; and
- P.G. Letter No. 2800-2S111-75/21926 Dt. 2-7-75
4. Application for special Casual Leave :
    - i) The application for the grant of special casual leave should indicate in detail the specific duties that the officer/official concerned would be performing when he accompanies a contingent.

- ii) The application for special casual leave should be submitted well in advance and it cannot be sanctioned by the competent authority before the beneficiary actually proceeds to take part in the Sports event.

P.G. Letter No. 2800-2S111-75/21926 Dt. 2-7-75

5. Cases in which Special Leave is not admissible.

The concession for the grant of special casual leave is not admissible for participation either in a national or international sporting event in which such participation of Government servant concerned takes place in his personal capacity and not in a representative capacity.

No 634-G11 58/13153 Dt. 14.2.58

6. Of late, it has been observed that a number of officers have been involving themselves in the work of Sports Organisations. Some of them, of course have served the country well in the sphere of sports administration, but it is equally true that many others have been taking undue advantage of their official position in making trips abroad in the guise of Sports Administrators. Some of them availed of hospitality abroad by way of :-

- i) free or subsidized board and lodging at the expense of a foreign country or Organisation or even a National or State Organisation or.
- ii) Subsidized travel costs from India to the venue of the tournament and back.

This sort of hospitality may be availed of only with the prior permission of Government under the relevant conduct rules

7. In the end, I am to request that the above instructions may be brought to the notice of all Government employees for strict compliance. A serious view should

be taken of our officers/officials misusing their official position and consequently wangling trips abroad at the expense of Government or Sports Bodies

The receipt of this letter may kindly be acknowledged.

(Adopted vide Secretary PSEB Patiala circular memo No. 25068/25768/ENG/G-292 dt. 3.3.76)

ਸਕੱਤਰ ਪੰ. ਰਾ. ਬਿ. ਬ. ਪਟਿਆਲਾ ਦੇ ਡੀ. ਸ. ਪੱਤਰ ਨੰ. 113734/940/ਓ. ਐਨ. ਜੀ. /ਜੀ-302 ਮਿਤੀ 19.12.75 ਦੀ ਕਾਪੀ

ਵਿਸ਼ਾ : ਕਮਾਈ ਵੁਟੀ ਬਾਰੇ

ਬਿਨਾ ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਦੀ ਮਨਜ਼ੂਰੀ ਅਠਨਚੇਤ ਜਾਂ ਕਮਾਈ ਵੁਟੀ ਮਾਨਣਾ, ਬਿਜਲੀ ਬਰਾਬ ਦੇ ਮੈਨੂਅਲ ਆਦਿ ਆਰਡਰ ਦੇ ਪੰਚਾ 1.65 ਅਤੇ 1.66 ਅਤੇ ਯਾਚ ਪੱਤਰ ਨੰ: 176292/495 ਮਿਤੀ 30-12-68 ਅਤੇ S4026/S4136 ਮਿਤੀ 26.11.71 ਰਾਹੀਂ ਸਾਬੀ ਕੀਤੀਆਂ ਫਟੀਆਂ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਹੈ ਇਸ ਦਰਤਰ ਦੇ ਯਾਦ ਪੱਤਰ ਨੰ: 91150/507/ਓ. ਐਨ. ਜੀ. /ਜੀ-302 ਮਿਤੀ 13.10.75 ਰਾਹੀਂ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਪਾਲਣਾ ਤੇ ਜਿਹ ਦਿਤਾ ਗਿਆ ਸੀ, ਪਰ ਇਹ ਦੱਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਇਹ ਤੀ ਬਹੁਤ ਸਾਰੇ ਕਰਮਚਾਰੀ ਬਿਨਾ ਮਨਜ਼ੂਰ ਕਰਾਏ ਅਠਨਚੇਤ/ਕਮਾਈ ਵੁਟੀ ਮਾਣ ਲੈਂਦੇ ਹਨ ਜੋ ਕਿ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਹੈ।

(2) ਕਈ ਵਾਰ ਇਹ ਹੁੰਦਾ ਹੈ ਕਿ ਕਰਮਚਾਰੀ ਸਾਲ ਖਤਮ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਹੀ ਅਠਨਚੇਤ ਵੁਟੀਆਂ ਖਤਮ ਕਰ ਲੈਂਦੇ ਹਨ ਅਤੇ ਆਖਰੀ ਮਹੀਨੇ/ਮਹੀਨਿਆਂ ਵਿਚ ਬੰਨੇ ਸਮੇਂ ਲਈ ਕਮਾਈ ਵੁਟੀ ਮੰਗਦੇ ਹਨ। ਅਜਿਹੀਆਂ ਵੁਟੀਆਂ ਉਹ ਆਮ ਬਿਨਾ ਮਨਜ਼ੂਰ ਕਰਾਏ ਕਟ ਲੈਂਦੇ ਹਨ ਅਤੇ ਭਾਗਾਂ ਦੇ ਅਧਿਕਾਰੀ ਤੀ ਇਸ ਦਰਤਰ ਨੂੰ ਅਜਿਹੀ ਵੁਟੀ ਮਨਜ਼ੂਰੀ ਲਈ ਭੇਜ ਦਿੰਦੇ ਹਨ।

(3) ਬੰਨੇ ਸਮੇਂ ਲਈ ਹੋਵੇ ਜਾਂ ਬਹੁਤ ਸਮੇਂ ਲਈ, ਇਸ ਦਰਤਰ ਤੋਂ ਬਿਨਾ ਮਨਜ਼ੂਰ ਕਰਾਏ ਕਟਣਾ ਉਪਰੋਕਤ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਹੈ ਅਤੇ ਅਜਿਹੀ ਹਾਲਤ ਵਿਚ ਇਹ ਦਰਤਰ ਵੁਟੀ ਦਿਨਕਾਰ ਕਰਨ ਤੋਂ ਸੰਕੋਚ ਨਹੀਂ ਕਰੇਗਾ। ਬਿਨਾ ਮਨਜ਼ੂਰੀ ਮਾਣੀ ਕਮਾਈ ਵੁਟੀ ਕੰਰਹਾਜਰੀ ਸਮਝੀ ਜਾਵੇਗੀ ਅਤੇ ਇਸ ਸਮੇਂ ਲਈ ਕੋਈ ਤਨਖਾਹ ਆਦਿ ਨਹੀਂ ਦਿਤੀ ਜਾਵੇਗੀ, ਜਦੋਂ ਤੱਕ ਕਿ ਫੈਸਲਾ ਨਹੀਂ ਹੋ ਜਾਂਦਾ। ਇਹ ਹਦਾਇਤਾਂ ਸਾਰੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਨੋਟ ਕਰਾਈਆਂ ਜਾਣ ਅਤੇ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜਣ ਦੀ ਖੋਚਲ ਕੀਤੀ ਜਾਵੇ।

ਸਕੱਤਰ ਪੰ. ਰਾ. ਬਿ. ਬ. ਪਟਿਆਲਾ ਦੇ ਡੀ. ਸ. ਪੱਤਰ ਨੰ. 37037/222/ਓ. ਐਨ. ਜੀ. /ਜੀ-302 ਮਿਤੀ 30-3-76 ਦੀ ਕਾਪੀ।

ਵਿਸ਼ਾ : - ਅਠਨਚੇਤ ਕਰਮਚਾਰੀਆਂ ਦੀ ਵੁਟੀ ਦੇ ਸਮੇਂ ਦੀ ਤਨਖਾਹ ਬਾਰੇ।

ਬੰਨੇ ਸਮੇਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਵੁਟੀ ਦੀ ਤਨਖਾਹ ਵੀ ਕਿਸੇ ਕਿਸਮ ਦੀ ਵੁਟੀ ਮੰਨਦੇ ਕਰਾਏ ਸਮੇਂ ਨਹੀਂ ਜਾ ਸਕਦਾ। ਇਹ ਵੇਖਣ ਵਿਚ ਆਇਆ ਹੈ ਕਿ ਕੁਝ ਸਾਖਾ ਅਠਨਚੇਤ ਆਪਣੀ ਆਪਣੀ ਕੰਮ ਕਰ ਤੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਬਿਨਾ ਵੁਟੀ ਮੰਨਦੇ ਕਰਾਏ ਵੁਟੀ ਮਾਣਨ ਦੀ ਯਾਚਿਆਂ ਦੇ ਕਿਸੇ ਵਾਕ ਅਤੇ ਇਸ ਸਮੇਂ ਦੀ ਤਨਖਾਹ ਦੀ ਉਨ੍ਹਾਂ ਨੂੰ ਦੇ ਦਿੱਤੀ ਜਾਦੀ ਹੈ ਕਿਹਾ ਹੈ ਕਿ ਬੰਨੇ ਸਮੇਂ ਹਦਾਇਤਾਂ ਦੀ ਉਲੰਘਣਾ ਹੈ।

2. ਉਪਰੋਕਤ ਨੂੰ ਮੁਖ ਚੱਖਦੇ ਹੋਏ ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਕਿਸੇ ਵੀ ਕਰਮਚਾਰੀ ਨੂੰ ਵੁਟੀ ਮਨਜ਼ੂਰ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਵੁਟੀ ਤੇ ਜਾਣ ਦੀ ਆਇਆ ਤਾਂ ਕਿੱਤੀ ਜਾਵੇ ਅਤੇ ਨਾ ਹੀ ਚੋਖ ਨੂੰ ਇਸ ਸਮੇਂ ਦੀ ਤਨਖਾਹ ਦਿੱਤੀ ਜਾਵੇ। ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਪੂਰੀ ਤਰ੍ਹਾਂ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਜੇਕਰ ਕੋਈ ਉਲੰਘਣਾ ਹੋਵੇ ਤਾਂ ਸਾਖਾ ਅਠਨਚੇਤ ਆਪ ਖੁਦ ਉਹ ਲਈ ਜ਼ਿੰਮੇਵਾਰ ਹੋਣਗੇ।

3. ਸਾਰੇ ਤਨਖਾਹ ਵੰਡਣ ਵਾਲੇ ਅਧਿਕਾਰੀ ਆਪਣੇ ਭਾਗ ਦੇ ਤਨਖਾਹ ਦੀ ਵੁਟੀ (Acquittance roll) ਤੇ ਇਹ ਤਜਦੀਰ ਕਰਿਆ ਕਰਨ ਕਿ ਉਨ੍ਹਾਂ ਨੇ ਕਿਸੇ ਕਰਮਚਾਰੀ ਨੂੰ ਵੁਟੀ ਮੰਨਦੇ ਕਰਾਏ ਬਿਨਾ ਵੁਟੀ ਦੇ ਸਮੇਂ ਦੀ ਤਨਖਾਹ ਨਹੀਂ ਦਿੱਤੀ।

Copy of Circular letter No. 2336-7FR-76/23812 dated 3rd May, 1976 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Family Planning-Scheme of incentives and disincentives.

You are aware that Family Planning is vital for quick economic progress. With a view to providing a boost to this programme, Government have been actively considering various measures to make it a success and have decided to provide incentives to State Government employees towards that end in view. These decisions are enumerated below :-

- (i) In future, all loans and advances would be given by the Government only to those employees who limit the number of their children to two. Other Government employees will be allowed such loans provided they (husband or wife) undergo Vasectomy or Tubectomy, and furnish a certificate to

that effect, or if they guarantee the use of other methods of family planning so as not to have an additional child.

- (ii) Women employees shall be granted Maternity leave for the birth of the first two children only; leave entitlement shall be raised to five months period.
- (iii) A Government employee, on transfer, having more than two children, shall not be entitled to claim travelling allowance in respect of the third or any subsequent child, unless he (she) or his wife (her husband) has undergone sterilisation or he (she) gives a guarantee that he (she) will use other methods of family planning so as not to have an additional child.

2. Government expects its employees to extend their fullest cooperation in this regard to make this programme a success. These decisions may be brought to the notice of all Government employees under your control.

3. The existing rules will be amended accordingly.

(Adopted vide Secretary PSEB Patiala circular endst. No. 73065/74071/Bd/EB-16/L-7 dated 7.7.1976)

**Copy of Secretary PSEB Patiala Circular memo No 106894/107819/Bd/EB-16/L. No. 7 dated 2-9-76.**

**Subject : Family Planning-Scheme of incentives and disincentives.**

Reference this office endst. No. 73065/73880/Bd/EB-16/L-7 dated 7-7-1976.

2. Doubts have been raised about the manner in which the maternity leave upto 5 months is to be granted, and whether this leave can be extended or not. The matter has been considered and it has been decided that for the time being the grant of maternity leave should

be so regulated that :—

- (i) the date of confinement falls within the period of this leave, and
- (ii) the leave does not extend more than 75 days from the date of confinement.

The extension in the maternity leave may be allowed to the women employees in the same manner as was being done prior to the introduction of scheme of incentives/disincentives.

3. The above instructions (contained in para 2) will remain in force till such time the instructions of the Government are received and adopted in this behalf.

**Copy of Circular letter No. 7093-2ASH-76/39748 dated 30th September, 1976 from the Chief Secretary to Government, Punjab, to all Heads of Deptts, etc.**

**Subject : Grant of Restricted Holidays.**

I am directed to refer to Punjab Government Notification No. 6399-2SII-75/44701, dated the 10th November, 1975 and to say that according to instructions contained therein, besides public holidays to be observed during a year, each employee can avail himself of any two holidays to be chosen by him out of the restricted holidays approved by the Government. Some Departments have sought clarification about the procedure for the grant of restricted leave.

2. In this connection I am to clarify that the restricted holiday is, for all intents and purposes, a holiday like any other gazetted holiday. The only difference is that while other gazetted holidays are declared in the very beginning of the year and the employees are not required to submit any application/intimation for availing of those holidays, in the case of restricted holidays the employees are given an option to select two holidays out of the total number of restricted holidays declared by the Government. The underlying idea in allowing restricted holidays is that the employees should exercise their discretion in selecting two of the restricted holidays according to

their religious and social requirements and bent of mind. The employees, therefore, may not be bound to get their applications for such leave sanctioned before availing of the restricted holiday, but they shall have to inform the leave sanctioning authority before hand about their intention to avail of such leave. As in the case of other gazetted holidays an employee who has opted for availing of a particular restricted holiday can be called to attend office, if it becomes necessary due to administrative exigencies, but ordinarily an employee should not be refused to avail of such leave.

3. The adhoc & other employees with short service to their credit may not be treated at par with regular employees. They may be allowed one restricted holiday if the total service is less than 6 months and two holidays if it exceeds 6 months.

4. The above instructions may kindly be noted for future guidance.

(Adopted vide Secretary PSEB Patiala circular endst. No. 221289/221889/Bd-631 dated 3-11-1976)

**Copy of Circular letter No. 5075-4FR-76/30832 dated 19th October, 1976 from the Commissioner for Finance and Secretary to Government, Punjab, Finance Department to all Heads of Deptts., etc.**

**Subject : Family Planning-Scheme of incentives and disincentives.**

I am directed to invite your attention to paragraph 1(ii) of Punjab Government, Finance Department circular letter No. 2336-7FR-76/23812, dated the 3rd May, 1976, on the above subject, and further to clarify these instructions regarding the grant of Maternity leave, as under :—

- (1) The competent authority may grant to a female Government employee maternity leave on full pay for a period not ordinarily exceeding 150 days for the birth of the first two children.

- (2) The grant of leave should be so regulated that (1) the date of confinement falls within the period of this leave, and (2) the leave does not exceed 101 days after the date of confinement. (The break up of 150 days would thus be; 48 days before delivery, 1 day for delivery and 101 days after the date of delivery).
- (3) This leave may be extended to 180 days on the certificate of Civil Surgeon, or of a member of the Women's Medical Service, India.
- (4) Those female Government employees who proceeded on three months maternity leave, or were sanctioned three months maternity leave, after 3.5.1976 would be entitled to ask for the benefit of maternity leave for 150 days, if required, provided they did not already have two children, or provided the 1st two children were of the same sex & leave was required for the third child.
- (5) If the first two children of a female Government employee were/are of the same sex, maternity leave for the birth of the third child may be allowed under the new instructions. Female Government employees who were expectant before 3rd May, 1976 and had already given birth to the first two children, may also be granted maternity leave for the birth of the third child under the rules prevalent before the issue of the instructions dated 3rd May, 1976 and in their case leave can be extended upto six months according to rules.
- (6) Female Government employees who are expectant after 3.5.1976 may be granted maternity leave for the birth of the first two children; but if the first two children were/are of the same sex, then for the first three children only (whether living or not).
- (7) Maternity leave (for abortions) may be allowed as and when required and as often as required for the period specified in the rules.



(8) Female Government employees recruited on adhoc basis for a period of more than six months may be allowed maternity leave (including maternity leave for abortion) provided the date of conception is six months after continuous adhoc service and the leave so granted does not extend beyond the date of her adhoc appointment.

2. The above clarifications may be brought to the notice of all Government employees under your control.

3. The existing rules will be amended accordingly.  
(Adopted vide Secretary PSEB Patiala circular endst. No. 158614/159755/EB-16/L. No. 7 dated 1.12.1976)

Copy of Secretary PSEB Patiala Circular memo No. 133532/134482/Bd/EB-16/L. No. 7 dated 25.10.1976

Subject : Family Planning-Scheme of incentives and disincentives.

Reference this office endst. No. 73065/73880/B3/EB-16/Loose No. 7 dated 7.7.1976 vide which Punjab Government letter No. 2336-7-FR-76/23812 dated 3.5.1976 was adopted.

2. The following shall be added as para-2 in the aforesaid Punjab Government letter :-

"It is clarified that if a Government employee has only two living children :

- i) neither of whom is male child,
- ii) neither of whom is female child or
- iii) who are, or either of whom is handicapped ;

he may have one more child. The above mentioned restrictions/disincentives will not apply because of the number of children increasing to three in such cases."

3. The existing para 2 and 3 in the said Government letter shall be renumbered as 3 and 4 respectively.

Copy of Secretary PSEB Patiala Circular memo No. 19260/272/ENG/S-115 dated 18.2.1977

Subject : Leaving of Headquarters without obtaining prior permission of the competent authority.

According to Regulation 2.53 of the P.S.E.B. Main Services Regulations, 1972, Volume I, Part I, 'Sphere of duty of a Board employee' is the local area outside which he cannot travel without the special orders of the competent authority. In terms of para 5 of Appendix 8 of P.S.E.B Main Services Regulations, 1975, Vol I, Part II, no Board employee can leave his headquarters, during Gazetted holidays except with the permission of his immediate Departmental superior, who must undertake the responsibility of granting such permission.

2. It has been noticed in the past, that certain Board employees, working under your Administration, had been leaving their H/Qrs. without specific information/permission of their superior officers and keeping their residence outside Patiala. The above action on the part of such officials was seriously viewed by the Board and they were called upon to explain their position for the violation of the existing Rules on the subject. In reply to the Memorandum issued to them, almost all such officials have not explained the factual position and have denied the above charge. But the fact remains, that almost all of them are leaving the H/Qrs without any body's permission and keeping their residence outside Patiala.

3. In order to curb this tendency on the part of such officials under your control, the matter has been considered and it has been decided that such officials in particulars, and other Board Employees in general, should obtain the regular permission for leaving the Headquarters daily. It is also requested that a very close watch may be kept on such officials and occasional surprise checks exercised for this purposes. In case any-body is found leaving the H/Qrs. without permission of his superior authority, a serious view/action in the matter may be taken under intimation to this office.

4. The above instructions may please be brought home to all concerned for strict compliance.

Copy of Circular letter No. 2123-6GS-77/10792 dated 21st March 1977 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

Subject: Grant of special casual leave to Government Servants for participation in tournaments.

I am directed to refer to Punjab Government letter No. 8033-2SIII-75/53231 dated 17.12.1975 on the subject noted above and to say that para 4 (ii) of the said letter may please be substituted as under :-

The application for special casual leave should be submitted well in advance and the applicant must not leave his post or station unless he has received intimation about the sanction of leave.

- Note 1. Special casual leave shall be sanctioned by the authority which is competent to sanction earned leave to the applicant.
2. The application for special casual leave must be submitted by the officer concerned himself through his controlling authority alongwith a similar request from the concerned Sports Board/Association.
3. The applications for grant of special leave to Government Servants for participation in tournaments should be dealt with on Top Priorities Basis.

(Circulated vide Secretary PSEB Patiala endst No. 50822/51972/ENG/G-292 dated 19.4.77)

ਸਕੱਤਰ ਪੰਜਾਬ ਸਿ.ਬ. ਪਟਿਆਲਾ ਦੇ ਸਰਕੂਲਰ ਮੀਮੋ ਨੰ 93387/94337, ਬੋਰਡ/ਈ.ਬੀ.-16/ਲੂਜ ਨੰ 7 ਮਿਤੀ 27-7-77 ਦੀ ਨਕਲ

ਵਿਸ਼ਾ :- ਪਰੇਵਾਰ ਨਿਰੀਖਣ ਸਕੀਮ ਦੇ ਇਨਸੈਂਟਿਵ ਅਤੇ ਡਿਸੈਂਟਿਵ ਖਾਤੇ

ਪੰਜਾਬ ਹਾਜ਼ੀਬੀ ਫੰਡ ਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ 'ਤੇ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ: 2336-7 ਐਚ.ਆਰ. 76/23012 ਮਿਤੀ 3.5.1976 ਨੂੰ ਪਿੱਠ ਅੱਕਟ ਨੰ: 73065/73880/ਬੋਰਡ/ਈ.ਬੀ. 16/ਲੂਜ ਨੰ: 7 ਮਿਤੀ 7-7-1976 ਨਾਲ ਅਪਨਾਇਆ ਗਿਆ। ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦਾ ਵੇਰਵਾ ਇਸ ਪ੍ਰਕਾਰ ਹੈ :-

- ਕਿਸੇ ਵਿੱਚ ਸ਼ਾਮਲ ਕਰਨੇ ਅਤੇ ਪੇਸ਼ਗੀਆਂ ਬੰਦ ਕਰਨ ਵਾਲਿਆਂ ਨੂੰ ਹੀ ਚੋਣੋਂ ਜਿਨ੍ਹਾਂ ਦੇ ਬੱਚਿਆਂ ਦੀ ਗਿਣਤੀ 2 ਤੋਂ ਵੱਧ ਹੋਵੇਗੀ। ਦੂਜੇ ਉਨ੍ਹਾਂ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਇਹ ਕਰਨੇ ਦਿੱਤੇ ਜਾਣਗੇ ਜਿਹੜੇ (ਪਤੀ ਅਤੇ ਪਤਨੀ) ਨਸਬੰਦੀ/ਨਲਬੰਦੀ ਨੂੰ ਅਪਨਾਉਣਗੇ ਅਤੇ ਇਸ ਸਬੰਧ ਵਿੱਚ ਸਟੇਟੀਸਟਿਕ ਦੇਣ ਜਾਂ ਇਹ ਗਾਰੰਟੀ ਦੇਣ ਕਿ ਉਹ ਪਰੇਵਾਰ ਨਿਰੀਖਣ ਦੇ ਹੋਰ ਭਰੋਸੇਯੋਗੀ ਵਰਤੋਂ ਕਰਨਗੇ ਤਾਂ ਜੋ ਹੋਰ ਬੱਚਾ ਨਾ ਹੋ ਸਕੇ।
- ਇਸਦੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਜਨੇਪਾ ਹੁੰਦੀ ਸਿਰਫ਼ ਦੋ ਬੱਚਿਆਂ ਤੱਕ ਹੀ ਮਿਲ ਸਕਦੀ ਹੈ। ਫੁੱਟੀ ਦਾ ਹੋਰ 5 ਮਹੀਨੇ ਤਕ ਵਧਾ ਦਿੱਤਾ ਜਾਵੇਗਾ।
- ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਬਦਲੀ ਦੇ ਦੁਰਾਨ ਜੇਕਰ ਉਸ ਦੇ ਬੱਚੇ ਦੋ ਤੋਂ ਜਿਆਦਾ ਹਨ ਉਹ ਦੋ ਤੋਂ ਜਿਆਦਾ ਬੱਚਿਆਂ ਦਾ ਸਰਕਾਰੀ ਖੱਤੇ ਦਾ ਹਕਦਾਰ ਨਹੀਂ ਹੈ ਜਦੋਂ ਤਕ ਉਹ (ਪਤੀ ਤੇ ਪਤਨੀ) ਨਸਬੰਦੀ ਨਹੀਂ ਕਰਾ ਲੈਂਦੇ ਜਾਂ ਪਤੀ ਤੇ ਪਤਨੀ ਇਹ ਗਾਰੰਟੀ ਦਿੰਦੇ ਹਨ ਕਿ ਉਹ ਪਰੇਵਾਰ ਨਿਰੀਖਣ ਦੇ ਹੋਰ ਭਰੋਸੇਯੋਗੀ ਵਰਤਣਗੇ ਤਾਂ ਕਿ ਹੋਰ ਬੱਚਾ ਨਾ ਹੋ ਸਕੇ।

2. ਇਸ ਚਰਚਰ ਦੇ ਮੀਮੋ ਨੰ: 133532/134482 ਮਿਤੀ 25.10.1976 ਨਾਲ ਇਹ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਜਿਨ੍ਹਾਂ ਦੇ ਦੋ ਬੱਚੇ ਹਨ :

- ਉਨ੍ਹਾਂ ਵਿਚੋਂ ਕੋਈ ਵੀ ਲੜਕਾ ਨਹੀਂ
- ਉਨ੍ਹਾਂ ਵਿਚੋਂ ਕੋਈ ਵੀ ਲੜਕੀ ਨਹੀਂ ਅਤੇ ਜਾਂ
- ਉਨ੍ਹਾਂ ਵਿਚੋਂ ਕੋਈ ਵਿਕ ਅੰਗਹੀਣ ਹੈ ਤਾਂ

ਉਹ ਹੋਰ ਇੱਕ ਬੱਚਾ ਪੈਦਾ ਕਰ ਸਕਦੇ ਹਨ ਅਤੇ ਇਨ੍ਹਾਂ ਕੇਸਾਂ 'ਤੇ ਇਹ ਗਾਰੰਟੀ ਲਾਗੂ ਨਹੀਂ ਹੋਵੇਗੀ ਕਿ ਬੱਚਿਆਂ ਦੀ ਗਿਣਤੀ ਤਿੰਨ ਤਕ ਹੋ ਸਕੇਗੀ।

3. ਇਸ ਪੱਤਰ ਰਾਹੀਂ ਉਪਰੋਕਤ ਚੋਣ ਪੱਤਰ ਨਾਲ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ ਹਦਾਇਤਾਂ ਤੁਰੰਤ ਵਾਪਸ ਲਈਆਂ ਜਾਂਦੀਆਂ ਹਨ।

(5) Leave Not due to temporary Government Employees suffering from T.B./Leprosy/Cancer/Mental Illness.

At present, temporary government employees are not entitled to any 'leave Not due', under rule 8.133(b) of Punjab CSR Volume I, Part I. In order to mitigate the hardship of the temporary government employees who are suffering from T.B./Leprosy/Cancer/ or Mental Illness, 'Leave not due', may be granted to such government employees, for a period not exceeding 360 days during the entire service subject to the fulfilment of conditions of rules 8.119 (d) *ibid* and also subject to the following further conditions :-

- (i) that the government employee has put in a minimum one year service;
- (ii) that the post from which the government employee proceeds on leave is likely to last till his return to duty; and
- (iii) that the request for the grant of such leave is supported by a medical certificate of the authorised medical attendant.

(6) Maternity leave.

The maternity leave granted to a female government employee under rule 8.127 and 8.137 (a) *ibid* shall not be restricted to a period of 6 weeks from the date of confinement as at present.

(7) Cash equivalent of leave salary in case of death in service.

In case of death in service of a government employee, the cash equivalent of the leave salary (carrying the appropriate amount of dearness allowance) in respect of Earned Leave at credit to be paid to his family under rule 8.122(8) *ibid* shall be subject to a maximum of 180 days. Further such cash equivalent shall no longer be subject to reduction on account of pension equivalent of death-cum-retirement gratuity.

(8) Recall from leave.

In case a government employee is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases.

(9) Intimation of leave at credit.

The order sanctioning earned leave/half pay leave to a government employee shall hereafter indicate the balance of such leave at his credit.

(10) Undertaking while proceeding on commuted leave/leave not due.

The practice of obtaining an undertaking for refund of over payment of leave salary from the government employee applying for grant of commuted leave/leave not due shall be dispensed with. The grant of such leave is already subject to the refund of excess leave salary.

2 Necessary amendment to the relevant rules will be issued in due course.

(Adopted by the Board w.e.f 27.7 1977 vide Secretary PSEB Patiala circular memo No. 148957/150057/ENG/G-148/L-163 dated 20.12.1977 read with circular memo No. 61264/62114/ENG/G-148 dated 1.6.1978)

ਸਕੱਤਰ ਪੰ. ਰਾਜ. ਬ. ਪਟਿਆਲਾ ਦੇ ਸਰਕੂਲਰ ਮੀਮੋ ਨੰ. 103562/4512/ਬੰਦ/ਈ.ਬੀ-16/ਲੂਜ ਨੰ.-7 ਮਿਤੀ 19-8-1977 ਦੀ ਨਕਲ

ਵਿਸਾ :- ਪਰਿਵਾਰ ਨਿਰੋਜਨ ਸਮੇਂ ਦੇ ਇੰਨਸੈਨਟਿਓ ਅਤੇ ਇੰਨਸੈਨਟਿਓ ਬਾਰੇ ।

ਹਵਾਲਾ : ਇਸ ਦਫਤਰ ਦੇ ਮੀਮੋ ਨੰ. 93387/94337/ਬੰਦ/ਈ.ਬੀ. 16/ ਲੂਜ 7 ਮਿਤੀ 27-7-1977 ਦੀ ਲਗਾਤਾਰਤਾ ਵਿਚ ਹੇਠ ਲਿਖੇ ਸਪਸ਼ਟੀਕਰਣ ਕੀਤੇ ਜਾਏ ਹਨ :-

1. ਜੇ ਲੋੜੀਂਦੀ ਕਰਮਚਾਰੀ ਮਿਤੀ 27-7-77 ਤੋਂ ਪਹਿਲਾਂ ਜਨਮਪਾ ਕੀਤੀ ਤੇ ਡੀਆ ਸਨ ਅਤੇ ਬੱਚੇ ਨੂੰ ਜਨਮ ਦੇਣ ਤੋਂ ਬਾਅਦ 42 ਦਿਨਾਂ ਦੀ ਕੁਰੀਆ ਹਨ ਉਨ੍ਹਾਂ ਨੂੰ ਕੁਰੀਆ ਤੋਂ ਕੁਰੰਤ ਵਾਪਸ ਸੁਲਾ ਲਿਆ ਜਾਵੇ ।
2. ਜਿਹੜੀਆਂ ਲੋੜੀਂਦੀ ਕਰਮਚਾਰੀਆਂ ਨੇ ਮਿਤੀ 27-7-77 ਤੋਂ ਬਾਅਦ ਬੱਚੇ ਨੂੰ ਜਨਮ ਦਿਤਾ ਹੈ ਉਨ੍ਹਾਂ ਨੂੰ ਬੱਚੇ ਦੇ ਪੈਦਾ ਹੋਣ ਤੋਂ ਬਾਅਦ 42 ਦਿਨ ਦੀ ਜਨਮਪਾ ਕੀਤੀ ਦਿਤੀ ਜਾਵੇ ।

- (7) "The Employer shall allow leave to the apprentice as under :—
- i) Casual leave for a maximum period of 12 days in a year. Any holidays intervening during the period of casual leave shall not be counted for the purpose of the limit of 12 days. Casual leave not used during any year shall stand lapsed at the end of the year.
  - ii) Medical leave up to 15 days for each year of training shall be granted to the apprentice, who is unable to attend duty owing to illness. The unused leave will be allowed to accumulate up to a maximum of 40 days. Any holidays intervening during the period of medical leave shall be treated as medical leave. The Employer may call upon the apprentice to produce a medical certificate from a registered medical practitioner, as defined in the Apprenticeship Rules, 1962, in support of his medical leave. A medical certificate shall, however, be necessary if the leave exceeds 6 days. It shall be open to the employer to arrange a special medical examination of the apprentice if he has reason to believe that the apprentice is not really ill or the illness is not of such a nature as to prevent his attendance.
  - iii) Casual leave shall not be combined with medical leave. If casual leave is preceded or followed by medical leave the entire leave taken shall be treated either as medical or casual leave, provided that it shall not be allowed to exceed the maximum period prescribed in respect of medical or casual leave, as the case may be.
  - iv) Extra-ordinary leave upto a maximum of 10 days in a year may be granted to the apprentice, after he has taken the entire casual or medical leave, if the employer is satisfied with the grounds on which the leave is applied for.

- (8) The employer shall allow to the apprentice such holidays as are observed in the establishment."

(Circulated for guidance vide Secretary PSEB Patiala memo No 134049/134899/ENG/LC-210/L-138 dated 22-11-1978)

Copy of Circular letter No. 5 (8)-79-4FR dated 24th December, 1979 from Government of Punjab, Department of Finance, to all Heads of Depts. etc

Subject :— Treatment of maternity leave as duty or otherwise for the purpose of calculation of earned leave.

I am directed to refer to the subject noted above and to say that under Rule 8.116(i) of Punjab Civil Services Rules, Volume-I, Part-I, earned leave is calculated on the basis of the actual number of days of duty performed by a Government employee. In accordance with the provisions of note below rule 2.16(a) of the rules *ibid* no leave of any kind can be treated as duty for the purpose of calculating any leave unless the contrary is expressly provided in the relevant rule governing such leave. There is no specific provision either in rule 8.127(a) or 8.137(A) of the rules *ibid* that the period of maternity leave shall be treated as duty for the purpose of calculating earned leave and during such leave, the employee does not perform any duty, it is hereby clarified that maternity leave like any other kind of leave will not be treated as duty for the purpose of calculating earned leave of a Government employee.

(Circulated vide Secretary PSEB Patiala endst. No. 186248/187098/Reg./ADP 82 dated 6.11.1980)

Copy of Secretary PSEB Patiala Circular memo No. 41468/42412/EG-1/4-81/L-376 dated 8-4-1981.

Subject :— Sanction of leave to the officers/officials under transfer.

The detailed instructions with regard to sanctioning of leave

to the officers/officials under transfer were circulated vide Memo No 65516/ENG/G-302 dated 14-6-1968. It was mentioned therein that the employees under transfer should be relieved immediately and officers, to whom the employee is to report for duty, should ensure that the employee concerned joins in time. It was further laid down that an employee under transfer should be granted leave only by the authority who issued transfer orders. Normally, all requests for leave after transfer orders have been issued, are required to be rejected and only in exceptional cases the requests could be considered by the authority issuing the transfer orders.

2 It was further pointed out that employees who are transferred to other places against their wishes, submit medical certificate in support of their leave from a Registered Medical Practitioner/Hakim/Vaid etc. As a matter of discipline, the employee under transfer should join at the new station and thereafter come forward with genuine difficulties, if any. The employees, who do not join at the new station of posting on medical grounds are required to support their applications by a medical certificate from the Chief Medical Officer of Civil Hospital/District Headquarters and the Doctor incharge of Government Dispensaries. It may be mentioned that applying for leave on medical grounds does not confer any right on an officer/official to avail leave unless permitted by the competent authority to do so. The officers/officials who absent themselves from duty without permission of the competent authority are liable to have their period of absence treated as absence from duty.

3. The above instructions were further reiterated vide this office memo No. 72529/73459/EG/L-376 dated 17-7-74. It has, however, been noticed that despite these instructions, the employees still avoid joining at the new station of posting on one pretext or the other. It needs to be brought home to all concerned that no officer/official should apply for leave during transfer without joining at the new station of posting and non-adherence of these instructions will be considered as an act of gross misconduct on their part which, in turn, will render them liable to disciplinary action.

The Heads of Department should also ensure compliance of these instructions and initiate action against the employees who defy these instructions.

The receipt of this letter may please be acknowledged.

Copy of Circular letter No. 1/26/81-IPP/1929 dated 9th Feb., 1982 from Deputy Secretary/Personnel to Government, Punjab, to all Heads of Deptts etc.

Subject : —Counting of the period of maternity leave or any other kind of leave towards completion of probation period.

I am directed to say that almost all the Departmental Service Rules provide for one or two years' probation period at the time of appointment, which is normally extendable upto a period of three years. A question has arisen as to whether in the case of a female employee availing of maternity leave during the probation period; such a period of leave should be counted for purposes of completion of the probation period. Government have considered the matter at length and feel that when a view can be framed about the work and conduct of an employee even by seeing his/her work only for a period of 3 months, the period of maternity leave which is normally three months, should be counted for calculating her probation period. Even if the maternity leave is extended further upto 6 months, a period of one and a half year is sufficient to judge the standard of work and conduct of the employee. It has, therefore, been decided that the period of maternity leave or any other kind of leave not exceeding six months availed of by an employee during or at the end of the probation period should be counted towards the probation period.

2. Kindly acknowledge its receipt.

(Adopted vide Secretary PSEB Patiala circular memo No. 59364/964/ADP-82 dated 23-4-82)

## CHAPTER V

### MAINTENANCE OF SERVICE BOOKS

Extract of paragraphs 1.40, 1.40-A, 1.42 to 1.44  
of P.W.D (E.B.) Manual of orders

#### Instructions on maintenance and upkeep of Service Books.

1.40 Great care should be exercised in the keeping up of Service Books and the following rules should be carefully observed :—

- (i) All entries should be made by officials mentioned in paragraph 1.44 below or any other official under their supervision, who will be personally responsible for the proper upkeep of these important records of service. All entries so made must be attested in the proper column by the Head of the Office or any other Gazetted Officer authorised by him in this behalf, and the attesting officer will be held responsible for the correctness of the entries
- (ii) Under marks of identification, in addition to recording some distinctive marks, impression of the balls of thumb and all the fingers of the left hand should be taken in the manner prescribed below:—

The whole of the ball of thumb or finger, after being wiped, should be laid down on the inked slab and rolled from side to side (not rubbed) until sufficiently inked and then lightly and carefully rolled on the paper on which the print is to be taken in such a way that the pattern of the ball of the thumb or finger from side to side is clearly impressed on it. Any side movement, either at the time of applying or removing the thumb or finger, will cause a smudge and spoil the impression.

- (iii) No overwriting or erasure should be permitted on any account and all alterations should be initialled and dated by the Officer competent to attest entries. No alterations, etc., should be made in the entries already existing without the written approval of the Head of the Office.
- (iv) Every step in Government servant's official life must be recorded in his service book and every entry should bear the signature of the officer competent to attest entries. Also every signature, whether of the officer competent to attest entries or of the non-gazetted officer should bear a date. This rule should be carefully observed.
- (v) Every period of suspension from employment and every other interruption of service must be noted with full details of its duration, in any entry made across the page of the Service Book and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made.
- (vi) All references to records of punishment, censure, reward or praise of an officer should be made in the last column of the Service Book as briefly as possible.
- (vii) When the year of an officer's birth is known but not the month, the date of his birth will be assumed to have been the 1st of July. Similarly when the month is known but not the exact date, the 16th of that month will be treated as the date of birth.
- (viii) The entries on the first page of the Service Book should be renewed or reattested by the officer competent to attest entries at least once every five years.
- (ix) An upto date leave account should be attached to every service book. The leave taken under the rules by which the Government Servant is governed should be recorded in the Body of the Service Book as well as in the leave account; every entry of leave taken being duly attested by the officer competent to attest the entries.

Note—1 In accordance with rule 12.4 of the Civil Service Rules (Punjab) Vol. I Part I, the first page of the Service Book should be completed by the Head of the office in which the person concerned may be employed by a Gazetted Officer authorised by the Head of the Office in this behalf. Re-attestation of the entries on the first page after five years should also be done by that Officer. For the purposes of re-attestation of entries in the Service Books a Sub Divisional Officer should be treated as competent officer authorised by the Divisional Officer to attest the entries in the Service Books.

2. Every official is required to sign certain entries recorded in his service book in the presence of the official entrusted with this work of recording entries in Service Books and in no case Service Book be sent to him for his signatures in Column 8 of it with the exception of Travelling Accountants, etc., in whose case the Service Books may be sent to the Sub-Divisional Officers concerned who should be asked to obtain the signatures of the persons concerned in their presence.

1.40—A. While opening the Service Book of an employee the date of his birth must invariably be recorded after reference to the authentic records noted below against each case :—

Category	Reference to authentic Records
i) Where the employee has passed the matriculation examination.	i) Original Matriculation Certificate. ii) In cases where original certificates have been lost, the production of the Duplicate copies thereof should be insisted upon.
ii) Where the employee has not passed Matriculation examination.	i) Original last School leaving Certificate or duplicate copy thereof if the original one has been lost.
iii) a) Where the employee is illiterate	Certified copies of entries in the Municipal Birth Register showing

(b) Where it is not possible to obtain certified copies of entries in the Municipal Birth Register, the native place of the employee being in Pakistan.

that such and such man (Name should be specifically mentioned there) was born on such and such date.

Janam Patries or horoscopes or such other evidence as the employee is able to produce.

Notes 1. Cases falling under category No (iii) (a) and (b) above should invariably be referred to the authority competent to appoint an employee for orders before admitting the date of his birth. Doubtful cases although falling within the competence of appointment of the Superintending Engineers should invariably be referred to the Head Office for orders.

2. A Certificate should be recorded below the column for date of birth to the effect that the date of birth has been verified from such and such certificate and official recording this certificate should append his dated signatures below it.

3. It is the personal duty of a Circle Supdt./Divisional Head Clerk/Sub-Divisional Clerk to see that the Certificate mentioned in para 2 above is inserted in every Service Book opened in a Circle office/Divisional Office/Sub-Divisional Office and he will be personally held responsible for any omission on his part in this respect.

1.42 A declaration of the age made at the time of, or for the purpose of, entry into Government Service shall as against the Government Servant in question, be deemed to be conclusive unless he applies for correction of his age as recorded within two years from the date of his entry into Government Service. Government, however, reserves the right to make a correction in the recorded age of a Government Servant at

any time against the interests of the Government Servant when it is satisfied that the age recorded in his Service Book or in the History of service of a Gazetted Officer is incorrect and has been incorrectly recorded with the object that the Government Servant may derive some unfair advantage therefrom.

1.43 When a Government Servant within the period allowed above, makes an application for the correction of his date of birth as recorded, a special enquiry should be held to ascertain his correct age, and reference should be made to all available sources of information, such as certified copies of entries in the municipal birth registers, University or School age Certificates, Janam Patties or horoscopes. It should however, be remembered that it is entirely discretionary on the part of the sanctioning authority to refuse or grant such applications, and no alterations should be allowed unless it has satisfactorily been proved that date of birth as originally given by the applicant was bonafide mistake and that he has derived no unfair advantage therefrom. The result of every such enquiry should in the case of non-gazetted servants be briefly stated in their service books and if correction is sanctioned in the case of a member of the pensionable establishment serving in the Branch the fact should be reported to the Accountant General, Punjab.

1.44 As Service Books are important records they must be carefully maintained & kept in safe custody by the Accountants in the Divisional Offices and by the Assistants concerned in Establishment Sections of the Head Office & the Circle Offices.

Copy of Circular letter No. 2811-3FRI-60/4862 dated 30th May, 1960 from the Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :—Verification of Service Book entries in the case of Non-Gazetted Officers transferred permanently from one Circle of audit to another.

I am directed to invite a reference to Rule 7.18(2) of PFR Vol. I, which provides that when a non-gazetted Government Servant is transferred from one office to another, the head of office under whom he was originally employed should record in the Service Book under his signature the result of the verification of service, with reference to pay bills & Acquittance rolls, in respect of the whole period during which the Government Servant was employed under him, before forwarding the Service book to the office where the services are transferred. It has now been decided that in cases where such transfer also involves permanent transfer of the Government servant from the audit control of one audit officer to that of another, the qualifying service for the purpose of pension tendered upto the date of the transfer, should be got verified and a certificate to that effect recorded in the Service Book by the audit officer concerned before the service book is forwarded to the office where the services of the Government servant are transferred. This will obviate the necessity of getting the service of the Government servants concerned verified by two or more audit officers at the time of his retirement, which may cause delay in the finalisation of the pension case.

2. The non-gazetted service of a permanent gazetted officer should similarly be got verified and certified by the concerned audit officer before his service book is forwarded to the Accountant General concerned, as required under para 3 of Rule 7.18 *ibid*.

3. This decision will be incorporated in the Punjab Financial Rules, Vol. I in due course.

(Circulated vide Secretary PSEB Patiala memo No 65525/75/Z-53 dated 19.9.1960)



Copy of Circular letter No 1011-3FRI-62/1256, dated 8.2.1962, from the Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject —Local verification of entries in the service books of the employees of former princely states.

I am directed to invite a reference to rule 7.18 of the Punjab Financial Rules, Vol. I, which requires Heads of Offices to record annual certificate of verification in the service books of the non-gazetted Government servants, after satisfying themselves that the services of the Government servants concerned are correctly recorded in each service book and to say that at the time of verification of title of non-gazetted Government servants to pension by the A.G. Pb., it has inter alia to be seen that necessary certificates of annual verification of entries in service books are duly made by the Heads of Offices. In addition the departmental officer preparing the pension case is also required to attach with each pension case a statement of service showing interruptions, if any, and indicate therein the manner in which the entries made in the statement of service have been verified with the original records.

2. It has been observed by A.G. Pb., from pension cases in respect of service rendered by non-gazetted Government servants under the former princely States (now part of Punjab) that certificates of annual verification of entries by Head of Offices have not been recorded in their service books. Consequently many pension claims in respect of service rendered in former Princely States could not be finalized by A. G. Punjab. Absence of such certificates is attributable to the fact that in these states the rules in force before the integration did not provide for such annual verification. In order to dispose of such pension cases expeditiously, Government have decided that requirements of annual verification in such cases in respect of service rendered up to 31.8.48 i.e., the date of merger of former Princely States in Pepsu, should be dispensed with subject to the following conditions:—

- (a) That the entries should have been made in service books contemporaneously and in the ordinary course of business.

- (b) That there are no reasons to doubt the genuineness of the entries and that there is no evidence of interpolation, erasures, overwritings, alternations etc., which renders any entry suspicious or of doubtful authenticity;

- (c) That the entries in service books were properly authenticated.

(Circulated vide Secretary PSEB Patiala endst. No. 35886/36007/BPN/G-62 dated 30-3-62).

Copy of Secretary, (Pension Section) PSEB Patiala Circular memo No. 72627/716/BPN/G-94 dated 12-6-62.

Subject : Maintenance of Service Books.

It has come to the notice of the Board that due attention is not being paid towards the maintenance of service books of the non-gazetted employees with the result that whenever an employee retires or dies, his gratuity/pension case cannot be prepared immediately ; which causes undue hardship to the retiree and his dependents. As the service book is the only authentic record on which reliance is placed for the purpose of determining the qualifying service of a Government servant, it is imperative that recording of entries in the service book is done invariably immediately an event occurs

2. In this connection, attention is invited to the instructions issued by the Chief Accounts Officer, PSEB vide his memo No. 733/797/EAD-I dated 18-9-61.

3. With a view to minimizing delay in the finalization of pension cases, it is reiterated that the Chief Executive Heads/Superintending Engineers, while carrying out routine inspections of the subordinate offices under their respective administrative control, should invariably conduct a percentage check of the service books so as to ensure that :—

- (i) All events in the official life of a non-gazetted employee are recorded in his service book promptly, regularly and concu-

rently under proper attestation and interruptions, if any, distinctly noted.

- (ii) Annual verification certificates, as required vide Rule 7.18 of PFR Vol I, are recorded in the service books upto the end of the last month of the financial year preceding the date of visit.
- (iii) Service Books of all employees transferred to other offices should be sent to the respective offices immediately after an official is relieved. Before transferring the service book, all entries should be brought upto date and service verification certificate up to the date, he has been paid, should be recorded in the service book.
- (iv) Options to elect new pension rules are pasted in the service books, wherever applicable.

Copy of memo No. 3480/Genl./Pen., dated 12/22-12-1966, from the Chief Accounts Officer, PSEB, Patiala to the Secretary, (Pension Section) PSEB, Patiala.

Subject :— Verification & Acceptance of date of Birth.

According to the provisions of Note 2 below para 1.40A of the E.B. Manual of Orders, the date of birth is required to be verified necessarily in the case of such employees as were appointed on or after 26-8-49, the date on which these instructions were originally issued. Of course, verification of date of birth in respect of employees who joined service before 26-8-49 may not be insisted upon at the time of finalization of their pension cases, provided there is no alternation in the date of birth written in the Service Book.

(Circulated vide Secretary PSEB Patiala memo No. 4343/4443/BMP/G-115 dated 21-1-67).

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## CHAPTER VI

### REPRESENTATIONS FROM BOARD EMPLOYEES

Copy of Circular letter No. 5201-8GS-62/12393 dated the 24th April, 1962 from the Chief Secretary to Government, Punjab, to All Heads of Deptts., etc.

Subject : Representations from wives/parents of officers/officials.

I am directed to say that there is fairly widely current practice that a large number of letters/representations are addressed to the higher authorities by the wives or members of the families of Government Servants for redressing their grievances, thus short circuiting all usual channels through which a case should normally pass. Government consider that it is not correct on the part of Government employees to forward representations under the cloak of wives or members of their family and not come out directly themselves to their departmental authorities. Therefore, I am to inform you that it has been decided that all such letters/representations should be ignored, unless there are unusual circumstances such as illness of an acute type where the official cannot normally be expected to write a letter or explain the position himself.

2. These instructions may kindly be brought to the notice of all Government Servants under your control for information. The receipt of this communication may also be acknowledged.

(Circulated vide Secretary PSEB Patiala endst. No. 174234/250/HOS/G-148 dated 3-11-62)

Copy of Circular letter No. 9872-5GS-62/29821 dated the 28th August, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

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

I am directed to point out that rules 10 and 12 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, provide for a restricted number of appeals in cases which are appealable under these rules. There are, however, no specific instructions to govern the representations and petitions submitted by Government Servants in cases which are not covered by the punishment and Appeal Rules. As a result, it has been noticed that whenever any officer in a key position is transferred, certain Government servants think that it is a good opportunity to re-open finally settled cases connected with their conditions of service or disciplinary matters, which may be even several years old. There is also a growing tendency among Government servants to send advance copies of representations to all higher authorities, without giving an opportunity to the officers to whom these are addressed to examine the cases and without waiting for their reply. All this leads to unnecessary increase in work at all levels, which could be cut down. But it is realised that whereas it is necessary to ensure a check on the creation of unnecessary extra work in all departments, it is also necessary to ensure a fair chance of representation to Government employees. To meet this situation, it has been considered necessary to lay down clear instructions governing the submission of representations and petitions and the sending of advance copies thereof, by Government servants. After careful consideration the following procedure is laid down for the guidance of all departments:—

(a) Whenever in any matter connected with his service rights or conditions, a Government servant wishes to press his claim or to seek redress of a grievance, the proper course

for him is to address his immediate official superior, or the Head of office or such other authority at the lowest level, as is competent to deal with the matter. When a case has thus been decided by the lowest competent authority, one representation should be allowed to the next higher authority. Where the lowest competent authority is Government itself, one representation should be allowed, asking for a review of Government orders.

- (b) If an official sends up a representation in addition to those permitted under (a) above, on the ground that certain new facts have come to light, that representation will be considered by the original deciding authority, who will be competent to withhold it and reject it if he finds that in fact no new data has been given which would provide any material ground for reconsideration.
- (c) Every representation should be submitted within six months of the order against which it represents.
- (d) In addition to the representation allowed under (a) above, one memorial shall be allowed as at present, which shall be decided at Government level as laid down in the memorial instructions published with the Punjab Government notification No. 9369-G.51/1-681, dated the 12th February, 1952.
- (e) According to instruction 6 of the said memorial instructions, a second memorial can be submitted if it furnishes new material grounds which urge reconsideration. The second memorial can be withheld by the Head of a Department if he considers that in fact no new grounds have been furnished which call for reconsideration. These instructions may continue because an official who has been unjustly dealt with under clause (b) above, can seek relief here.
- (f) An advance copy of a representation can only be sent to the authority to whom it is addressed. An official can, however, send an advance copy of a representation to the

next higher authority if he does not hear from the authority originally addressed about the disposal of his representation for a period of 4 months. This would imply that no action need be taken by an authority normally not expected to deal with a representation as the original authority, on a representation which does not contain a specific statement that the official concerned has not heard for 4 months from the authority to whom he had made his representation. If the Government servant persists in prematurely addressing the next higher authority, suitable disciplinary action should be taken against him.

(g) If the advance copy of representation contains a specific statement that four months have elapsed from the submission of representation to the original authority, it should be examined by the next higher authority to ascertain whether on the facts as stated, some grounds appear to exist prima facie for interference or for further consideration. Where no such grounds appear to exist, the advance copy of the representation may be ignored or summarily rejected and the reasons communicated briefly to the Government servant through the original authority.

(h) Even where some grounds for interference or further consideration appear to exist to the higher authority referred to in (g) above, the authority originally addressed about the disposal of the representation should be asked within a reasonable time to forward the original representation, with its report and comments on the points urged. There should ordinarily be no justification for the passing of any orders on an advance copy of the representation without thus ascertaining the comments of the original authority.

2. Some Government servants, it has been noticed send copies of their representations to outside authorities i.e. authorities which are

not directly concerned with the consideration thereof (e.g. another Minister, Secretary etc.). In some cases Government servants have even addressed their representations to such other quarters not directly concerned. This is a most objectionable practice contrary to official propriety and subversive of good discipline, and all Government servants are expected scrupulously to eschew it.

3. I am to request that the instructions detailed above should be brought to the notice of all State Government servants under you, for strict compliance, and a certificate to that effect should be forwarded to Government in due course. I am to add that these instructions do not apply to All India Services Officers, who are governed by separate instructions relating to them.

(Circulated vide Secretary PSEB Patiala memo No. 30561/31086/ENG/27(27) loose I, dated 12-6-72)

Copy of Secretary PSEB Patiala Circular memo No. 49964/50373/Bd/G-63 dated 23-5-68.

Subject : Addressing of Communications.

It has been observed that the Superintending Engineers and other field officers while writing to the Chief Engineers/Chief Accounts Officer on various official or personal matters endorse copies thereof to all the Whole time-Members of the Board. This practice, apart from diluting the authority of the Chief Engineer/Chief Accounts Officer, is contrary to all accepted principles of official procedure and discipline. It also increases the routine work both in the office of origin and in the office of the Board. It further creates a lot of confusion when different Members initiate action differently.

2. It has, therefore, been decided that the above irregular practice of addressing letters directly to the Chairman and Members should be stopped forthwith, unless it is so directed in specific cases. Entire correspondence should be routed through proper channels. Corres-

pondence for Board's office should be addressed to the Secretary. Similarly correspondence dealing with Purchase and Accounts matter may be sent to Chief Store Purchase Officer and the Chief Accounts Officer respectively. However, in all cases care should be taken that the prescribed channels are not by-passed.

3 It has also been noticed that the practice of addressing letter by firms on the same subject to all the Members is wide-spread. This tendency which has of late become pronounced is required to be checked with heavy hand. Store Purchase Section should devise suitable measure, so as Members are not bothered with matters which are not to be initiated at their level.

4. The above instructions should be followed rigidly.
5. Please acknowledge receipt of this communication.

**Copy of Secretary PSEB Patiala Circular memo No 145695/146035/EB-407/A-68/48-L dated 26-10-68.**

**Subject :—**Deprecating the practice of sending advance copies of individual representation to the Chairman/Members of the Board.

It has been observed that instructions already issued vide Board's circular letter No. 49964/50373/Bd-G-63 dated 23rd May, 1968 copy enclosed, stopping the practice of endorsing advance copies of the individual representations on various official or personal matters direct to the Chairman/Members of the Board are not strictly being followed by the Field Officers/staff. This irregular practice of addressing the Chairman/Members of the Board and/or sending advance copies of such representations by short circuiting the normal channels of correspondence is not conducive to good discipline and decorum. This practice has, therefore, been viewed with disfavour by the Board. I am, therefore, desired to request you again that the instructions already issued in this behalf should be strictly complied with in future and it may be ensured that the prescribed channels of correspondence are not by-passed by any of the officer/official.

2. These instructions should please again be brought to the notice of all concerned.

**Copy of Secretary PSEB Patiala Circular memo No. 51833/52507/Bd/L-170 dated 11-8-69.**

**Subject : Addressing representations direct to Chairman**

Of late, it has been noticed that there is a growing tendency amongst the Board's employees to address their representations direct to the Chairman, P.S.E.B. This practice has been viewed seriously by the Chairman as this is not only against established office procedure but also results in unnecessary correspondence in his office, without in any way contributing to the speedy disposal of the representations as almost all of them have to be sent to the concerned offices for necessary action. It has been desired by the Chairman that in future all representations should be addressed to the concerned competent authority. In case there is any urgent matter on which the attention of the Chairman is necessarily required to be drawn, an advance copy of the representation may be forwarded to him.

You are requested to bring the above instructions to the notice of all the staff working under you for strict compliance.

Please acknowledge receipt.

**Copy of Secretary PSEB Patiala Circular memo No 69213/363/Bd/EG-7 dated 14.9.71**

- Subject :**
- i) Representations to the Secretary/Members/Chairman of the Board
  - ii) Unnecessary correspondence with the Board Officers/Members.

On the subject (i) above, I am directed by the Board to invite

your attention to para 1.88 of the E.B. Manual of orders, second Edition (1953) which reads as below :-

"Applications or representations from the staff should not be submitted direct to the Chief Engineer, Superintending Engineer or the Head of any other Office in which the person is employed. Similarly no one should approach any officer for an interview or for any other work direct. Applications should be submitted through and interviews made with the permission of the immediate officer of the individual concerned".

In this connection further attention is invited to Memo No. 23991/94/Board/Spl.-217/EB-26 dated 1st June, 1959 (copy attached) wherein the procedure for submission of such representations has been laid down.

It has been observed that the afore-mentioned instructions are not being complied with. This has been viewed with great disfavour. While reiterating the above, I have to convey that any official/officer contravening the afore-mentioned instructions by approaching the Board Officers/Members without necessary permission from the competent senior authority would expose himself to serious disciplinary action.

2 While on the subject at (ii) above, I have to draw your kind attention to the instructions issued vide Memo No. 49964/50373/Bd/G-63 dated 23.5.68 (copy enclosed) wherein it was inter-alia laid down :-

- i) Copies of communications addressed to the Board (ordinarily in the name of Secretary and to Chairman sparingly) should not be endorsed to all the Members, and
- ii) Correspondence dealing with distinct organisations in the Board office like the Accounts, Purchase, Sales, Land Acquisition, Public relations, Labour and Welfare, Legal

etc. should be addressed to the concerned Branch Officers and not to the Board's Secretary.

Regarding distribution of work amongst the various officers of the Board, an intimation has already been conveyed to you vide Office order No. 2065/Cadre dated 14-12-1970.

I am further directed by the Board to emphasise that these instructions should be adhered to meticulously in the interest of expeditious disposal. If a communication is meant for attention of a Member specifically, the same should be indicated upon it. Correspondence with the Secretary on routine matters should only be resorted to in case no reply is forthcoming from the concerned Branch Officer within a reasonable time. Ordinarily reminders to the officers in the Head Office should not be sent before the expiry of 3 weeks, for, this is the minimum period that is ordinarily taken in obtaining and communicating decisions

3. To conclude, while re-iterating the above instructions, I have to emphasise the absolute need for meticulous observance in the interest of official procedure and discipline and prompt disposal of business. Any contravention, as mentioned above, shall attract disciplinary action.

Kindly acknowledge receipt of this communication.

Extract of Paras (i), (ii) & (iii) of Board Memo No. 23991/94/Board/Spl-217/EB-26 dated 1st June, 1959 to the address of C.E. (South), (North) and C.A.O.

- (i) The representations/appeal should, in the first instance, be addressed to the appropriate authority with whom it lies under the rules; but should be submitted through proper channel. The representationist/appellant may, if he so desires, forward a copy of the said representation/appeal to the said appropriate authority direct but no advance

copies of the representation/appeal should be sent to any other higher authority at this initial stage.

- (ii) In the event of the decision of the said appropriate authority being un-acceptable to the aggrieved officer/official, an appeal may be submitted, through proper channel, to the next higher appellate authority, as may be prescribed under the service Rules applicable to him.
- (iii) After making representation/appeal to the original or appellate authority, as the case may be through proper channel, in the first instance the aggrieved person should wait for two months and if no reply is received within this period, he may send a written reminder to the original or appellate authority as the case may be, through proper channel. He may also, if he so desires, send a copy of the reminder with a copy of the representation/appeal direct to the authority higher than the original or the appellate authority, as the case may be, to whom the said representation/appeal was addressed but not to all the higher authorities at one and the same time.

**Extract of Para 2 of memo No. 49994/50373/Bd/G-63, dated 23-5-68 from the Secy., PSEB, Patiala to All C.Es, CAO, All S.Es, Xens, SDOs, J.Es/L.S. incharge Sub-offices and all AAOs (field), R.As and I.As.**

It has been decided that the irregular practice of addressing letters directly to the Chairman and Members should be stopped forth with, unless it is so directed in specific cases, entire correspondence for Board's office should be addressed to the Secretary. Similarly correspondence dealing with Purchase and Accounts matter may be sent to Chief Store Purchase Officer and the Chief Accounts Officer respectively. However, in all cases care should be taken that the prescribed channels are not by passed.

**Copy of Secretary PSEB Patiala Circular memo No. 10743/11318/ENG-27 (7) dated 20-2-73.**

**Subject : Representation to the Secretary/Members/Chairman of the Board-Unnecessary correspondence with the Board Officers/ Members.**

I am directed to invite your attention to the standing orders/ instructions of the Board contained in its circular Memo No. 69213/ 363/Bd-EG-7 dated 14-9-71 (Copy enclosed for ready reference), wherein the procedure for submission of representation was laid down.

2. Of late, it has been observed that these instructions are not being followed and the practice of approaching higher authorities direct still persists amongst Board employees. This has been viewed very seriously by the Board. While reiterating the standing instructions referred to above, I have to convey that any officer/official found contravening these instructions, by approaching the Members of the Board or Board Officers direct without necessary permission from the competent senior authority would henceforth be proceeded against.
3. These instructions may be noted by all concerned for meticulous compliance in future.

**Copy of Secretary PSEB Patiala Circular memo No 51789/52280/Bd/ G-63/loose/BA-3 dated 3-9-69.**

**Subject :- Addressing representations direct to Chairman/Members of of the Board.**

Continuation this office memo No. 51833/52507/Bd/L-170 dated 11-8-1969.

2. All the staff may further also be directed not to address their representations to the Members of Board and instead address the same to the concerned competent authority.

Please acknowledge receipt of the communication.

Copy of Secretary PSEB Patiala Circular memo No. 30561/31086/ENG/27 (27) loose No. 1 dated 12-6-72.

Subject:—Submission of complaints against the officers/officials of the Board by the Board Employees to outside agencies.

Instances have come to notice that certain employees address complaints to the outside agencies such as President, Prime Minister and Governor etc against the Board's officers/officials, although such outside authorities are not concerned directly with such matters. As this is in violation of spirit of instructions contained in Punjab Government circular letter No. 9872-GS-62/29821 dated 28-8-1962 (copy enclosed), it may be brought to the notice of all concerned that any officer/official indulging in such undesirable activity in contravention of above instructions shall expose himself to departmental disciplinary action. However, they can make such complaints, if at all necessary, to the higher authorities of the Board for proper investigation.

Copy of Circular letter No. 6936-SII (3)-73 dated 22nd Oct., 1973 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

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

I am directed to invite a reference to Punjab Government Circular letter No. 9872-5GS-62/29821, dated the 28th August, 1962 laying down procedure for the submission of representations and advance copies thereof by Government servants in respect of matters connected with their conditions of service. In order to give a fair chance of representation to Government employees in service matters not specifically covered by a separate provision of appeal/revision or review under the Punjab Civil Services (Punishment & Appeal) Rules, 1970 and to check the growing tendency among them to send advance copies

of representations to higher authorities without giving an opportunity to the officers at the appropriate level to examine the case, the matter has again been considered and in the light of the policy prevalent in Government of India in this behalf, the following procedure is laid down for the guidance of all departments:—

- (a) Whenever in any matter connected with his service rights or conditions, a Government employee wishes to press his claim or to seek redress of a grievance, the proper course for him is to address his immediate official superior, or the Head of office or such other authority at the lowest level, as is competent to deal with the matter. When a case has thus been decided by the lowest competent authority, one representation should be allowed to the next higher authority. Where the lowest competent authority is Government itself, one representation should be allowed asking for a review of Government orders. Scope of Representation
- (b) If an official sends up a representation in addition to those permitted under (a) above, on the ground that certain new facts have come to light, that representation will be considered by the original deciding authority, who will be competent to withhold it and reject it, under intimation to the next higher authority if it finds that in fact no new data has been given which would provide any material ground for reconsideration. Representation on additional facts/grounds.
- (c) Every representation should be submitted within six months of the order against which it represents. Notwithstanding the limitation of six months, the representations submitted beyond 6 months should be scrutinized by the authorities concerned and if they find that a palpable wrong and clear injustice done to the representationist can be redressed without any administrative implications or jeopardising the genuine rights of others, Limitation.



lawfully earned, then the limitation of time should not be a bar to consider the case. In any case the representationist should come up with a convincing case from point of view of time as well, beyond 6 months. The waiver of six months limitation should be clearly justified for reasons to be recorded.

- d) An advance copy of a representation can only be sent to the authority to whom it is addressed. An official can, however, send an advance copy of a representation to the next higher authority if he does not hear from the authority originally addressed about the disposal of his representation for a period of one month. This period of one month would be applicable for submitting representation to the next higher authority if the representationist has not received even an interim reply. In cases in which an interim reply is sent, a period of one month more is to be allowed for decision by the original authority after the expiry of which a representation may lie to the next higher authority.

This would imply that no action need be taken by an authority normally not expected to deal with a representation as the original authority, on a representation which does not contain a specific statement that the official concerned has not heard for one month or two months as the case may be, as explained above, from the authority to whom he had made his representation. If the Government employee persists in prematurely addressing the next higher authority, suitable disciplinary action should be taken against him.

- e) If the advance copy of a representation contains a specific statement that 2 months have elapsed from the submission of representation to the original authority, it should be examined by the next higher authority to ascertain whether on the facts stated, some grounds

appear to exist prima-facie for interference or for further consideration. Where no such grounds appear to exist, the advance copy of the representation may be ignored or summarily rejected and the reasons communicated briefly to the Government employee through the original authority.

In cases in which the advance copy of representation is received by the next higher authority after one month of the submission of the representation to the lower authority (on account of non-receipt of even an interim-reply), the higher authority may enquire the progress of the case from the lower authority and direct the latter to finalise its decision within one month.

- (f) Even where some grounds for interference or further consideration appear to exist to the higher authority referred to in (e) above, the authority originally addressed about the disposal of the representation should be asked within a reasonable time to forward the original representation, with its report and comments on the points urged. There should ordinarily be no justification for the passing of any orders on an advance copy of the representation without thus ascertaining the comments of the original authority.

- (g) Government employees should not send copies of their representations to outside authorities, i. e. authorities which are not directly concerned with the consideration, thereof (e.g. Governor, another Minister, Secretary, M.L.A. or any other political or administrative quarter etc.) as it is most objectionable practice, contrary to official propriety and subversive of good discipline. Government employees who do not observe these instructions would be liable to disciplinary action in terms of Punjab Government circular letter No. 7398-SII(3)-72, dated 15-12-1971.

Representation  
to next higher  
authority.

- (h) Letters/representations addressed to higher authorities by the wives or members of the families of Government employees for redressing their grievances should be ignored unless there are unusual circumstances such as illness of an acute type inter-alia, where the official cannot normally be expected to write a letter or explain the position himself.

These instructions may be brought to the notice of all concerned for strict compliance. These instructions, however, do not apply to All India Services officers, who are governed by separate instructions relating to them.

(Adopted vide Secretary PSEB Patiala circular endst. No. 38237/38887/ENG/Z-240 dated 29-4-74)

Copy of Secretary (Gazetted Section), PSEB, Patiala Circular memo No. 56836/57086 dated 7-6-1974

- Subject :—
1. Representation to the Secretary/Members/Chairman of the Board.
  2. Un-necessary correspondence with the Board officers and Members.

Instances have come to the notice of the Board that certain employees have approached Chairman/Members/Secretary to exert influence for their transfers, posting and promotion etc. without routing their representations, through usual channel of correspondence in utter disregard to the instructions already issued vide memo No. 69213/363/Bd/EG-7, dated 14.9.1971. The Board has taken serious note of it. While reiterating these instructions, I have emphasised the absolute need for meticulous observance in the interest of official procedure and discipline and prompt disposal of business. Any contravention, as mentioned above, shall attract disciplinary action.

The receipt of this communication may be acknowledged.

Copy of Secretary PSEB Patiala Circular memo No. 56098/57008/Bd/G-63 dated 29-4-77.

Subject : Addressing of Communications

It has already been made clear that the practice of addressing letters directly to the Chairman and other Members of the Board should be stopped unless it is so directed in specific cases. In this connection, attention is invited to circular memo No. 49964/50373/Bd/G-63 dated the 23rd May, 1968 followed by memo No. 69213/363/Bd/EG dated the 14th September, 1971. It has been noticed that inspite of specific instructions contained in the afore-said communications, no heed is being paid by the officers/officials/subordinate offices and firms dealing with the PSEB, with the result that un-necessarily additional work is being created in the Board's office. This practice, apart from diluting the authority of the Chief Executives of the PSEB, is contrary to all accepted principles of official procedure and discipline.

2. It has, therefore, been decided that the irregular practice of addressing letters directly to the Chairman and Members should be stopped forthwith unless specifically directed. Entire correspondence should be routed through proper channel. Correspondence for Board's office should be addressed to the Secretary, so that it may be examined in the respective Branches with reference to the rules/procedure in force. Any lapse in this behalf will be viewed seriously and shall attract disciplinary action.

3. These instructions may please be brought to the notice of all concerned for information and compliance.

## CHAPTER VII

### DISCIPLINARY CASES

Copy of Punjab Government Circular letter No 2581-ACC-54/664, dated 27th Sep., 1954.

Subject: - Suspension of Government Servants.

In continuation of Punjab Government letter No 3455-ACC 52/14 dated 23rd January, 1953, on the subject noted above, I am directed to say that Government have given further consideration to the question of suspension of Government servants with a view to laying down a criteria to guide departmental officers in deciding when an order of suspension should be passed. Government is pleased to direct that each case involving a proposal for suspension should be carefully considered and suspension should be ordered only when the circumstances are found to justify it. Ordinarily suspension should not 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 a reason to believe that his continuance in service is likely to cause embarrassment or to 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. I am to request that these instructions should be brought to the notice of all concerned for strict compliance.

(Since adopted by the Board)

Copy of Circular letter No. 6888-G-55/16642 dated 15th June, 1955 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : The Punjab Departmental Enquiries (Powers) Act, 1955.

I am directed to forward a copy of the Act cited as subject for information and guidance and to say that one of the important causes of delay in the conduct of departmental enquiries against Government servants was the difficulty in securing the attendance of witnesses. The Enquiry Officer had no authority under the Punjab Civil Services (Punishment and Appeal) Rules, 1952, to compel the attendance of any witness and it frequently happened that witnesses were unwilling to appear in departmental proceedings. This Act empowers the enquiring officer or authority to compel the attendance of witnesses and the production of documents in departmental proceedings on the lines of Section 8 of the Public Servants (Inquiries) Act, 1850.

### THE PUNJAB DEPARTMENTAL ENQUIRIES

(POWERS) ACT, 1955

AN

ACT

*to confer certain powers on the officers conducting enquiries under the Punjab Civil Services (Punishment & Appeal) Rules*

Be it enacted by the Legislature of the State of Punjab in the sixth year of the Republic of India as follows :—

- |  |               |
|--|---------------|
| (1) This Act may be called the Punjab Departmental Enquiries (Powers) Act, 1955. | Short title,  |
| (2) It shall extend to the whole of the State of Punjab.                         | extent &      |
| (3) It shall come into force at once.  | Commencement. |
- |   |                        |
|---|------------------------|
| For the purposes of an enquiry under the Punjab Civil Services (Punishment and Appeal) Rules, for the time being in force, the officer conducting such an enquiry shall | Summoning of witnesses |
|---|------------------------|

and production of documents.

be competent to exercise the same powers for the summoning of witnesses, and for compelling the production of documents as are exercisable by a commission appointed for an enquiry under the Public Servants (Inquiries) Act, 1850 (Act, XXXVII of 1850), and all persons disobeying any process issued by such officer in this behalf shall be liable to the same penalties as if the same had issued from a court.

(Since adopted by the Board)

Copy of Circular letter No 2053-ACD-55/753 dated 22nd August, 1955 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject:— Fixation of the quantum of punishment in cases relating to false drawal of Travelling Allowance.

It has been noticed that different punishments are awarded to different officers for similar offences relating to preparation and submission of wrong Travelling Allowance Bills which arise in various departments of Government on the strength of the recommendations made by their respective Departments. Thus while some Government servants are let off with a warning or with the recovery of the amount charged in excess, others are punished by stoppage of increments for a certain period and some are even removed or dismissed. In the circumstances, the question of evolving some uniform policy regarding the nature and quantum of punishment in these cases has been under the consideration of Government for some time past.

2. It is the settled policy of Government that in all proved cases of corruption, no punishment short of dismissal, should be awarded, vide Punjab Government letter No 122-ACC-48/38539, dated the 19th July, 1948. Government are, therefore, of the view that in the following category of cases relating to false drawal of travelling allowance, the normal punishment should be dismissal :

- (i) Charging travelling allowance for a journey not actually performed.
- (ii) Charging by a higher class to which one is entitled according to status for a journey performed in a lower class.
- (iii) Charging travelling allowance on transfer by submitting false certificates and bogus receipts in respect of transportation of luggage.
- (iv) Charging travelling allowance for the carriage of Camp equipment when actually it is not carried.

I am to request that these orders should be brought to the notice of all concerned for strict compliance.

3. There is another class of cases relating to false drawal of travelling allowance, viz. charging conveyance or permanent travelling allowance without maintaining a conveyance as prescribed under the rules. Government have considered this matter also. They are of the view that the question whether horses can be dispensed with altogether should be examined by the departments concerned. Where this can be done, the keeping of a horse and the horse allowance should both be dispensed with. Where, however, it is considered that the keeping of a horse is essential for the proper performance of duties, the horse allowance should be made adequate. Government would like to know, in due course, the action taken in the matter.

(Since adopted by the Board)

Copy of Circular letter No. 5356-G(C)-56/1986, dated the 26th/31st July, 1956, from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :— Expeditious disposal of cases involving Financial liability of Government.

I am directed to state that recently a case has occurred in which Government had to suffer a heavy loss due to the Department concerned having not taken prompt action in the matter. In fact the case was 5 years old when it came to the notice of Government and, in the meantime, two of the officials responsible for delay had retired. This is an extremely unsatisfactory state of affairs and must be remedied, at any cost. It is one of the elementary canons of financial propriety that a Government servant should exercise the same vigilance in handling matters involving Government's financial liability as a prudent person would do to safeguard his own interests. In this connection attention is invited to the provisions contained in rules 2.33 and 2.35 of Punjab Financial Rules, Volume I, read with part I of Appendix 2 of Punjab Financial Rules, Volume II, wherein it is laid down that immediate action should be taken by the Department concerned for the expeditious investigation of cases of this type and responsibility fixed upon the Government servants concerned. Instructions have also been issued from time to time impressing upon all Government Servants that, in the event of loss, Government would rigidly enforce, pecuniary liability against them. I am now to request you again to see that cases involving financial liability of Government receive your personal attention and these are handled by all concerned at the highest possible priority, so as to eliminate any chance of loss due to delayed action. I am to add that all the officers and staff under you should be reminded, of their responsibility in the matter and also informed that, in case of default, Government is determined not only to recover the loss incurred, if any, fully from them but also to take the strictest possible action against those who are found guilty of negligence of duty in this behalf.

(Circulated for guidance & compliance vide Secretary PSEB Patiala endst. No. 1418/71/HOS/TE-4 dated 9.1.61)

Copy of Circular letter No. 4819-G-11-57/11919 dated 8th July, 1957 from the Chief Secretary to Government, Punjab, to all Heads of Depfts. etc.

Subject : Dismissal of Government servants on conviction.

I am directed to address you on the subject noted above and to say that an instance has come to the notice of the State Government in which a Government servant who had been convicted by a court on a charge involving moral turpitude was dismissed from service nearly a year after the date of his conviction. Consequently Government had to pay him subsistence allowance for the whole of the intervening period. The instructions already issued in Punjab Government letters No. 1048-ACC-51/940 dated the 6th August, 1951 and No. 8789-51/1/8129 dated the 6th Nov., 1951 on the subject are clear enough. If these had been carefully followed, this unnecessary expenditure would have been avoided. For the sake of clarification, I am to issue detailed instructions on the subject.

2. Rule 7.6 of the Punjab Civil Services Rules, Volume I, Part I, requires that a Government servant against whom a criminal charge is pending should be placed under suspension, if (i) the charge is connected with his position as a Government servant or (ii) is likely to prove embarrassing in the discharge of his duties as such, or (iii) involves moral turpitude. The implication of this rule is that if the criminal charge does not fall under any of these three categories, it will not be necessary to suspend the Government servant. It follows that on conviction in the case of such a charge, it will also not be necessary that the Government servant should be dismissed or removed from service. Thus rule 7.6 of the Punjab Civil Services Rules, Volume I, Part I, had the effect of dividing cases in which Government servants have been convicted of criminal charges into two classes :

- (i) cases in which dismissal or removal from service should follow automatically ;
- (ii) cases in which it need not so follow.

3. In cases falling under class (i) under proviso (b) to sub-rule (2) of Rule 7 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, read with rule 7.6 of the Punjab Civil Services Rules, Volume I, Part I, the convicted Government servants should be dismissed or removed from service immediately on receipt of intimation of conviction without waiting for appeal or revision. It will not be necessary in such cases to follow the procedure laid down in Rule 7(1) of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, regarding the holding of departmental enquiries. All that the Administrative Department need examine is whether the order passed should be one of dismissal or removal. If, however, on appeal or revision, the conviction of the Government servant, is set aside, he should be immediately reinstated. In case it is decided to subject him to departmental proceedings after his acquittal or discharge by the appellate court, such action could as well be taken after reinstating him. The mere fact that an appeal has been filed by the Government servant against his conviction should not deter the punishing authority from inflicting a suitable punishment on him as provided in proviso (b) to sub rule (2) of Rule 7 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952.

In cases falling under class (ii) action should be taken on the merits of each case. In some cases, it may not be necessary to take any departmental action at all

4. Under Rules 1 to 3 of Chapter VI A of the High Court Rules and Orders, a Magistrate taking cognizance of an alleged offence against a Government servant is bound to report without delay to the District Magistrate about the commencement of such proceedings together with brief details of the case. On receipt of such a report the District Magistrate is required to forward a copy thereof to the local Head of the Department to which the accused officer belongs. A further report is required to be sent in the same way on the termination of the proceedings stating whether they have terminated in conviction, discharge or acquittal. In cases of conviction a copy of the

judgement must also be forwarded to the Head of the Department concerned. Further, in Punjab Government letter No. 8789-G-51/1/8/189 dated the 6th Nov., 1951, instructions were issued to all Heads of Departments etc. that the prosecuting officers conducting cases against Government officers in courts should be directed to ensure that prompt intimation was sent to the Administrative authorities concerned wherever orders convicting any Government servant of a criminal offence were passed in cases handled by them. It seems that these instructions are not being carefully observed by courts prosecuting officers and District Magistrate and I am to request that the Head of Departments concerned to ensure their compliance for the future. Prompt intimation of conviction to the authority empowered to dismiss the Government servant is an obvious and essential pre-requisite to the prompt dismissal or removal of that Government servant.

5. I am directed to emphasise that the instructions contained in this letter should be strictly followed in future. They supersede all previous instructions issued on the subject

(Since adopted by the Board).

Copy of Circular letter No. 9136 GII-57/11662 dated 2nd January, 1958 from the Chief Secretary to Government, Punjab, to the Controller of Printing & Stationery, Punjab & Copy endorsed to all Heads of the Depts, etc.

Subject :—Entry of suspended Government servants in their respective offices.

With reference to your communication on the subject noted above, I am directed to say that the matter has been given due consideration in consultation with Legal Remembrancer who has advised that where a Government servant is suspended, the Department is within its rights to serve him with an order that he should not attend office

and thereafter if he continues to do so, he may be dealt with as committing an offence of trespass under section 447 or section 448 of the Indian Penal Code. His entry into the premises of duty during his suspension period, is not ordinarily banned.

Copy of Punjab Government Circular letter No 6613-GI-58/20259, dated 7th July, 1958 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :—Treatment of cases of Government servants not fully exonerated in departmental enquiries.

I am directed to say that three types of situations arise when a Government servant is charge-sheeted and subjected to a departmental enquiry, whether under the Punjab Civil Services (Punishment and Appeal) Rules, 1952, or under any other rules applicable to the Government servant concerned.—

- (i) Either the charge is fully proved ;
- (ii) Or the Government servant is fully exonerated ;
- (iii) Or, as most frequently happens, the case falls in the area between (i) and (ii).

Cases coming under category (iii) may be described as 'doubtful cases'.

2. No difficulty is experienced in respect of cases of category (i). In case there is an element of corruption or dishonesty in the charge, instructions already exist that the only right penalty in such cases is dismissal. Punjab Government letter No. 122-ACC-48/38539, dated 19th July, 1948 may be referred to in this connection.

3. Similarly, cases of category (ii) also present no difficulty. If the Government servant was under suspension prior to the date on which the competent authority holds him to have been fully exonerated,

he is immediately reinstated and under sub-rule (2) of Rule 7.3 of the Punjab Civil Services Rules, Vol-I, Part-I, he is entitled to full pay and allowances for the period of suspension. Further under sub-rule (4) of the same rule, he is entitled to have the period of his absence from duty treated as duty for all purposes.

4. Cases falling under category (iii) present certain difficulties and it is the object of this letter to clarify the policy of Government about how such cases should be treated. Difficulties arise in 'doubtful cases' for the following reasons :—

- (a) It is not always clear from the Inquiry Officer's report that the case is a doubtful one, and the tendency is for punishing authorities to treat all unproved cases as cases of exoneration, unless there is specific finding from the Inquiry Officer, in so many words, that the case is a doubtful one.
- (b) Where a case does get identified as doubtful whether at the level of the Inquiry Officer or at the level of the punishing authority, no attempt is made to classify the degree of doubt, with the result that when any action is taken, it tends to be somewhat unjust in that no distinction is made between cases in which there is a high degree of doubt and cases in which this is not so.
- (c) Generally, no action is taken in doubtful cases because of a mistaken impression that on the analogy of criminal cases, where acquittal is the only alternative to conviction, exoneration and consequent reinstatement (if necessary) are the only alternatives to a finding of guilty in departmental enquiries.
- (d) Where this impression is not present, the question as to what action should be taken in doubtful cases not having been covered by any specific instructions of Government, the action actually taken has tended to vary according to how strongly the particular punishing authority feels about inflicting penalties in doubtful cases.

5. Regarding (a) and (b), I am to emphasise that it is the duty of every punishing authority to satisfy himself on the following issues while considering the report of an Inquiry Officer :—

- i) Whether the charge has been proved;
- ii) If not, whether there is case for fully exonerating the Government servant concerned;
- iii) If not, what is the degree of doubt.

The effort should be to arrive at definite conclusions on these issues. Some difficulty may be experienced about issue No. (iii), as there can obviously not be a mathematical evaluation of the degree of doubt in any particular case. However, Government are satisfied that, applying broad principles of judgement some reasonable assessment can be made. On one extreme, there would be cases in which the hypothesis of guilt is only a possible one. On the other extreme there may be cases in which it can be said that the hypothesis of guilt is a highly probable one or that the conduct of the charge-sheeted officer is highly suspicious.

6. Rule 7 (2) of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, requires Inquiry Officers to include in the proceedings a statement of their findings and the grounds thereof. Similar provisions exist in other rules applicable to special categories of Government servants who are not governed by the Punjab Civil Services Rules. For the future Government desire that, in order to assist punishing authorities in arriving at definite conclusions on the issues mentioned in para-5, Inquiry Officers should in respect of each charge, express their findings and the grounds thereof clearly on the lines indicated in the preceding paragraph.

7. Regarding (c) in para-4, I am to clarify that the analogy of criminal cases is not applicable to departmental enquiries. The structure of the criminal law rests on the right of every citizen to enjoy individual liberty, and it follows from this that, in the event of a case not being proved, the accused must be immediately set at liberty. The principle

on which the concept of departmental enquiries rests is not this. It is simply the right of the public to have reliable persons in public service. In Departmental cases, therefore, it is necessary for the punishing authority to ensure justice not only to the charge-sheeted Government servant but also to the public, who have a right to see that no officer continues in service in respect of whose reliability there is serious doubt. It follows from this that all doubtful cases in which the degree of doubt is substantial should result in some penalty being inflicted on the Government servant concerned. The assumption that has prevailed that the only option with Government or other punishing authorities in all doubtful cases is to reinstate the officer being proceeded against is incorrect, and the principle that the "benefit of doubt" must always go to the charge-sheeted Government servant does not hold good in the same manner in departmental enquiries as it does in criminal trials. Government desire that, in future, there should be no misunderstanding on this point.

8. Regarding (d) in para-4, Government wish to lay down certain broad principles indicating the action that should be taken in 'doubtful cases'. In this connection, I am first to invite your attention to the provisions of sub-rules (3) and (5) of Rule 7.3 of the Punjab Civil Services Rules, Vol-I, Part-I, according to which, when a suspended Government servant is reinstated following a departmental enquiry, in which he has not been fully exonerated, he is to be given such proportion of his pay and allowances for the period of suspension as the competent authority may prescribe. His period of absence from duty is not to be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purposes. I am to point out that these provisions only deal with such doubtful cases as merit reinstatement, and there too, they deal only with the question of pay and allowances during the suspension period and the nature of the service rendered during the same period. It must not be assumed from this rule that in doubtful cases, reinstatement is invariably to be ordered, or that where reinstatement is justified on merit, no action other than the one contemplated in sub-rules (3) and



(5) can be taken. Government are of the view that, where the punishing authority is satisfied after going through the papers of the departmental enquiry, that the hypothesis of guilt is a probable one or that the conduct of the charge-sheeted officer is definitely suspicious some penalty short of dismissal should be inflicted. Its severity will depend on the facts of each case. In the worst cases, where dishonesty or corruption is involved, and the finding is one of the hypothesis of guilt being a highly probable one or the most probable one, or that the conduct of the charge-sheeted officer is highly suspicious, the penalty should be as severe as possible. No Government servant who has a bad reputation and abundant suspicion against him has any right to be kept in service and in such cases, therefore, the possibility of ordering removal should also be considered. In other cases, less severe penalties should be considered, taking all the circumstances of each case into account. When penalties other than removal are inflicted, the Government servant concerned would be reinstated (if under suspension) and the penalty to be imposed would be over and above the action to be taken in pursuance of sub-rules (3) and (5) of rule 7.3 *ibid.*

9. I am to add that, although the policy explained in this letter is a departure from the present practice in some departments. Government are advised that it is entirely within the law and in accordance with the principles governing questions of punishment and discipline amongst Government servants. I am to request that the instructions now being conveyed should be strictly followed by all concerned.

Copy of Circular letter No. 1611-GII-59/5697 dated 5th May, 1959 from Chief Secretary to Government, Punjab, to all Heads of Depts, etc.

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

I am directed to say that a perusal of the lists of suspended Government servants received in response to Punjab Government circular letter No. 5432-B&C-58/13819, dated the 10th September, 1958, has revealed that the number of Government servants under suspension is very large and that many of them have been under suspension for a long time (as much as four or five years in some cases). Government feel that this state of affairs requires to be remedied with speed. I have been directed to ask you to see that all pending cases of this nature in your department are disposed of within three months, as far as possible. If there are cases in which departmental enquiries have not yet started these should be started forthwith. Where they have begun enquiry officers should be instructed to complete them expeditiously.

2. In order to ensure that satisfactory progress is made by the departments concerned it has been decided that each department should submit a quarterly report showing the progress made in such cases to the Administrative Department concerned. The Anti-Corruption Department will separately be supplied information asked for by them in their letter No. 919 ACC-50/353, dated the 4th April, 1950. It will be the responsibility of the Administrative Department concerned to scrutinize the quarterly reports and to bring to the notice of the Minister-in-charge of the department cases which are not registering sufficient progress.

3. It is noticed that a major cause of undue prolongation of period of suspension is that a suspected official is very often suspended before the charge-sheet is served on him and that the charge-sheet is very often not prepared until long after his suspension has been ordered. It should, therefore, be made a matter of firm principle, to be deviated from only in cases of rare urgency, that no official is suspended until a proper charge-sheet is served upon him and his explanation obtained and found unsatisfactory. A departmental enquiry can only begin at this stage and this stage should be started forthwith. The enquiry officer should ordinarily complete all the proceedings and submit his report within a period of three months and the punishing

authority should not take much longer to decide the case (obtaining the advice of the P S C., where required, expeditiously). If this procedure is observed it will be possible to curtail to a large extent long and unjustified periods of suspension. In no case should the period between suspension and final orders exceed six months. Long periods of suspension are unfair to the official concerned and can often prove uneconomical to Government.

4. The cases of Government servants involved in criminal cases should be dealt with in accordance with the provision of rules 7.5 and 7.6 of the Punjab Civil Services Rules, Vol. I, Part I.

5. These instructions may be brought to the notice of all working under you and the receipt of this letter may be acknowledged. (If more copies of these instructions are required a requisition may be placed on this Department).

(Circulated vide Secretary PSEB Patiala circular memo No. 35883/35963/ENG-14(1) 67 dated 5-4-68)

**Copy of Circular letter No. 7561-FR-II-59/16052 dated 24th November, 1959 from the Secretary to Government, Punjab, to all Heads of Deptts, etc.**

**Subject : Recoveries from subsistence allowance.**

I am directed to state that at present there is no provision in any rules or orders issued by the Punjab Government for the recovery of Government dues from the subsistence allowance granted to a Government servant under suspension. The permissible deductions fall under two categories :—

- (a) Compulsory deductions.
- (b) Optional deductions.

It has been decided that the recovery of following deductions which fall under category (a) above, should be made from the subsis-

tence allowance :—

- (i) Income tax, super tax, and professional tax provided the employees' yearly income calculated with reference to subsistence allowance is taxable.
- (ii) House rent and allied charges i. e. electricity, water, furniture etc.
- (iii) Repayment of loans and advances taken from Government at such rates as the head of the department deems it right to fix.

The following deductions falling under category (b) should not be made except with the Government servant's written consent :—

- (a) Premia due on Postal Life Assurance Policies.
- (b) Amounts due to Co operative Stores and Co-operative Credit Societies.
- (c) Refund of advances taken from General Provident Fund.

It has further been decided that the deductions of the following nature should not be made from the subsistence allowance :—

- (i) Subscription to a General Provident Fund.
- (ii) Recovery of loss to Government for which a Government servant is responsible.

2. As regards recovery of overpayments, there is no bar to the same being effected from the subsistence allowance, but the competent administrative authority will exercise discretion to decide, whether the recovery should be held wholly in abeyance during the period of suspension, or it should be effected at full or reduced rate, depending on the circumstances of each case.

(Circulated for guidance and compliance vide Secretary PSEB Patiala memo No. 7397/408/TE-3 dated 10th Feb 1960)

Copy of Circular letter No. 3161-GIII-60/12446, dated 13th April, 1960 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Permission to leave the headquarters during suspension.

I am directed to say that it has been observed that while placing a Government servant under suspension and fixing his headquarters, the authority competent to grant him station leave is not specified which sometimes creates confusion. You are advised that in future in all such cases the authority competent to grant station leave to a Government servant during the suspension period should invariably be specified.

Copy of Circular letter No. 6757-GS-60/31334, dated the 27th Sept. 1960 from Shri Saroop Krishan, I.C.S. Additional Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

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

I am directed to invite your attention to the instructions contained in Punjab Government letter No. 5356-G(C)-56/1986, dated the 26th/31st July, 1956, copy enclosed, which lay down inter-alia, that cases involving financial liability of Government should receive your personal attention for fixing responsibility on the Government servant concerned and should be handled at all levels at the highest possible priority, so as to eliminate any chance of loss owing to delayed action; and that Government would take the strictest possible action against those who are found guilty of negligence of duty in this behalf. I am to inform you that the Public Accounts Committee have observed that in spite of their having commented in the past upon delays which occur in such cases, a large number of fresh cases has come to their notice where disciplinary action against the delinquent officials has been delayed. They have further observed that in certain cases the officials had retired

from service before disciplinary proceedings were initiated and that also only after the Committee had suggested such action. The Committee have consequently deplored this state of affairs.

2. In this regard, it is needless to emphasize that all Departments are expected to investigate the irregularities as soon as they come to their notice and to take prompt and suitable action against the delinquent officials lest the decision taken should not be implemented. With a view to remedy the situation to which the Committee has drawn attention, it has been once again considered necessary to impress upon you that the cases involving financial irregularities committed by Government employees should be investigated as soon as they come to your notice and timely action should be taken against all the delinquents.

3. I am to request that these instructions should be brought to the notice of all concerned for strict compliance under intimation to this department.

(Circulated vide Secretary PSEB Patiala endst. No. 1418/71/HOS/TE-4 dated 9-1-61)

Copy of the Circular letter No. 8741-(7) FR-11-60/8550 dated 6th Oct. 1960 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Recoveries from subsistence allowance.

I am directed to invite a reference to the Punjab Government, Finance Department letter No. 7561-FR11-59/16052 dated 24th Nov. 1959, on the subject indicated above and to say that as stated in para 2 thereof, there is no bar to the recovery of overpayments being effected from the subsistence allowance, but the competent administrative authority will exercise discretion to decide, whether the recovery should be held wholly in abeyance during the period of suspension, or it should be effected at full or reduced rate, depending on the circumstances of each case.

2. The question whether the provisions of sub rule (4) below Rule 6.1 of the Subsidiary Treasury Rules issued under the Treasury Rules should be made applicable to recoveries of overpayments from the subsistence allowance of a Government servant under suspension has been considered and it has now been decided, in partial modification of the said orders that the said sub-rule should apply by analogy in such cases and the recoveries of overpayments falling under paragraph 2 of Finance Deptt. letter No. 7561-FR II-59/16052 dated the 24th Nov., 1959, should not ordinarily be made at a rate greater than one-third if the gross amount of subsistence and other allowances admissible under Rule 7.2 of Punjab Civil Services Rules, Vol. I, Part I.

(Circulated vide Secretary PSEB Patiala memo No. 192457/77/HOS/Z-156/A dated 26-11-62)

Copy of Circular letter No 3624-GS-61/14607, dated 21-4-1961, from the Chief Secretary to Government, Punjab, to all Heads of Deptt., etc.

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

I am directed to invite attention to Punjab Government letter No. 1611-GII-59/5697, dated the 5th May, 1959 on the subject noted above and to point out that in spite of the fact that since its issue, further instructions have also been sent to you by the Vigilance Department, it has been noticed that these instructions are not being scrupulously followed by the Departments concerned with the result that the number of Government servants under suspension continues to be very large and many of them remain under suspension for a very long time, thereby causing great loss to Government on account of the payment of subsistence allowances. In addition to financial loss, such a state of affairs brings discredit to Government. The whole position has, therefore, been reviewed and with a view to remedy it and to ensure uniformity of procedure and over-all co-ordination, Government have considered it necessary to issue a consolidated

revised circular, and this letter accordingly embodies all instructions and fresh decisions taken on the subjects:—

2. Conduct of departmental proceedings in disciplinary cases.

Punjab  
Government  
letter No.  
2626-ACC-  
54/722,  
dated the  
23rd Octo-  
ber, 1954

- (i) In all cases, the immediate superior authority, on whom rests the responsibility for initiating formal disciplinary proceedings, should decide at the earliest possible moment, whether investigation is likely to be so complicated as to require a special investigating agency, either of the police or of the department itself, and should, throughout the investigation keep a close watch on its progress to ensure that no undue delay occurs at any stage. When formal disciplinary proceedings are undertaken in all big and complicated cases, the following time schedule should be observed as closely as possible:—
- The charge or charges should be handed over to the charged Government servant within 15 days from the date of taking the decision to start formal proceedings.
  - (At the same time, a decision should be taken whether the Government servant should be placed under suspension, pending enquiry).
  - The charged Government servant's written statement of defence should ordinarily be required to be submitted within a period of a fortnight and in no case should a period of more than a month be allowed for the purpose.
  - The enquiry including oral examination of the witnesses should be completed within a month of the submission of the written statement
  - The report of the inquiring officer where he is not himself the punishing authority should be submitted as expeditiously as possible and ordinarily within a fortnight of the closing of the enquiry.

e) When the punishing authority is different from the inquiring officer, the punishing authority should pass final orders without delay. The following time schedule is suggested for various stages to be gone through before the passing of the final orders :

I) Calling upon the Government servant concerned to show cause against the proposed punishment where necessary.—One week from the date of the receipt of the inquiring officer's report.

II) Time to be allowed to the Government servant to show cause.—A fortnight to a month according to the nature of the case.

III) Final Orders— i) Where reference to the Public Service Commission is necessary : Six weeks from the date of the receipt of the final explanation of the Government servant.

ii) Where no such reference is necessary :-  
A fortnight from the date of the receipt of the final explanation of the Government servant concerned.

Punjab Govt.  
letter No. 1611-GII  
59/5697 dated the 5th May, 1959

(ii) It should be matter of firm principle, to be deviated from only in cases of rare urgency, that no official is suspended until a proper charge-sheet is served upon him and his explanation obtained and found unsatisfactory. A departmental enquiry can only begin at this stage and at this stage should be started forthwith. Since it may not be possible to complete the inquiry in all cases in one month, Government has decided that the inquiry officer should complete all the proceedings and submit his report within a period of three months and the punishing authority should not take much longer to decide the case (obtaining the advice of the Punjab Public Service

Commission where required, expeditiously). In no case should the period between suspension, if ordered and final order exceed six months.

(iii) Government feel that officials are often harassed by the length of time it takes to complete the processes of preliminary investigation and inquiry. Even in cases, which do not eventually result in a charge-sheet, the official concerned is often subjected to anxiety by the knowledge that an investigation is proceeding against him. Government have, therefore, decided 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 may be obtained under the orders of the Minister-in-Charge. If extension beyond nine months is needed, full facts and justification must be placed before the Cabinet and their approval taken.

(iv) The cases of Government servant involved in criminal cases should be dealt with in accordance with the provisions of rules 7.5 and 7.6 of the Punjab Civil Services Rules, Vol I Part I.

3. Cases under investigation or pending in Courts—  
Submission of reports to the Vigilance Department—

The cases of Government servants under suspension which are under investigation or pending in Courts should not be allowed to drag on for inordinately long periods. A monthly progress report showing the disposal of the pending cases should be forwarded to Government in the Vigilance Department in the two enclosed statements regularly so as to reach in the first week of the following month. The quarterly statements prescribed in Punjab Govt. letter No 919-ACC-50/353, dated the 4th

Punjab Govt.  
letter No. 12277-V(1)59  
13476 dated the 10th Dec. 1959

P.O. letter No. 1611-GII-58/5697 dt. 5th May, 1956.

Punjab Govt.  
letter No. 7042  
VI(3)-60/1740  
dt. the 29th  
July, 1950, and  
Pb. Govt.  
letter No. 9140-  
VI(3)-46/13541  
dt. the 25th  
Nov. 1940

April, 1950, have been discontinued and should no longer be sent to the Vigilance Department.

Pb. Govt. letter No.  
1880-V(3)-61/3091,  
dt the 16th March,  
1961.

4. It has been decided that the monthly reports as indicated in para 3 should be examined in the Vigilance Department. They would review the position of the outstanding cases and put continued pressure on the departments concerned to get those cases expedited. In other words, the Vigilance Department would play the role of the co-ordinating authority for that purpose. In order to ensure satisfactory progress, cases more than 18 months old would be reviewed and placed by the Vigilance Department before the Council of Ministers once a month.

The copies of these monthly reports should also be furnished to the Administrative Department concerned. It is their responsibility as well to scrutinize these reports and to bring to the notice of the Minister-in-Charge cases which are not registering sufficient progress.

5. It is needless to emphasise again that these instructions should be strictly followed. You are requested to pay personal attention to such cases and take every possible step to speed up their disposal within the prescribed time limit. Proper care should be taken to ensure that the monthly progress report is punctually sent to the Vigilance Department as also to the Administrative Department by the 7th of the month following at the latest so that review by the Minister-in-Charge and the Council of Ministers is not held up. Government will take serious notice of any default in this regard.

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

(Circulated vide Secretary PSEB Patiala memo No. 35883/35963/ENG-14(1) 67 dated 5-4-68)

Copy of Circular letter No. 3591-GS-61/14511, dated the 24th April, 1961 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

Subject : Departmental action in cases referable to Law Courts.

I am directed to inform you that instances have come to the notice of Government where Government servants, held guilty in departmental proceedings, succeed in Courts of Law on technical grounds and thus escape punishment of dismissal, etc., and consequently are also given full pay and allowances due to them under the orders of the Courts. Government feel that this is mainly due to the fact that these cases are dealt with in the Departments concerned by officials who were not fully acquainted with rules and procedure on the subject. Such cases not only bring a bad name to Government but also enable the guilty persons to escape proper punishment. With a view to avoid recurrence of such cases in future, Government have decided that whenever a new official comes into a Department and occupies a position where he has to deal with these cases, he should be specifically asked to make himself fully acquainted with rules and procedures relating to these cases. It has further been decided that the senior officers should occasionally collect officials of the Department and make them aware of the relevant rules. It is hoped that if this system is strictly adhered to, it will save Government from bad name and at the same time make escape for a guilty person on mere technical grounds impossible. These instructions may be brought to the notice of all Government servants working under you for strict compliance.

(Since adopted by the Board)

Copy of Punjab Government Circular letter No 5078-GS-61/21489, dated the 20th June 1961, from the Chief Secretary to Government, Punjab, to all Head of Deptts. etc.

Subject: Distinction between 'Warning' and 'Censure'

I am directed to say that certain doubts and misapprehensions have been raised regarding distinction between 'Warning' and 'Censure' as these have nowhere been defined in clear terms. The position, therefore, has been examined and is explained in the following paragraphs for the guidance of all Departments.

2. The foremost aspect to bear in mind is the fundamental and formal distinction between the two terms. An order of 'Censure' is a formal and public act intended to convey that the person concerned has been held guilty of some blame worthy act or omission for which it has been found necessary to award him a formal punishment. Nothing can amount to a 'Censure' unless it is intended to be such a formal punishment and imposed for 'good and sufficient reasons' after following the prescribed procedure. A record of the punishment so imposed is kept on the officer's confidential roll and the fact that he has been 'censured' will have its bearing on the assessment of his merit or suitability for promotion to higher posts.

3. There may be occasions, on the other hand, when a superior officer may find it necessary to criticise adversely the work of an officer working under him (e.g. point out negligence, carelessness, lack of thoroughness, delays etc.) or he may call for an explanation for some act or omission and taking all circumstances into consideration, it may be felt that, while the matter is not serious enough to justify the imposition of the formal punishment of 'Censure', it calls for some informal action, such as the communication of a written warning, admonition or reprimand. If the circumstances justify it, a mention may also be made of such a warning etc. in the officer's confidential roll. However, the mere fact that it is so mentioned in the character roll, does not convert the warning etc. into a 'Censure'. Although such comments, remarks, warning etc. also would have the effect of making it apparent

or known to the person concerned that he has done something blame worthy and to some extent, may also affect the assessment of his merit and suitability for promotion, they do not amount to the imposition of the penalty of 'Censure' because it was not intended that any formal punishment should be inflicted.

4. The fact that a mere informal 'warning' cannot be equated to a formal 'censure' should not, however, be taken as tantamount to suggesting that a written warning may be freely given without caring whether or not it is really justified. It is a matter of simple natural justice that written warnings, reprimands etc. should not be administered or placed on an officer's confidential record unless the authority doing so is satisfied that there is good and sufficient reason to do so. It may be reiterated here that in the discharge of the responsible task of recording the confidential reports, every reporting officer should be conscious of the fact that it is his duty not only to make an objective assessment of his Subordinates' work and qualities but also to see that he gives to his subordinates at all times the advice, guidance and assistance to correct their faults and deficiencies. If this part of the reporting officer's duty has been properly performed there should be no difficulty about recording adverse entries because they would normally refer to the defects which have persisted in spite of the reporting officer's efforts to have been corrected. If after having taken such care the reporting officer finds that for the purpose of a truly objective assessment mention should be made of any warning, admonition etc. issued especially those which have not produced the desired improvement, it is his right and duty to so mention them.

5. I am to request that these instructions may be brought to the notice of all Government servants working under you. The receipt of this letter may please be acknowledged.

(Since adopted by the Board)

Copy of Circular letter No. 11055-(7)-FR II-61/54 dated 1st January 1962 from Shri Sampuran Singh I.A.S. Secretary to Government, Punjab, Chandigarh to all Heads of Depts., etc.

Subject: Recoveries from Subsistence Allowance.

In supersession of Punjab Government, Finance Department circular letter No. 8741-FR II-60/8550, dated 6th October, 1960, on the subject indicated above, I am directed to say that the recoveries of overpayments from a Government servant under suspension should not ordinarily be made at a rate greater than one-third of the amount of the subsistence allowance, i.e., exclusive of dearness allowance, if any, admissible to him under rule 7.2(1)(ii)(a) of the Punjab CSR Vol. I Part I.

(Circulated vide Secretary PSEB Patiala memo No. 192457/77/HOS/Z-156-A dated 26-11-62).

Copy of Circular letter No. 728/8-GS/62-1501 dated 15th January, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Depts. etc.

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

I am directed to say that Government have for some time past been considering the question of adopting a suitable procedure in regard to the action to be taken in the case of allegations against individual Government Servants in the Press and to provide legal and financial assistance to the Government servant involved in legal proceedings and have decided as follows:—

2. When allegations are made in the Press or by individual against a Government servant in respect of his conduct in the discharge of his public functions, a preliminary confidential enquiry by a

senior officer may be ordered by Government, depending on the nature of the case.

3. If such an enquiry leads to the conclusion that the allegations are based on ignorance, insufficient information or even malice, it should be further considered whether having regard to the nature and circumstances of the case, any action in a Court of Law is necessary to vindicate the conduct of the Government Servant concerned, for in some cases, mere publication of the result of the enquiry may not always carry conviction with the public. If it is decided to have resort to a Court of Law, it should also be considered whether Government should themselves initiate proceedings in a Court of Law against the party which made the allegations or whether the Government Servant should be required to initiate such proceedings. If on the other hand, it is considered as a result of the enquiry that there are reasonable grounds to doubt the propriety and correctness of the conduct of the Government Servant, or if the enquiry is not conclusive, Government may entrust the case to the Vigilance Department for investigation or order a full departmental enquiry under the Punjab Civil Services Rules, or require the officer to vindicate his conduct by resorting to a Court of Law.

4. In cases where Government decide to initiate Criminal proceedings themselves, the provisions of Section 198-B of the Criminal Procedure Code should be made use of. According to these provisions, the complaint can be filed within six months of the date of the alleged offence, by the Public Prosecutor directly in a Court of Sessions with the previous sanction of the Government and the case will thereafter be pursued by Government. Where the Government decide to institute civil proceedings, the usual procedure for institution of the civil proceedings by Government may be followed.

5. In cases where the Government Servant is required to vindicate his conduct in a court of law, Government will give financial assistance as laid down in this letter.

6. When a Government Servant desired to institute proceedings



suo motu to vindicate his conduct in the course of the discharge of his official duties, he will have to obtain the previous sanction of the Government as required in Rule 23 of the Government Servants Conduct Rules, 1955.

If Government decide to grant such sanction no question of reimbursement of any expenses to the Government Servant will arise, but advances may be granted as laid down in the following paragraphs.

7. The appropriate authority for taking decisions in each case will be the administrative Department concerned who will consult the Finance Department and the Legal Remembrancer to Government, Punjab, where necessary.

8. (a) Proceedings initiated by Government in respect of matters connected with the official duties or position of the Government Servant.

Government will not give any assistance to a Government Servant for his defence in any proceedings, civil or criminal instituted against him by the State in respect of matters arising out of the or connected with his official duties or his official position. Should, however, the proceedings, conclude in favour of the Government Servant, Government will entertain his claim for reimbursement of costs incurred by him for his defence, and if Government are satisfied from the facts and circumstances of the case that the Government Servant was subjected to the strain of the proceedings without proper justification, they will consider whether the whole or any reasonable proportion of the expenses incurred by the Government Servant for his defence would be reimbursed to him.

(b) Proceedings in respect of matters not connected with official duties or position of the Government Servant.

Government will not give any assistance to a Government Servant or reimburse the expenditure incurred by him in the conduct of proceedings in respect of matters not arising out of or connected with his official duties or his official position, irrespective of whether the pro-

ceedings were instituted by a private party against the Government Servant or vice versa

(c) Proceedings instituted by a private party against a Government Servant in respect of matters connected with his official duties or position.

(i) If the Government on consideration of the facts and circumstances of the case consider that it will be in the public interest that Government should themselves undertake the defence of the Government Servant in such proceedings and if the Government Servant agrees to such a course, the Government Servant should be required to make a statement in writing as in Annexure "A" and thereafter Government should make arrangements for the conduct of the proceedings, as if the proceedings had been instituted against Government.

(ii) If the Government Servant proposes to conduct his defence in such proceedings himself, the question of reimbursement of reasonable costs incurred by him for his defence may be considered in case the proceedings conclude in his favour in determining the amount or costs to be so reimbursed. Government will consider how far the court has vindicated the acts of the Government Servant. The conclusion of the proceedings in favour of the Government Servant will not by itself justify reimbursement.

To enable the Government Servant to meet the expenses of his defence, Government may sanction at their discretion, an interest free advance not exceeding Rs. 500 or the Government Servant's substantive pay for three months, whichever is greater, after obtaining from the Government Servant a bond in the form reproduced as Annexure "B". The amount advanced would be subject to adjustment against the amount, if any, to be reimbursed as above.

(d) Proceedings instituted by a Government Servant on his being required by Government to vindicate his official conduct.

A Government Servant may be required to vindicate his

conduct in a court of law in certain circumstances. The question whether costs incurred by the Government Servant in such cases should be reimbursed by the Government, and if so, to what extent, should be left over for consideration in the light of the result of the proceedings. Government may, however, sanction an interest free advance in suitable instalments, of an amount to be determined by them in each case on the execution of a bond by the Government Servant in the form reproduced in Annexure "B".

In determining the amount of costs to be reimbursed on the conclusion of the proceedings, the Government will consider to what extent the Court has vindicated the acts of the Government Servant in the proceedings. Conclusion of the proceedings in favour of the Government Servant will not by itself justify reimbursement, but will be a strong consideration in favour of doing so.

- (e) Proceedings instituted by a Government Servant *suo motu* with the previous sanction of Government to vindicate his conduct arising out of or connected with his official duties or position.

If a Government Servant resorts to a Court of Law with the previous sanction of Government to vindicate his conduct arising out of or connected with his official duties or position, though not required to do so by Government, he will not ordinarily be entitled to any assistance but Government may, in deserving cases, sanction advances in the manner indicated in sub-para-c (ii) above, but no part of the expenses incurred by the Government Servant will be reimbursed to him, even if he succeeds in the proceedings.

Clause (d) of article 320 (3) of the Constitution requires consultation with the Public Service Commission on any claim by a Government servant for the reimbursement of the costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty. In other cases consultation with the Public Service Commission is not obligatory, but it will be open to Government to seek the Commission's advice, if considered necessary. The question whether a case falls under article 320(3) (d)

of the Constitution so as to require consultation with the Commission may at times be difficult to determine. It may be stated generally that the consultation is obligatory in a case where a reasonable connection exists between the act of the Government servant and the discharge of his official duties. The act must bear such relation to the official duties that the Government servant could lay a reasonable but not a pretended or a fanciful claim that he did it in the course of the performance of his duties.

9. The recovery of advance will be made in not less than twelve and not more than twenty four equal instalments, the exact number being determined by the sanctioning authority.

The advance will be debitable to the head "P— Loans and Advances by State Governments Loans to Government servants-M-Other Advances-Advances for legal proceedings" for expenditure connected with the interest-free advances to Government servants involved in legal proceedings.

10. These instructions are being issued with the concurrence of the Finance Department vide their U.O. No 5447-FGI (DS)-61, dated the 21st December, 1961. I am to request that these instructions may be brought to the notice of all Government servants under your control.

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

(Adopted vide Secretary PSEB Patiala circular endst. No. 64262/925/ENG-148/D dated 28-8-70)

ANNEXURE "A"

(Here enter description of the proceedings)

The Government of Punjab having been pleased to undertake my defence in the above proceedings, I hereby agree to render such assistance to Government as may be required for my defence and further agree that I shall not hold Government in any way responsible if the proceedings end in the decision adverse to me.

Dated : -

Signature of the Government Servant.

ANNEXURE "B"

By this Bond, I .. (here give the name and other particulars of the Government servant including post held by him) acknowledge myself bound to the Government of Punjab in the sum of Rs. .... (here enter a sum representing double the amount advanced) to the said Government.

Now the above written Bond is conditioned to be void in case the above bounden (Government servant), his personal representatives or any person acting for and on behalf of the above bounden (Government servant) shall, on demand, pay to the said Government or its representatives or assigns or their attorney authorised to receive the same, the said sum of Rs. ...., but in the event of the above bounden (Government servant) or his personal representatives or any person acting for and on his behalf failing to pay the said sum on demand, the above written Bond shall remain in full force and effect.

Dated this the ..... day of..... 19

Witnesses : -

Signature of the Government Servant

Copy of Circular letter No. 1497-4GS-62/4059 dated 13th February, 1962 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc

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

I am directed to refer you to the subject cited above and to state that at present there are no clear instructions as to how the cases of officials/officers whose conduct is subject of any enquiry, should be dealt with when they become due for promotion to higher posts or reach the date of superannuation.

2. It has been noticed by Government that when employees are about to retire or are due for promotion, quite often a number of complaints are received against them which are presumably inspired by interested persons and more often than not, on enquiry, are found baseless. With a view to ensure that honest and diligent officers are not unnecessarily harassed, it has been considered desirable that ways and means should be devised to safeguard their interests. After careful consideration of the whole matter, it has been decided by Government that the following procedure should be followed henceforth in dealing with complaints against officers/officials who are due for promotion/retirement :-

- (a) Complaints under consideration at the time of promotion.
  - i) Where anonymous and unsigned complaints are received against an officer on the eve of his promotion, they should be ignored.
  - ii) Promotion should not be with-held if no prima facie case has been established by the date the official/officer is due for promotion.
  - iii) Where it is suspected that an enquiry has been initiated mala-fide because it is likely to affect the promotion of an officer, such an enquiry should be dropped and should not affect the promotion.

iv) Where a prima-facie case has been established, i.e. on a preliminary investigation of the complaint, actionable material under rule 7 or 8 of the Punishment and Appeal Rules, or any other relevant punishment rules applicable to the official/officer concerned has been brought out and it is intended to take action against him under the above mentioned rules, he should not be promoted. However, if on the completion of the enquiry he is found not guilty and is exonerated of all the charges, he should be given promotion with retrospective effect (i.e. the date from which he was due for promotion) and where there is no vacancy, a temporary post may be created for that period in consultation with Finance Department and the juniormost promoted official should be reverted, if necessary.

(Note :— The above instructions assume that the officer concerned is otherwise considered in every way fit for promotion).

(b) Complaints under consideration before retirement of officials/officers

- i) All complaints should be settled as far as possible one month before the retirement of the Government servant concerned.
- ii) In cases where **minor complaints** are pending at preliminary investigation stage and no final decision has been taken to proceed against the official/officer till the date of his retirement, he may be allowed to retire. His pension case, however, should be decided after taking into account the result of the investigation, and if any actionable material of minor nature comes to light, the question of cut in pension according to the gravity of the established default may be considered.
- iii) In cases, where complaints alleging grave charges, which if

established, would expose the official/officer to the penalty of dismissal, removal or reduction are pending in a preliminary investigation stage on the date of retirement the official should not be retired. He will be continued in service on extension till the settling of the investigation and later enquiry, if necessary and may be placed under suspension

- iv) In cases where a preliminary investigation has established a prima facie case i.e. the material brought out in the investigation is such as is considered damaging enough to expose the official/officer to the penalty of dismissal, removal or reduction, but it is not possible to complete the enquiry before the date of his retirement, he should not be allowed to retire till the completion of the enquiry and an all-out effort should be made to complete it as early as possible. If he is not already under suspension, he may be suspended and not permitted to retire as provided in rule 3-26(a) of the Punjab Civil Services Rules, Volume I, Part I.

3 I am to request that the above instructions may please be brought to the notice of all concerned for strict compliance. The receipt of this letter may also be acknowledged.

(Adopted vide Secretary PSEB Patiala circular endst No. 75735/76308/Estt /G-148/D dated 20.6.68)

Copy of Circular letter No. 4167-2GS-63/9945 dated 25th March, 1963 from the Financial Commissioner Planning and Additional Chief Secretary to Government, Punjab, to all Heads of Depts etc.

Subject : Possession by Government employees or by any other person on their behalf of pecuniary resources or property disproportionate to their known sources of income.

I am directed to inform you that Government have considered in

consultation with the Punjab Public Service Commission, the question whether in a departmental enquiry an officer charged with corruption should be presumed to be guilty of that charge in case he is unable satisfactorily to account for possession by himself or by any other person on his behalf e.g. dependents, of pecuniary resources or property disproportionate to his known sources of income. Government have decided that a presumption of corruption fairly and reasonably arises against an officer who cannot account for large accretion of wealth which he could not possibly have saved from his known sources of income. This principle has in fact received statutory recognition in section 5(3) of the Prevention of Corruption Act, 1947, and there appears to be no reason why it should not find application in a departmental enquiry also. It follows therefore, that if an officer against whom a departmental enquiry is held on charges of corruption is unable to explain satisfactorily the large wealth amassed by him, the officer holding the enquiry is entitled to act on the presumption that such wealth was collected by corrupt means.

2. These instructions should be brought to the notice of all Government employees working under you.
3. The receipt of this letter may please be acknowledged.

(Circulated vide Secretary PSEB Patiala endst. no. 31407/807/  
Bd/G-50 dated 19-4-1963)

**Copy of Circular letter No. 1215-V-(12)-63/3915 dated 28th/1st April, 1963 from the Chief Secretary to Government, Punjab, to All Heads of Depts. etc.**

**Subject :** Speedy disposal of cases of Government employees under suspension.

I am directed to invite a reference to the Punjab Government Circular letter No. 3624-GS-61/14607, dated the 21st April, 1961, on the subject noted above, wherein it was emphasised that it should be a

matter of firm principle, to be deviated from only in cases of rare urgency, that no official is placed under suspension until a proper charge sheet is served upon him and his explanation obtained and found unsatisfactory also that a departmental enquiry should be started forthwith and in no case should the period between suspension, if ordered, and final orders of the punishing authority, exceed six months. As had also been communicated in the Punjab Government's letter No 2581-ACC-54 dated 27.9.1954 each case involving a proposal for suspension should be carefully considered, and suspension should be ordered sparingly and only when the circumstances are found to justify it. Ordinarily suspension should not be ordered unless the allegations made against the officials 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 to hamper the investigation of the case

It has however, been observed that there has been a quite an increase in the number of suspension cases lately. The disposal of such cases is also slow. With the result that some of the cases are very old; and despite repeated Government instructions issued from time to time, proper attention, as warranted by their nature is not being paid to them. The principles governing the ordering of suspension at the commencement of the enquiry stages and the instructions for the finalization of such cases within a period of six months are, it has been found, not being followed carefully. It will be appreciated that continued suspension of a very large number of Government employees, besides causing substantial loss to the Government on account of payment of subsistence allowances entails unnecessary hardship and harassment to the Government employees.

I am, therefore, to reiterate that suspension should be ordered only when the circumstances of a case fully justify it, and the principles of ordering suspension at the commencement of the enquiry stage should be observed carefully in each case. Every effort should be made

to dispose of these cases expeditiously, and the prescribed time limit for finalising such cases should be adhered to strictly.

The receipt of this letter may kindly be acknowledged.

(Circulated vide Secretary PSEB Patiala memo No. 35883/35963/ENG-14(1)67 dated 5-4-68)

Copy of Sh. S. N. Bhanot, IAS Secretary, (Estt. Gazetted) PSEB Patiala Circular memo/endst No. 33583/95/EG/SEN/40 dated 25th April, 1963.

Subject :-Office Noting.

It has been observed that office staff is in the habit of, inter-alia, making recommendations as to the quantum of punishment to be awarded to senior officers, such as Chief Engineers, S Es and other officers of similar status. It must be clearly understood that office staff should state facts, quote precedents and rules, but it is undesirable on their part to suggest punishment to be awarded.

2. These instructions may please be brought to the notice of all concerned for further guidance and strict compliance.

Copy of Circular letter No. 7820-6GS-63/21608 dated 27th June, 1963 from Shri Saroop Krishen, I.C.S., Financial Commissioner, Planning and Addl. Chief Secretary to Government, Punjab to all Heads of Depts etc

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

I am directed to invite your attention to the instructions contained in Punjab Government letter No. 5356-G(C)-56/1986, dated the 26th/31st July, 1956 and No 6757-6GS-60/31334, dated the 27th September, 1960, which inter-alia laid down that cases involving financial liability

of Government should receive your personal attention for fixing responsibility on the Government servants concerned, taking timely action against all the delinquents and that it should be handled at all levels at the highest possible priority so as to eliminate any chance of loss owing to delayed action against those who are found guilty of negligence of duty in this behalf. The Public Accounts Committee have again pointed out that notwithstanding their repeated observations regarding inordinate delays in undertaking investigations into the irregularities immediately after they come to notice, inordinate delays continue to occur in regard to investigation and fixation of responsibility for various lapses. Such a state of affairs cannot be viewed with equanimity. They have further observed that in the Engineering Departments in particular, investigation and departmental proceedings have been allowed to drag on by which Government might find itself handicapped in taking action against the officials concerned either because they might retire or the relevant records might not be available. The Committee have noticed a general tendency, particularly on the part of Engineering Departments to cover up lapses on the part of the officials/officers and to give evasive or equivocal explanations. Government have taken a very serious view of such state of affairs.

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

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

(Circulated vide Secretary PSEB Patiala endst no. 95294/300/Bd/G-328 dated 9-12-63).

Copy of Circular letter No. 5213-6GS-63/23016 dated 8th/16th July 1963,  
from Addl. Chief Secretary to Government Pb., to all Heads of Dep'ts etc.

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

I am directed to say that the provisions contained in sub-rules(2) and (4) of rule 7.3 of Punjab CS& Volume I, Part I, lay down inter-alia that when a Government employee who was dismissed, removed or suspended from service is reinstated after he has been fully exonerated or, in the case of suspension after it has been held that the suspension was wholly unjustified, the Government employee shall be given full pay and allowances to which he would have been entitled, had he not been dismissed, removed or suspended from service as the case may be, and that the period of absence from duty shall be treated as period spent on duty for all purposes. The question regarding the admissibility of pay and allowances to such reinstated Government employees as secured employment during any period between dismissal, removal, discharge or termination of service and reinstatement, has been under the consideration of the Government, and it has been decided that the pay and allowances admissible to them for the period prior to their reinstatement shall be reduced by the emoluments earned by them during such employment if the pay and allowances exceed such emoluments. If the pay and allowances admissible to them are equal to or less than the emoluments earned by them, no amount shall be paid to them.

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

(Circulated vide Secretary PSEB Patiala endst. No. 58727/  
35/HOS/G-148/M dated 31-7-1963)

Copy of Circular letter No 4656-6GS-63/24763 dated 25th July, 1963  
from Addl. Chief Secretary to Government Pb., to all Heads of Dep'ts. etc  
Subject : Conduct of a Government employee in relation to the proper  
maintenance of his family

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

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

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

(Adopted vide Secretary PSEB Patiala circular memo No.  
64969/65309/HOS/Z-240 dated 28-8-63)

Copy of Secretary PSEB Patiala Circular memo No. 10365/565/BECS/General-213 dated 12th Feb., 1965.

Subject :— Disposal of cases of the employees of the Board Transferred from one Administration to the other Administration.

Recently, a case has been brought to the notice of the Board where an official working in a Divisional Office against whom action was to be processed under the Punishment and Appeal Rules, 1952 was transferred to another administration and the processing of the case was delayed due to the dispute as to whether the case should be processed by the Administration where he had been transferred or by the Administration where the incident took place. The matter has been carefully examined in this office and it has been decided that such cases should invariably be dealt with/processed further in the administration to which the official concerned stands transferred. It should, however, be ensured that written intimation about all pending cases/enquiry cases/charge-sheets/recoveries etc. against a particular official transferred from one administration to the other, is invariably sent by the Executive Engineer/Superintending Engineer/Chief Engineer concerned, as the case might be, to his counterparts in the other administration soon after the official's transfer and the relevant record is also supplied without any delay, whatsoever, and under proper acknowledgement, so as to ensure speedy action at the other end where the official has been transferred. The comments of the Sub-Divisional Officers, Executive Engineers etc. incharge of the offices where the irregularity etc. occurred may, however, be obtained by the Administration to whom the officer is transferred, if considered necessary. It is requested that these instructions may be brought home to all concerned working under your control.

Copy of Secretary, PSEB Patiala Circular memo No. 11113/243/BECS/G-213 dated 11-5-67.

Subject : Disposal of cases of the employees of the Board transferred from one Administration to the other Administration.

According to the present instructions contained in this office circular memo No. 10365/565/BECS/G-213 dated 12-2-65, the cases of fixation of responsibility and taking of disciplinary action etc. against delinquent officials are processed in the administration to which the employee concerned stands posted irrespective of the fact whether the default took place while he was working in another administration. The matter has again been considered and it has now been decided that in respect of such employees who are shifted from one Administration to another, the responsibility for finalising the cases and taking disciplinary action for the lapses during their posting in a particular Zone/administration will be of that administration in which the incident took place except in such cases where the transfer is of the nature that the lien of the person concerned is permanently removed from the Zone/administration from which he is transferred. In that case the concerned Zone/administration will complete all the formalities and pass on the papers to the administration, under whom the employee is working, for suitable disciplinary action.

The above instructions may be brought home to all concerned working under your control.

Office Order No. 200 /ENG/

see P-259  
Dated 25.11.1967.

The Punjab State Electricity Board is pleased to delegate the following powers to its officers :—

Executive Engineers : To suspend a non-gazetted Board employee working under him except J.E., Head Clerk, Revenue/Divisional Accountant & Divisional Head Draftsman.



Superintending-Engineers : All powers of Executive Engineers plus the power to suspend the persons belonging to any of the remaining categories of the non-gazetted staff except the Revenue/Divisional Accountant posted either in a circle office or office below that.

These powers shall be exercised where according to the instructions on the subject the suspension is justified.

(Copy endorsed vide Secretary PSEB Patiala circular endst. No. 79194/394/ENG/ dated 25.11.67)

Copy of Circular letter No. 2468-SII(6)-67/32058 dated 29th Nov., 1967 from the Chief Secretary to Government, Punjab to all Heads of Depts. etc.

Subject : - Implementation of the Recommendations of the Punjab Administrative Reforms Commission-Recommendation No. 16-Recognition of inefficiency as a ground for the imposition of major penalty.

I am directed to address you on the subject noted above and to say that the Punjab Administrative Reforms Commission has made its recommendation in this regard as follows :—

“Inefficiency should also be recognised as a ground for a major punishment.”

The relevant paragraph of the report of the Commission reads as under :—

“4.27 Officials can be punished for dishonesty, indiscipline or other forms of misconduct. Inefficiency, however, is not classified as misconduct and goes unpunished as such. In order to improve efficiency, there is need for curative measures not only at

Punishment  
for  
inefficiency

the commencement of the career, i.e. at the time of recruitment, training, etc., but also later, after he has put in a number of years of service and has been found inefficient. If the work of an official generally does not conform to law and procedure or if he is chronically slow in disposal, the official is inefficient. If this goes on year after year without any improvement, the official is a burden on the public exchequer. Supervisory officials at each level should, therefore, make it their job to ensure that their inspections carefully scrutinise the work of an official on these two major points of efficiency. Disposal of work must both be correct and expeditious. It can be ascertained by looking at some individual items disposed of by him. We recommend that inefficiency should also be recognised as a ground for major punishments.”

2. I am directed to say that the Government have accepted this recommendation, and would expect all the supervisory and disciplinary authorities to bear it in mind while dealing with the subordinate officials. The contents of this letter may, therefore, please be brought to the notice of all officers/officials under your control for necessary action and compliance.

3. The receipt of this letter may please be acknowledged.  
(Since adopted by the Board)

Copy of Circular letter No. 1490-SII-4(1)-68/5269 dated 27th/28th February 1968, from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Ensuring of fair treatment while considering departmental promotions.

I am directed to say that during the course of his contact with

Government Officers, the Chief Minister has noticed an element of frustration among some of them who complained that they had not received fair deal in the past in the matter of promotions and that Officers with satisfactory record of service had been deprived of their due promotion, while on the other hand it was alleged that favouritism had been shown in some cases. Another disadvantage in which such Officers had been placed was that their conduct had been subjected to an enquiry on some complaints which although found false had been kept in view at the time of their promotion.

2. In order to remove the so called frustration from among the Government Officers and eliminate chances of favouritism in matter of promotion, it is impressed upon the Administrative Secretaries and Heads of Departments that Officers with clean record of service should not be deprived of their due promotion. Further, allegations and charges levelled against an Officer having not been substantiated on enquiry, should not in any way stand against him at the time of promotion. It will be denial of justice to an Officer who has been exonerated of charges and allegations brought against him if he is deprived of his due promotion because of such un-founded complaints.

3. In this connection, attention is also invited to the following extract from the Government instructions issued, vide letter No. 1497-4GS-62/4059 dated the 13th February, 1962:-

- a) Complaints under consideration at the time of promotion:-
- i) Where anonymous and unsigned complaints are received against an officer on the eve of his promotion, they should be ignored.
  - ii) Promotion should not be with-held if no prima-facie case has been established by the date the official/officer is due for promotion.
  - iii) Where it is suspected that an enquiry has been initiated malafide because it is likely to affect the promotion of an officer, such an enquiry should be dropped and should not affect the promotion.

- iv) Where a prima-facie case has been established, i.e., on a preliminary investigation of the complaint, actionable material under rule 7 or 8 of the Punishment and Appeal Rules, or any other relevant punishment rules applicable to the official/officer concerned has been brought out and it is intended to take action against him under the above-mentioned rules, he should not be promoted. However, if on the completion of the enquiry he is found not guilty and is exonerated of all the charges, he should be given promotion with retrospective effect (i.e. the date from which he was due for promotion) and where there is no vacancy, a temporary post may be created for that period in consultation with Finance Department and the junior most promoted officials should be reverted, if necessary.

4. I am directed to request you kindly to ensure fair treatment in the case of such officers while considering departmental promotion.

(Adopted vide Secretary PSEB Patiala circular endst. No. 92972/93558/ENG/G 148 dated 24.7.68)

Office Order No. 73/ENG/

Dated 16th March, 1968.

In continuation of this office Order No. 200/ENG/dated 25.11.1967, the Punjab State Electricity Board, is pleased to delegate the following further powers to its officers :-

Executive Engineers	: To suspend A.R.A.
Superintending Engineers	: To suspend Revenue/Divisional Accountants.

(Copy endorsed vide Secretary PSEB Patiala circular endst. No. 26409/569/ENG dated 16th March, 1968)

Copy of Secretary PSEB Patiala Circular memo No. 35883/35963/ENG-14(1) 67 dated 5.4.68

Subject : Speedy disposal of cases against Board's employee under suspension-Instructions regarding.

It has been observed that the officers/officials are being suspended without observing the preliminary formalities and as such the number of such suspended employees is increasing day by day and these cases are not being finalized expeditiously. This long periods of suspension are not only unfair to the employee concerned but also are uneconomical to the Board.

2. In the Punjab Govt. Circular letter Nos. 1611-GII-59/5697, dated 5.5.59, No. 3524/GS-61/14607, dated 21.4.61 and No. 1215-V(12)-63/3915, dated 28.1.63 (copies enclosed) the procedure for suspending the employees and finalizing their cases has amply been clarified and it has been emphasised that in no case the period between suspension and final orders should exceed six months.

3. It is, therefore, requested that the instructions contained in the aforesaid letters of the Punjab Government may be followed strictly.

4. Please acknowledge receipt.

Copy of Secretary PSEB Patiala Circular memo No. 106242/442/VU dated 14.8.68.

Subject :-Cases of Suspended employees.

It is generally noticed that the employees when placed under suspension do not immediately report at their new H. Qrs. Besides this the cases of suspended employees are not promptly processed by the supervisory staff which result in unnecessary delay in their finalization. As a consequence thereof the employees remain under suspension for a pretty long period which causes suspense to the

employees and unnecessarily creates financial liability to the Board. If a person remains under suspension for more than nine months, he is to be paid 3/4th of his pay as subsistence allowance and if he is reinstated and the entire period of suspension is treated as duty, all his arrears are required to be paid.

2. The main difficulty is that the supervisory officers do not take the required amount of interest in finalizing the cases of suspended employees. In order to achieve the desired object the following instructions should please be strictly followed. Any departure from these will be viewed seriously.

i) Where an employee under suspension fails to report to his new H. Q. within the fixed period, this lapse on his part should also be included with the sanction of the competent authority in the charge sheet which is to be served to him.

ii) In normal circumstances the cases of the suspended employees should be finalised within three months from the date of suspension. If, however, circumstances so warrant, a demand for extension in disposing of the case should be referred to the C.E., who may grant extension on good grounds for another three months. In case extension is required beyond this period, the case for extension should be referred to the Board for approval and until valid reasons are forthcoming no extension in the period shall be granted.

Copy of Secretary PSEB Patiala Circular memo No. 157377/503/ENG-23(1) LC No. 174-'A' dated 14th Nov., 1968.

Subject : Cases of suspended employees

Your attention is invited to this office circular memo No. 106242/442/VU dated 14-8-1968 wherein it was stressed that the cases of suspended employees should normally be finalised within 3 months from the date of suspension and this period might be extended by the Chief Engineer for another three months on good grounds. It was further

laid down that the case for extension of the period of suspension beyond six months should be referred to the Board for approval and until valid reasons are forthcoming no extension in the period shall be granted. It was accordingly, decided vide this office memo No. 126817/902/NM. 6-A/L dated 17-9-68 to reinstate all the officials, as per list attached thereto, in whose cases the period of their suspension had exceeded 6 months, excepting those whose cases had been entrusted to the Inquiry officer or were otherwise pending with the Police/Court of Law. It was further decided that the cases of the officials who were reinstated without finalisation of proceedings pending against them, in accordance with these orders, should be finalised within the minimum possible period but not more than one month from the date of reinstatement.

2. The matter was also discussed in the meeting between the Chairman of the Board and representatives of the Punjab State Elec. Board Employees Federation held at Patiala and it was decided that all suspended employees who have been under suspension for more than 6 months should be reinstated provided their cases are not sub-judice. It was decided that all enquiries pending with the Enquiry Officer would fall within the definition of Sub-judice. It has further been decided that the cases which are sub-judice need not be referred to the Board for extension in the period of suspension. However, such cases may be followed up with the concerned authorities with a view to expedite their finalization.

3. The matter has been further considered and it has been decided that an official/worker who is suspended should be served with a charge-sheet within one month of the date of suspension and if this is not done, he would be automatically reinstated. Further that, where charge-sheet has been issued the Inquiry should be completed within six months of the date of suspension and in case the Inquiry is not completed within the stipulated period, the suspended person should be reinstated but the enquiry should continue to finality.

The receipt of this communication may please be acknowledged.

Copy of Memorandum No. 114/50/68-AVD, from the Under Secretary to Government of India, Ministry of Home Affairs, New Delhi-11, dated the 28th August, 1968, to the All Ministries of the Government of India etc.

### OFFICE MEMORANDUM

Subject : Disciplinary proceedings-Consideration of past bad record for purpose of imposition of penalty.

A question has arisen whether past bad record of service of an officer can be taken into account in deciding the penalty to be imposed on the officer in disciplinary proceedings, and whether the fact that such record has been taken into account should be mentioned in the order imposing the penalty. This has been examined in consultation with the Ministry of Law. It is considered that if previous bad record, punishment etc. of an officer is proposed to be taken into consideration in determining the penalty to be imposed, it should be made a specific charge in the charge-sheet itself, otherwise any mention of the past bad record in the order of penalty unwittingly or in a routine manner, when this had not been mentioned in the charge-sheet, would vitiate the proceedings, and so should be eschewed.

2. In this connection attention is invited to the following extract from the Judgement of the Supreme Court in the State of Mysore Vs. K. Monche Gowda (AIR 1964 S.C. 506) :-

"We ....hold that it is incumbent upon the authority to give the Government servant at the second stage reasonable opportunity to show cause against the proposed punishment and if the proposed punishment is also based on his previous punishments or his previous bad record this should be included in the second notice so that he may be able to give an explanation ..

In the present case the second show cause notice does not mention that the Government intended to take his previous punishments into consideration in proposing to dismiss

him from service. On the contrary, the said notice put him on the wrong scent, for it told him that it proposed to dismiss him from service as the charges proved against him were grave ... the order of dismissal ... indicate that the show cause notice did not give the only reason which influenced the Government to dismiss the respondent from service. This notice clearly contravened the provisions of Art 311 (2) of the Constitution as Interpreted by Court".

3. These observations were made by the Supreme Court in the context of the provisions of Article 311(2) of the Constitution before its amendment by the Constitution (Fifteenth Amendment) Act, 1963. Under the amended Article, at the stage of show-cause notice, the Government servant has to be given a 'reasonable opportunity' regarding representation on the penalty proposed, but only on the basis of evidence adduced during the enquiry. This would indicate that at the second stage, the procedure should be, limited only to the proposed penalty on the basis of the proved charges and additional material in the form of past bad record etc. can-not be introduced. If such matter is to be introduced, the Government Servant must have a right to make his representation on those matters and for that purpose to call for confidential record and even witnesses to establish mitigating circumstances like his subsequent good conduct. This will be contrary to amended Article 311(2) which clearly limits the right of representation 'only on the basis of evidence adduced during such enquiry.' This cannot be one-sided restriction and pre-supposes that the penalty is proposed only on the basis of the charges inquired into, without any additional factors being taken into consideration. Accordingly if past bad record is proposed to be taken into account in determining the penalty to be imposed, it should be made subject matter of a specific charge in the charge-sheet itself. If it is not so done, it cannot be relied upon after the enquiry is closed and the report is submitted to the disciplinary authorities, and/or at the time of imposition of penalty.

4. This may be brought to the notice of all Disciplinary Authorities for information and guidance.

ਪੰਜਾਬ ਸਰਕਾਰ

ਨੰ: 7385-ਸੇਵਾ 2 (6)68/37443

ਮਿਰੀ, ਚੰਡੀਗੜ 5 ਦਸੰਬਰ, 1968

ਲਿਖ ਦਾ ਲਿਖ ਉਤਾਰਾ ਸਾਰੇ ਪ੍ਰਬੰਧਕੀ ਸੰਕੇਤਕ ਅਤੇ ਮੁੱਖ ਵਿਭਾਗੀ ਅਧਿਕਾਰੀਆਂ ਦੀ ਗਿਆਤ ਅਤੇ ਅਗਵਾਈ ਲਈ ਕੇਂਦਰਿਕ ਕੀਤਾ ਹੈ।

(Adopted vide Secretary PSEB Patiala circular endst. No. 4758/4979/ENG/G-148/30 dated 1.2.69)

Copy of Secretary PSEB Patiala Circular memo No. 16371/16596/JET/G-287/LC-2 dated 7.4.1969.

Subject : Cases of suspended employees

In terms of instructions contained in this office Memo No. 157377/503/ENG-23(1) LC-174 dated 14.11.1968, an employee who remains under suspension for a period of 6 months is required to be reinstated notwithstanding the fact that the enquiry on the basis of which he was suspended is still incomplete. A number of cases have come to notice in which the employees under suspension are themselves responsible for delay. Considering that their reinstatement under the circumstances will tantamount to placing premium on their delaying tactics, it has been decided that all such cases may be referred to the Board for consideration, alongwith your recommendations whether the period of suspension might be extended further or not. In the former case, the period for which extension is required may be specified. To enable the Board to take decision in time all references on the subject should be sent so as to reach the office of the Board at least one month in advance of the date on which the period of 6 months is due to expire

Copy of Secretary PSEB Patiala Circular memo No. 33350/850/ENG-4(13) Loose dated 19th June, 1969

Subject : Payment of subsistence allowance.

Instances have come to notice of this office where subsistence allowance to the suspended employees was held up for non-compliance

of the directions of the administrative authorities, generally on account of their having not reported for duty at a station where they were ordered to report for duty or they did not attend the office daily. The matter has been considered and it has been found that the subsistence allowance of a suspended employee cannot be withheld, since it is paid to enable the employee to subsist. Accordingly, it has been decided that the subsistence allowance of the suspended employees should not be withheld on account of such reasons. However, the competent authority can always proceed against the suspended employees for non-compliance of the executive orders on their part under the relevant Punishment and Appeal Rules. These instructions may kindly be noted for guidance and compliance.

The receipt of this communication may please be acknowledged.

Copy of Secretary PSEB Patiala Circular memo No. 17115/601/ENG 4(13) Loose dated 25th March, 1970.

Subject : Payment of subsistence allowance.

Instructions had been issued vide this office memo No. 33350/850/ENG 4(13) Loose dated 19.6.1969, that subsistence allowance of the suspended employees was not to be withheld on account of their not reporting for duty at a station where they were ordered to report for duty or to attend the office daily. It was also made clear that the above allowance could not be withheld since it was paid to enable the employees to subsist and where such employees did not comply with the executive orders, the competent authority could always proceed against them for their non-compliance. Enquiries have been made from this office whether or not the subsistence allowance should be paid to officials under suspension who do not report at a place where headquarters of such officials are fixed and who might have got gainful employment elsewhere during the period of suspension or in cases of embezzlement etc. where huge amounts are recoverable from such officials. In this connection, it is pointed out that the instructions already issued on the subject are very clear and there is no scope of

ambiguity. The subsistence allowance is not paid for duty period and its payment cannot be withheld in any circumstances and no recovery except those permissible under the rules (such as house rent etc.) can be effected from the subsistence allowance. However, it is necessary that before the payment of subsistence allowance is made, a certificate in terms of Rule 7.2 of Punjab CSR Vol. I Part I is obtained and the competent authority satisfies itself that official under suspension has not been engaged in any other employment, business, profession or vacation.

Copy of No. 7/3/70-AIS (II), dated 6th April, 1970, from Sh. B. Narasimhan, Under Secretary to the Government of India, Ministry of Home Affairs, New Delhi-I to the Chief Secretaries of all State Governments except Tamil Nadu.

Subject : Departmental proceedings-Extracts from the Judgements of the High Courts and Supreme Court.

I am directed to forward herewith a copy of this Ministry's O M. No. 106/18/69-AVD, dated the 26th February, 1970 on the above subject, for information and guidance.

#### PUNJAB GOVERNMENT

Endst. No. 2886-SII-(3)-70/9116, dated Chandigarh, the 20th May 1970.

A copy alongwith that of enclosures is forwarded to all the Heads of Departments/the Registrar, Punjab and Haryana High Court, Commissioners of Divisions, District & Sessions Judges and the Deputy Commissioners in the Punjab for information and guidance.

By order,

(Sd/-)

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

New Delhi, the 24th February, 1970  
5th Phalgun, 1891

OFFICE MEMORANDUM

An Officer of the Indian administrative Service was removed from service as a result of disciplinary proceedings taken against him by a State Government. The Officer filed a writ petition in the High Court and the Court set aside the order of removal from service on the ground that the finding of the Board of Inquiry about the guilt of the officer had been affected to a significant extent by surmises and conjectures, and that the finding was given without due weight to crucial points of fact as well as law, which had a vital bearing on the charges. The court observed that the Board of Inquiry being a Tribunal was expected to follow the principles of natural justice and the court had to see that the proceedings against the delinquent had been held in a manner consistent with the rules of natural justice and that there was no violation of the statutory rules prescribing the mode of enquiry or a palpable error of law. The finding of guilt must be on the basis of proof which must be such as to create belief and not mere suspicions. In this connection extracts of certain judgements of some courts are also enclosed. The essential point is that a conclusion must be based on satisfactory evidence so that there is no failure of natural justice. This is circulated for information.

AUTHORISED FOR ISSUE

(B.S. KOHLI)

SECTION OFFICER

To

All the Ministries of Government of India,  
(Chief Vigilance Officer), New Delhi.

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No. 106/18/69-AVD

dated the 24th February, 1970.

Copy to the Chief Secretary to the Government of Tamil Nadu, Public Special Department, Madras.

R.C. JOSHI

Under Secretary to Government of India

DEPARTMENT PROCEEDINGS—THEIR NATURE

Extracts from the judgements of High Court & Supreme Court.

"It is alleged that the respondent took out from his pocket a wallet and from it produced what appeared to Mr. Rajagopalan to be a folded hundred rupee note. Mr. Rajagopalan showed his stern disapproval of this conduct, whereupon the respondent said 'No' and put the wallet with the note in his pocket. After a few minutes the interview ended and the respondent left Mr. Rajagopalan's place."

It remains to be considered whether the respondent is not right when he contends that in the circumstances of this case, the conclusion of the Government is based on no evidence whatever. It is a conclusion which is perverse and, therefore, suffers from such an obvious and patent error on the face of the record that the High Court would be justified in quashing it. In dealing with writ petitions filed by public servants who have been dismissed, or otherwise dealt with so as to attract Art. 311(2), the High Court under Article 226 has jurisdiction to enquire whether the conclusion of the Government on which the impugned order of dismissal rests is not supported by any evidence at all. It is true that the order of dismissal which may be passed against a Government servant found guilty of misconduct, can be described as an administrative order; nevertheless, the proceedings held against such a

High Court  
can issue writ  
if it is satisfied  
that the order  
of dismissal is  
based on no  
evidence.

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public servant under the statutory rules to determine whether he is guilty of the charges framed against him are in the nature of quasi-judicial/proceedings and there can be little doubt that a writ of certiorari for instance, can be claimed by a public servant if he is able to satisfy the High Court that the ultimate conclusion of the Government in the said proceedings which is the basis of his dismissal, is based on no evidence. In fact, in fairness to the learned Attorney-General, we ought to add that he did not seriously dispute this position in law.

He, however, attempted to argue that if the appellant acted bona fide, then the High Court would not be justified in interfering with its conclusions though the High Court may feel that the conclusion is based on no evidence. His contention was that cases where conclusion are reached by the Government without any evidence, could not, in law, be distinguished from the cases of mala fide; and so he suggested that perverse conclusions of fact may be and can be attacked only on the ground that they are mala fide, and since mala-fides were not alleged in the present case, it was not open to the respondent to contend that the view taken by the appellant can be corrected in writ proceedings.

We are not prepared to accept this contention. Mala-fide exercise of powers can be attacked independently on the ground that it is mala-fide. Such an exercise of power is always liable to be quashed on the main ground that it is not a bona-fide exercise of power. But we are not prepared to hold that if mala-fides are not alleged and bona-fides are assumed in favour of the appellant, its conclusion on a question of fact cannot be successfully challenged even if it is manifest that there is no evidence to support it. The two infirmities are separate and distinct though, conceivably, in some cases both may be present. There may

When the order of dismissal is based on no

be cases of no evidence even where the Government is acting bona-fide; the said infirmity may also exist where the Government is acting mala-fide and in that case, the conclusion of the Government not supported by any evidence may be the result of mala-fides but that does not mean that if it is proved that there is no evidence to support the conclusion of the Government, a writ of certiorari will not issue without further proof of mala fide.

That takes us to the merits of the respondent's contention that the conclusion of the appellant that the charge framed against the respondent has been proved, is based on no evidence. The learned Attorney-General has stressed before us that in dealing with this question, we ought to bear in mind the fact that the appellant is acting with the determination to root out corruption, and so, if it is shown that the view taken by the appellant is a reasonably possible view this court should not sit in appeal over that decision and seek to decide whether this Court would have taken the same view or not. This contention is no doubt absolutely sound. The only test which we can legitimately apply in dealing with this part of the respondent's case is, is there any evidence on which a finding can be made against the respondent that charge was proved against him. In exercising its jurisdiction under Art. 226 on such a plea, the High Court cannot consider the question about the sufficiency or adequacy of evidence in support of a particular conclusion. That is a matter which is within the competence of the authority which deals with the question, but the High Court can and must enquire whether there is any evidence at all in support of the impugned conclusion...

Now, in this state of evidence, how can it be said that the respondent even attempted to offer a bribe to Mr. Rajagopalan? Mr. Rajagopalan makes a definite state-

evidence writ can be issued with ut proof of mala-fide.

High Court cannot consider the question of sufficiency or adequacy of evidence while exercising jurisdiction under Art. 226. That is a matter within the competence of disciplinary authority but the High Court must enquire whether there is any evidence at all.



Where suspicion cannot take the place of proof.

ment that the respondent did not offer him a bribe. He merely refers to the fact that the respondent took out a paper from his wallet and the said paper appeared to him like a hundred rupee note double folded. Undoubtedly, Mr. Rajagopalan suspected the respondent's conduct, and so, made a report immediately. But the suspicion entertained by Mr. Rajagopalan cannot in law, be treated as evidence against the respondent even though there is no doubt that Mr. Rajagopalan is a straight forward and honest officer. Though we fully appreciate the anxiety of the appellant to root out corruption from public service, we cannot ignore the fact that in carrying out the said purpose, mere suspicion should not be allowed to take the place of proof even in domestic enquiries. It may be that the technical rules which govern criminal trials in courts may not necessarily apply to disciplinary proceedings but nevertheless, the principle that in punishing the guilty scrupulous care must be taken to see that the innocent are not punished, applies as much to regular criminal trials as to disciplinary enquiries held under the statutory rules. (Union of India v/s. H.C. Goel, AIR, 1964 SC 364)

Departmental proceedings though not governed by the Indian Evidence Act are subject to the rules of natural justice.

"It is true that so far as departmental proceedings are concerned, they are not governed by the Indian Evidence Act. In other words, the strict provisions laid down in the Indian Evidence Act are not applicable to departmental proceedings. Nevertheless, the proceedings are subject to rules of natural justice. The question, therefore, is as to what a principle of natural justice is involved in such a case. The rules of natural justice are not codified and cannot be stated with exactitude. In departmental proceedings, it is unnecessary to import the strict procedure applicable to judicial trials. But where the departmental enquiry consists of the trial of a charge in which the punishing autho-

ity either by himself or through his delegate has a statutory duty to hear the delinquent or his witnesses, the procedure adopted is to a certain extent like a judicial trial & it is an open question as to whether such proceedings are purely administrative or are to be considered as quasi-judicial". (Amulya Kumar Vs. L. M. Bakshi, AIR 1958, Calcutta 470).

"Generally when a fact finding Tribunal arrives at its own conclusions of fact after due consideration of the evidence before it the High Court will not interfere. It is necessary, however, that every fact for and against the person proceeded against must have been considered with due care and the Tribunal must have given its finding in a manner which would clearly indicate what were the questions which arose for determination, what was the evidence pro and contra in regard to each one of them and what were the findings reached on the evidence before it. The conclusions reached by the Tribunal should not be coloured by any irrelevant considerations or matters of prejudice and if there are any circumstances which required to be explained by the person charged, he should be given an opportunity of doing so. On no account whatever should the Tribunal base its findings on suspicions, conjectures or surmises nor should it act on no evidence at all or on improper rejection of material & relevant evidence or partly on evidence and partly on suspicions, conjectures and surmises and if it does any thing of the sort its findings even though on questions of fact will be liable to be set aside by the High Court.

In order to find a person guilty on circumstantial evidence, the circumstance or the circumstances must be such as would irresistibly lead to an inference of guilt of the person charged with the offence. Thus where in a discip-

Conclusions of Tribunal should not be coloured by any irrelevant considerations or matters of prejudice. Fact finding Tribunal should not base its findings on suspicions, conjectures and surmises nor should it act on no evidence.

linary action against a public servant, the inference of guilt drawn by the Tribunal from the circumstances is not the only irresistibly inference, then there is an error of law committed which may merit rectification by a writ court.

Circumstantial evidence must be such as to irresistibly lead to inference of guilt.

Held on facts that the conclusions of the inquiring officer in a disciplinary action against a public servant were not based on evidence but on wrong inferences drawn from evidence and that he did not exhibit the proper sense of responsibility, as a fact finding Tribunal, in arriving at his conclusions and therefore his report was quashed under Art. 226." (Golam Mohiuddin Vs. State of West Bengal A.I.R. 1964 Calcutta 503).

Conclusions based on wrong inferences from evidence, Inquiry Report can be quashed.

"In the present appeal, it has been urged before us by Mr. Vishwanath Sastri on behalf of the appellants that the view taken by the High Court that the findings of the Tribunal were not supported by any evidence is obviously incorrect and that the High Court has in fact purported to reappreciate the evidence which it had no jurisdiction to do. It is common ground that in proceedings under Arts. 226 and 227, the High Court cannot sit in appeal over the findings recorded by a competent tribunal in a departmental enquiry so that if we are satisfied that in the present case of the High Court has purported to reappreciate the evidence for itself that would be outside its jurisdiction. It is also common-ground that if it is shown that the impugned findings recorded by the Administrative Tribunal are not supported by any evidence, the High Court would be justified in setting aside the said findings. That is how the narrow question which falls for our decision in the present appeal is : Was the High Court right in holding that there was no evidence on which the findings of the Administrative Tribunal could be sustained ?.....

High Court cannot re-appreciate the evidence for itself and sit in appeal over findings recorded by a competent Tribunal in Departmental enquiry.

There are two other considerations to which reference must be made. In its judgement the High Court has

observed that the oral evidence admittedly did not support the case against the respondent. The use of the word 'admittedly', in our opinion amounts some what to an over statement and the discussion that follow this over statement in the judgement indicates an attempt to appreciate the evidence which it would ordinarily not be open to the High Court to do in writ proceedings. The same comment falls to be made in regard to the discussion in the judgment of the High Court where it considered the question about the interpretation of the word "Chatrapur Saheb". The High Court has observed that "in the absence of a clear evidence on the point the inference drawn by the Tribunal that Chatrapur Saheb meant the respondent would not be justified." This observation clearly indicates that the High Court was attempting to appreciate evidence. The Judgement of the Tribunal shows that it considered several facts and circumstances in dealing with the question about the identity of the individual indicated by the expression "Chatrapur Saheb". Whether or not the evidence on which the Tribunal relied was satisfactory and sufficient for justifying its conclusion would not fall to be considered in a writ petition. That in effect is the approach initially adopted by the High Court at the beginning of its judgement. However, in the subsequent part of the judgement the High Court appears to have been persuaded to appreciate the evidence for itself, and that in our opinion, is not reasonable or legitimate.

Whether or not the evidence on which the Tribunal relied was satisfactory and sufficient for justifying its conclusion cannot be considered in writ petition.

The High Court has also commented on the fact that the Tribunal should have examined Bronjorji before relying upon statements made by him in his letter addressed to Mr. Patnaik. There is some force in this argument; but the finding of the Tribunal in regard to the purchase of the Austin car is based on several other considerations all of which have been duly proved. In fact about the main

features of this transaction there was no serious controversy between the parties. The parties were at issue on the question as to the effect of these broad features but that, clearly is a question of fact which fell within the jurisdiction of the Tribunal. We have carefully considered the reasons given by the High Court in its judgement under appeal but we are unable to accept the contention pressed before us by Mr. Sinha for the respondent, that the conclusion of the High Court is right when it says that the Tribunals' findings against the respondent were based on no evidence. Whether or not the High Court or this court agrees with the conclusions of the Tribunal is another matter. The question to be considered is whether the said conclusions could be set aside on the narrow ground that they are not supported by any evidence. In our opinion, it is difficult to accept the view, that there is no evidence in support of the conclusions recorded by the Tribunal against the respondent". (State of Orissa Vs. Murlidhar Jena. A.I.R. 1963 S.C. 404).

"In considering whether a public officer is guilty of the misconduct charged against him, the rule followed in criminal trials that an offence is not established unless proved by evidence beyond reasonable doubt to the satisfaction of the court, does not apply and even if that rule is not applied, the High Court in a petition under Art. 226 of the Constitution is not competent to declare the order of the authorities holding a departmental enquiry invalid. The High Court is not constituted in a proceedings under Art. 26 of the Constitution, a Court of appeal over the decision of the authorities holding a departmental enquiry against a public servant; it is concerned to determine whether the enquiry is held by an authority competent in that behalf, and according to the procedure prescribed in that behalf, and whether the rules of natural justice are not

In a petition under art 226 High Court is not a court of Appeal over decisions of departmental authorities.

violated. Where there is some evidence, which the authority entrusted with the duty to hold the enquiry has accepted and which evidence may reasonably support the conclusion that the delinquent officer is guilty of the charge, it is not the function of the High Court in a petition for a writ under Art. 226 to review the evidence and to arrive at an independent finding on the evidence. The High Court may undoubtedly interfere where the departmental authorities have held the proceedings against the delinquent in a manner inconsistent with the rules of natural justice or in violation of the statutory rules prescribing the mode of enquiry or where the authorities have disabled themselves from reaching a fair decision by some considerations extraneous to the evidence and the merits of the case or by allowing themselves to be influenced by irrelevant considerations or where the conclusion on the very fact of it is so wholly arbitrary and capricious that no reasonable person could ever have arrived at the conclusion, or on similar grounds. But the departmental authorities are, if the enquiry is otherwise properly held, the sole judges of facts and if there be some legal evidence on which their findings can be based, the adequacy or reliability of that evidence is not a matter which can be permitted to be canvassed before the High Court in a proceeding for a writ under Art. 226 of the Constitution.....

In our judgment the proceedings before the departmental authorities were regular and were not vitiated on account of any breach of the rules of natural justice. The conclusions of the departmental officers were fully borne out by the evidence before them and the High Court had no jurisdiction to set aside the orders either on the ground that the approach to the evidence was not consistent with the approach in a criminal case, "nor on the ground that the High Court would have on that evidence come to a

It is not the function of High Court to review the evidence and arrive at an independent finding on evidence. Departmental authorities are the sole judges of facts if inquiry is otherwise properly held.

High Court cannot set aside an order that the Court would have come to a different conclusion on the evidence.

different conclusion. The respondent had also ample opportunity of examining his witnesses after he was informed of the charge against him. The conclusion recorded by the punishing authority was therefore not open to be canvassed, nor was the liability of the respondent to be punished by removal from service open to question before the High Court" (State of Andhra Pradesh Vs. S. Sree Rama Rao, A.I.R., 1963 S.C. 1723).

(Since adopted by the Board)

Copy of Secretary (Legal Section) PSEB Patiala Circular memo No. 57772/919/LB-3 (173)70 dated 24-6-70.

Subject:— Conduct of Departmental Proceedings against Board's employees.

In departmental proceedings against Board's employees, an essential point to be kept in view is that the conclusion arrived at as a result of these proceedings is based on satisfactory evidence so as to ensure observance of principles of natural justice. It has been held by various High Courts and the Supreme Court of India that the Board of Inquiry being a Tribunal is expected to follow the principles of natural justice, that the court has to see that the proceedings against the delinquent officials have been held in a manner consistent with the principles of natural justice and that there is no violation of the statutory rules prescribing the mode of Inquiry. The finding of guilt must be based on proof which must be such as to create belief and not mere suspicion.

2. In Union of India Versus H.C. Goel (A.I.R. 1964 Supreme Court 364) it was laid down that suspicion cannot take the place of proof and that the High Court may inquire whether or not there is any evidence at all to substantiate the charge. In yet another case namely Amulya Kumar Versus L.M. Bakshi (A.I.R. 1958 Calcutta 470), it was held that the departmental proceedings, though not governed by the provisions of the Indian Evidence Act are still subject to the

rules of natural justice. Further, in Gulam Mohiuddin versus State of West Bengal (A.I.R. 1964 Calcutta 503), the court observed that a fact finding Tribunal should not base its findings on suspicion, conjectures and surmises nor should it act on no evidence. The circumstantial evidence must be such as irresistibly leads to an inference of guilt. In State of Orissa Vs. Murlidhar Jena (A.I.R. 1963 S.C. 404), the Supreme Court was of the view that the issue whether or not the evidence on which the Tribunal has relied was satisfactory and sufficient for justifying its conclusion cannot be considered in writ petition. In State of Andhra Pradesh Vs. S. Sree Rama Rao (A.I.R. 1963 S.C. 1723) the Supreme Court laid down that the High Court is not a Court of Appeal in writ petitions over decisions of authorities holding a departmental enquiry against a Public servant. It is concerned to determine whether the enquiry is held by the authority competent in that behalf and whether the rules of natural justice are not violated. Departmental authorities are the sole Judges of facts if enquiry is otherwise properly held. The High Court does not review evidence and arrive at an independent finding on evidence.

3. The above information is circulated for guidance while holding Departmental enquiries against officials of the Board.

ਬਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 1724-ਸ-11 (3)-71 ਮਿਤੀ 8 ਜੂਨ, 1971 ਵਲੋਂ ਮੁਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵਲ ਜਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁਖੀ ਆਦਿ।

ਵਿਸ਼ਾ:— ਚਿਤਾਵਨੀ ਅਣਧਾਰ ਵਾਰਨਿੰਗ ਦਾ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਚਾੜੀ ਜਿਹੜੀ ਵਿਚ ਰੱਖਣ ਤੋਂ ਪਹਿਲਾਂ ਇਸ ਵਿਧੀ ਦੀ ਪਾਲਣਾ ਕਰਨ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਨੂੰ ਸੰਬੰਧਤ ਕਰਦਿਆਂ ਮੈਨੂੰ ਇਹ ਖ਼ਬਰ ਦਿ ਆਗਿਆ ਹੋਈ ਹੈ ਕਿ ਚਾੜੀ ਕਿਸੇ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਚਿੜੀ ਚਿਤਾਵਨੀ (ਜਿਸਨੂੰ ਜਾ ਲਿਖਤੀ ਰੂਪ ਵਿਚ) ਪੰਜਾਬ ਸਿਵਲ ਸੇਵਾਵਾਂ (ਦੇਭ ਅਤੇ ਅਖੀਲ) ਨਿਯਮਾਂਵਲੀ, 1970 ਅਨੁਸਾਰ ਇਕ ਦੰਡ ਨਹੀਂ ਗਿਣਿਆ ਜਾਂਦਾ ਪਰ ਜਦੋਂ ਅਜਿਹੀ ਚਿਤਾਵਨੀ ਦੀ ਇਕ ਨਕਲ ਕਿਸੇ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਦੀ ਨਿੱਜੀ ਮਿਲਨ ਵਿੱਚ ਰੱਖੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਕਾਨੂੰਨੀ ਦ੍ਰਿਸ਼ਟੀਕੋਣ ਤੋਂ ਇਹ ਇਕ ਦੰਡ ਬਣ ਜਾਂਦਾ ਹੈ ਕਿਉਂਕਿ ਇਸ ਦਾ ਸੰਬੰਧਤ ਕਰਮਚਾਰੀ ਦੇ ਸੇਵਾ ਮਾਮਲਿਆਂ ਤੇ ਕੁਝਾ ਅਸਰ ਪੈ ਸਕਦਾ ਹੈ। ਇਸ ਲਈ ਅਜਿਹੀ ਚਿਤਾਵਨੀ ਸੰਬੰਧਤ ਕਰਮਚਾਰੀ ਦੀ ਚਾੜੀ ਮਿਲਨ ਵਿਚ ਰੱਖਣ ਤੋਂ ਪਹਿਲਾਂ ਇਹ ਸੰਦੇਹਾਨਕ ਡੇਰ ਤੇ ਜ਼ਰੂਰੀ ਸਮਝਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਸ ਨੂੰ ਆਪਣੀ ਸਥਿਤੀ ਸਪੱਸ਼ਟ ਕਰਨ ਦਾ ਯੋਗ ਮੌਕਾ ਦਿਤਾ ਜਾਵੇ।

(ਉਪਰੋਕਤ ਗ਼ਜ਼ਤੀ ਪੱਤਰ, ਸਕੱਤਰ ਪੰ. ਰਾ. ਸਿ. ਬੀ. ਪਟਿਆਲਾ ਨੇ ਆਪਣੇ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ ਅੰਕਣ 62268/968/ ਦੀ.ਐਨ.ਜੀ./ਜੀ-148 ਮਿਤੀ 19.8.71 ਤਾਰੀ ਅਪਣਾਇਆ ਹੈ)

Copy of Circular letter No. 7028-SII (3)-71/30619 dated 24th Nov., 1971 from the Chief Secretary to Government, Punjab, to all Heads of Deptt etc.

Subject :- Proceedings under Rule-10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970-Indication of a Specific Penalty.

I am directed to invite your attention to the following portion of rule-10 of the Punjab Civil Services (Punishment & Appeal) Rules, 1970 :-

"10. Procedure for imposing minor penalties :

(1) Subject to the provision of sub-rule (3) of rule-9, no order imposing on a Government employee any of the penalties specified in clauses (i) to (iv) of rule-5 shall be made except after :-

(a) informing the Government employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal".

2. A question has arisen whether it is necessary to communicate the specific punishment/penalty proposed to be imposed upon the defaulting Government employees while proceeding under rule-10 *ibid*, as was the practice prior to the enforcement of the said rules.

3. Under 1970 rules the position has changed and an exhaustive procedure has been indicated both for imposing major penalties and the minor ones in rules-8 to 10. In respect of major penalties it is categorically stated in rule 9 (4) (b) *ibid* that specific penalty proposed to be imposed on the employee concerned is also to be intimated to him but there is no such requirement under rule-10 relating to minor penalties. I am, therefore, directed to clarify in consultation with Legislative Department that it is not necessary to mention the specific minor penalty in the proposal and it will suffice and be in accordance with

the provisions of rule-10 (1)(a) if it is intimated to the delinquent official that it is proposed to impose one of the penalties enumerated in clauses (i) to (iv) of rule-5 of the P.C.S. (P&A) Rules, 1970.

(Adopted vide Secretary PSEB Patiala circular endst. No. 28346/29296/Reg. 17/Vol II dated 20.3.72)

Copy of Circular letter No. 2253-SII(3)-72 dated 24th April, 1972 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :- Question of initiating fresh proceedings of enquiry on which the Government employee is acquitted by the competent authority in the first instance.

I am directed to address you on the subject noted above and to say that in a case which came up before the Punjab & Haryana High Court, in the form of Letter Patent Appeal (No. 209 of 1971) it was observed that the Government employee concerned had been acquitted on certain charges after due process of enquiry by a competent authority while some punishment was awarded to him on other charges. Against the later charges, a writ petition was filed in the High Court and the proceedings initiated against the employee were set aside with the following observations :-

"This will, however, not mean that it debars the Government from instituting a fresh enquiry and it would be necessary in the present case to do so because there are serious charges of corruption against the appellant. It is also in the interest of the appellant that he clears himself of these charges in a proper enquiry".

2. Unwittingly the above observations were stretched to start a *denovo* examination of those charges also on which the employee concerned had been acquitted after due process of law, in the first instance.

3. It is an acknowledged principle of law that no person can be punished or put in peril twice for the same matter. The dropping of certain charges against a public servant meaning exoneration therefrom, is an act of quasi-judicial nature and is not liable to be varied at the will of the authority unless the relevant statute or the Rule empowered the authority concerned to make a review. Accordingly, I am directed to reiterate for your guidance that no denovo proceedings can be initiated with respect to those charges against the Government employee, on which he stands already exonerated by the competent authority after due consideration of the matter.

(Adopted vide Secretary PSEB Patiala circular memo No. 40149/690/ENG/G-148/Vol. IV dated 31-7-72)

Copy of Circular letter No. 1173-SIL-(3)-72 dated 25th April 1972 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Re-instatement of suspended Government employees-Question of regularisation of the period of suspension.

I am directed to address you on the subject noted above and to say that though suspension is not included in the list of penalties enumerated in Rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, yet it can be resorted to as a prelude to disciplinary proceedings against the defaulting Government employee. It is, however, necessary that there should be full justification warranting suspension or any other disciplinary measure against the employee concerned. On the finalization of the disciplinary proceedings, when a Govt. employee is re-instated either on his exoneration of the charges or after inflicting a punishment on him, the competent authority has to consider and make a specific order :—

(a) regarding the pay and allowances to be paid to Government servant for the period of his absence from duty, or

for the period of suspension ending with the date of his retirement on superannuation, as the case may be.

(b) Whether or not the said period shall be treated as a period spent on duty.

2. In this connection the Punjab & Haryana High Court has made certain observations on the legal procedure to be observed while regularising the period of suspension of a Government employee which are quoted below :—

“Sub-rule (2) of rule 7.3 (of Punjab Civil Services Rules, Volume I Part I), specifically provides that in the case of suspension, full pay and allowances to which the Government servant, would have been entitled, if he had not been suspended are to be allowed to him if the authority mentioned in sub-rule (1) is of the opinion that his suspension was wholly unjustified. From this language it is clear that the competent authority had to come to a conclusion that the suspension of the Government servant was not wholly unjustified in order to clothe it with the jurisdiction of passing an order for not allowing the Government servant concerned full pay and allowances to which he would have been entitled had he not been suspended. On such determination also depends whether the period of suspension is to be counted as period spent on duty or not. The competent authority has, therefore, to apply its judicial mind to determine whether the suspension of the Government servant concerned was wholly justified or not and that determination has to be made in a quasi-judicial manner after giving notice to the Government servant concerned and affording him an opportunity of hearing.”

3. I am, therefore, to request that the following two essential requirements of procedure which emerge from the above Ruling should invariably be kept in view while dealing with such cases :—

(a) application of judicial mind (as quasi-judicial authority)

to determine whether suspension of a Government servant was wholly justified or not; and

- (b) While changing the nature of the order once passed, to the disadvantage of the employee concerned, he should be given an opportunity of hearing.

(Adopted vide Secretary PSEB Patiala circular memo No. 35695/36225/ENG/Z-156/L dated 10-7-1972).

Copy of Secretary PSEB Patiala Circular memo No. 32416/914/ENG 23(1) dated 12-6-72

Subject: - Expeditionary comments on the explanations of various officials in reply to show cause notice/charge sheet by the Field Officers.

It has come to the notice of this office that some of the field officers do not offer their comments on the explanations/replies to charges etc. of the disciplinary cases promptly and deal such matters in routine. This results not only in undue hardship to the affected officials but also prolongs/delays the finalization of such cases/enquiries which is highly undesirable. The early finalization of such cases is undoubtedly in the interest of employees as well as the Board as otherwise, the Board is liable to pay avoidable subsistence allowance to the suspended employees. It is, therefore, desired that henceforth all such explanations/replies to the charges etc. should invariably be commented upon by the respective field officers within a fortnight. If for any reason, this time scheduled could not be observed the reasons therefor must be intimated to the concerned higher authority.

The above instructions may please be noted for strict compliance and in the case of non-observance the defaulting officers shall expose themselves to disciplinary action.

Copy of Circular letter No. 3973-S11(3)-72/16816 dated 17/18th July, 1972 from the Chief Secretary to Government. Pb., to all Heads of Depts, etc.

Subject: Need for issuing speaking orders in matters affecting rights of the parties concerned or Government servants as the case may be

I am directed to address you on the subject noted above and to say that it has been noticed that reasons/grounds on which orders are issued in matters which affect the rights of certain parties or Government employees, as the case may be, are not generally indicated in the orders. Such orders are sometimes questioned through proceedings in law courts and, in some cases, set aside on the ground of being non-speaking orders. This leads to avoidable complications and also hampers quicker disposal of cases. Apart from this principles of natural justice also require that such orders should contain reasons.

2. This matter came up before the High Courts' Arrears Committee, 1972 and the committee observed as follows:—

"The Committee has expressed its 'strong' view that Tribunals and Heads of Departments exercising quasi-judicial functions should make 'speaking orders' i.e. that they should indicate in their orders the grounds on which the orders are made. Presumably, it considers that if speaking orders are made, it might facilitate quicker disposal of cases. The need for making speaking orders in matters affecting rights of parties has been repeatedly pointed out by the Supreme Court and the High Courts in a number of cases. In fact, it is now being regarded as a principle of natural justice that such orders should contain reasons. The Government are requested to take note of these observations."

3. Keeping in view the above observations, I am directed to request you that in order to avoid unnecessary expense on litigation in such cases and to facilitate quicker disposal of cases, it may kindly be ensured that where orders affecting rights of the parties concerned (including

government employees) are issued, reasons thereof are indicated invariably so as to give them the form of speaking orders.

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

(Adopted vide Secretary PSEB Patiala circular memo No. 81226/81940/ENG/G-148 Vol. IV dated 8-9-72)

Copy of Secretary PSEB Patiala Circular memo No. 42140/ENG/G-148/D dated 10.8.72 to SE Ludhiana Circle & copy endorsed to other offices vide No. 42141/42940/G-148/D dated 10.8.72

Subject:— Allegations against individual Government servants in the Press—action to be taken in the case of Government servants involved in the legal proceedings—provision for legal/financial assistance.

Reference your memo No. 20305 dated 11.10.1971 on the above noted subject.

2. The Board employees are not public servants employed in connection with the affairs of the Union or of the State and as such section 198-B of the Cr. P.C. is not applicable to Board employees. Therefore, neither sanction of the Government is required nor the Public Prosecutor can file a complaint on behalf of the Board employee. A Board employee can, however, file a complaint himself under section 198 of the Cr. P.C., but where the Board employee desires to initiate proceedings under Section 198 of the Cr. P.C. to vindicate his conduct in the course of discharge of his official duties, he will be required to obtain prior sanction of the Board as laid down under Regulation 20 of the PSEB Employees Conduct Regulations, 1971.

3. Para 4 of Punjab Government circular letter No. 728/8-GS-62/1501 dated 15.1.62 adopted by the Board vide circular endst. No. 64262/925/ENG/G-148/D dated 28.8.70 may be deemed to have been modified to this extent.

Copy of Circular letter No. 5746-SII (3)-72/ dated 16th Oct., 1972 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject:— Supplies of copies of documents to the delinquent officials in departmental enquiries.

I am directed to invite your attention to the note below sub item (ii) of rule 8(11) of the Punjab Civil Services Punishment & Appeal Rules, 1970, wherein it is laid down that if the Government employee applies orally or in writing for the supply of copies of the statements of witnesses mentioned in the list referred to in sub rule (3) the inquiring authority shall furnish him with such copies as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the punishing authority.

2. In the recent judgement of the Punjab and Haryana High Court in Civil LPA 209 of 1971 read with the judgement in Civil Regular second appeal No. 1374 of 1960 in the case of Shri Parkash Nath Vs the State of Punjab, it has been inter-alia observed:—

“If in a preliminary enquiry to ascertain whether action should be taken against the delinquent or not statements of witnesses are recorded and thereafter an enquiry is initiated, the delinquent is entitled to the copies of the previous statements of those witnesses.”

In this connection it is observed/clarified that the delinquent Government employee need not be given access to the statements of all the witnesses examined during the preliminary enquiry or investigation but access should be given to the statements of only those witnesses on which reliance is proposed to be made by the punishing authority. By observing this rule which is based on the rules of natural justice, copies of the statement made by witnesses prior to the regular enquiry should be furnished to the delinquent Government employee at least three days before the commencement of the examination of witnesses on behalf of the punishing authority. If for any reason it is impossible to furnish him with the copies, he



should be allowed to make out the copies for himself. These instructions may please be kept in view while observing the procedure/requirements of rule 8(11) of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 referred to above.

(Adopted vide Secretary PSEB Patiala circular memo No. 8331/9029/ENG/Z-156/A dated 16.2.73)

Copy of Secretary PSEB Patiala Circular memo No. 18061/18326/ENG-23(1) dated 29-3-73.

Subject : Expeditions finalisation of Disciplinary cases of the Board's employees.

According to the Standing instructions contained in this office circular No. 32416/914/ENG-23 (1) dated 12.4.72 the explanation of various employees in reply to the charge sheet/show cause notice etc. are to be invariably commented upon by the respective field officers within a fortnight so that the disciplinary cases of the employees are finalized at the earliest. In spite of these instructions, it has been noticed that the disciplinary cases are not being finalized expeditiously as a result of which the concerned employee undergo avoidable hardship.

2. The matter has been carefully considered and it has been decided that all the pending cases relating to disciplinary action should be disposed of by the respective competent authorities within 2 months and in future also such cases should be given top priority to ensure quicker finalisation. With a view to keep a watch over the progress achieved in this respect, all the SIs shall obtain lists of all such pending cases relating to their Circle and ensure that these cases are disposed of within the stipulated period. A register should also be maintained for the purpose in Circle and Divisional offices and a copy of pending cases forwarded to the Dy. Secretary (Vigilance) on the 5th of every month for further action.

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

Copy of Secretary PSEB Patiala Circular memo No. 30255/485/ENG/G-148 dated 3-5-1973

Subject : Speedy disposal of cases of Government servants.

According to the existing instructions of the Board an employee who is suspended is required to be served with a charge sheet within one month of the date of suspension and enquiry against him is to be completed within 6 months. It has, however, been observed that in a number of cases charge sheet is not served on the suspended employee for a pretty long time, with the result that either the employee manages to get out of the enquiry or start putting pressure on the Board to stop it. Even otherwise, it is not conducive to keep a Board employee under suspension without specifically telling him the allegations on account of which he has been suspended. It is, therefore, once again emphasized that the above time schedule should be followed strictly and the whole process of investigation and enquiry completed within prescribed period.

Office Order No. 260/ENG/LC-3

Dated : 10th September, 1973.

The Punjab State Electricity Board is pleased to withdraw with immediate effect the powers of suspension delegated to Executive Engineers/Superintending Engineers vide its Office Order No. 200/ENG dated 25-11-67 and Office Order No. 73/ENG dated 16-3-1968. — see P-259

(Copy endorsed vide Secretary PSEB Patiala circular endst. No. 70035/410/LC-3 dated 10-9-73) — see P-299

Copy of Secretary PSEB Patiala Circular memo No. 92623/863/ENG/G-148 dated 5th Nov., 1973.

Subject : Speedy disposal of cases of Board's employees under suspension.

Continuation this office circular Memo No. 30255/485/ENG/G-148 dated 3.5.1973.

According to the existing instructions of the Board an employee who is suspended is required to be served with a charge-sheet within one month of the date of suspension and enquiry against him is to be completed within 6 months. In spite of the standing instructions on the subject it has been observed that the cases of suspended employees are not receiving proper attention by the respective authorities which results in avoidable hardship to the employees concerned. In order to keep a check over such cases it has, therefore, been decided to introduce a monthly return on the pattern of Punjab Government. A specimen proforma for this purpose is enclosed and the monthly returns should in future be submitted by the various Punishing Authorities to their next higher authorities by the 10th of each month showing the position upto the end of the preceding month. The cases of prolonged suspension shall be got finalised by the respective Chief Executive Officer by constant follow up action.

It is requested that the above instructions be meticulously followed by all concerned and the first return for the month of Nov. 73 submitted by 10th of December 1973 positively.

The receipt of this communication may also be acknowledged.

Statement showing details and reasons of delay in the finalisation of cases of Board employees placed under suspension for the month of .....

Sr. No.	Name & Designation of Board employee,	Brief imputation of misconduct or misbehaviour.	Date of suspension.	Whether charge-sheet served within one month as required under the rules. If not, reasons therefor.	Precise reasons for not completing the Departmental enquiry within 6 months from the date of suspension.	If the period of suspension exceeds six months, state categorically whether sanction of the competent authority obtained for keeping the employee under suspension for more than 6 months. If not, the reasons thereof.
1	2	3	4	5	6	7

Important Note :

In columns 5, 6, 7 a self contained information should be given and the mere expressions like 'Court cases' and 'Police case' should be avoided. As the stage/progress of such cases is also to be watched by the suspending/punishing authorities concerned, that should be indicated in the respective columns.

Copy of Circular letter No. 5970-SII(3)-73 dated 18th Sept. 1973 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Permission to Government employee to engage a legal practitioner to present his case before the Enquiry Officer in connection with departmental inquiries/disciplinary proceedings.

I am directed to invite your attention to rule 8(8) of the Punjab Civil Services (Punishment & Appeal) Rules 1970 and to say that while dealing with the cases relating to this rule the principle decided by the Supreme Court in its judgement reported in 1973 (2)-S.L.R. (Page 415) extract given below may please be kept in view for guidance :—

Extract from 1973(2) S.L.R.-C.L. Subramaniam Vs Collector of Customs (S.6) page 415.

SUPREME COURT OF INDIA

Before K.S. Hegde and K.K. Mathew, JJ.

Civil Appeal No. 11 of 1971

Decided on 15th February, 1972

C.L. Subramaniam. - (Appellant)

versus

The Collector of Customs, Cochin,—Respondent.

A. Central Civil Services (Classification Control and Appeal) Rules, 1967, Rules 15(5)—Departmental Enquiry—Disciplinary Authority appointing a legally trained officer, though not a legal practitioner, to present the case in support of charges—Delinquent officer not permitted to engage a legal practitioner—It amounts to denial of reasonable opportunity.

The appellant was pitted against a trained prosecutor, who though not was a legal practitioner. The disciplinary authority did not consider the request of appellant to engage a legal practitioner to assist him on the ground that the person appointed by the Disciplinary Authority to present the charges was not a legal practitioner. The

grounds urged by the appellant in support of his request for permission to engage a legal practitioner were by no means irrelevant. The fact that the case against the appellant was being handled by trained prosecutor was a good ground for allowing the appellant to engage a legal practitioner to defend him lest the scales should be weighed against him. The Disciplinary Authority completely ignored that circumstances. Therefore, that authority clearly failed to exercise the power conferred on it under the rule. It is not unlikely that the Disciplinary Authority refused to permit the appellant to engage a legal practitioner in the circumstances mentioned earlier had caused serious prejudice to the appellant and had amounted to a denial of reasonable opportunity to defend himself.

The receipt of this letter may kindly be acknowledged.

(Since adopted by the Board)

Copy of Circular letter No. 6696-SII(1)-73/573 dated 24th January 1974 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Placing a copy of the simple warning on the Personal file.

In continuation of the Punjab Government circular letter No. 1724-SII(3)-71 dated the 8th June, 1971, on the subject noted above, I am directed to clarify that a copy of the simple warning, when placed on the Personal file of the Government employee would amount to censure and would accordingly require the procedure prescribed in the Punishment and Appeal Rules, 1970, to be followed. In view of this position, a copy of the simple warning should not be placed on the personal file of a Government employee unless the prescribed procedure for punishment is followed.

(Since adopted by the Board.)

Copy of Circular letter No. 632-2511-74/11607 dated 11th April 1974 from Chief Secretary to Government, Punjab, to all Heads of Dep'tts., etc.

Subject : Over-stayal abroad of Government employees on study leave beyond a period of five years-Disciplinary action against.

I am directed to address you on the subject noted above and to say that it has been noticed that some Government employees proceed abroad for higher studies either by taking Study Leave under the Study-Leave Rules or leave of the kind dar/extraordinary leave etc. for a year or two and then keep on staying there even beyond a period of five years without sanction of the extension of leave by the competent authority. On their return, they apply for permission to resume duty and the Departments generally allow this even though they are not competent to do so. In certain cases, the employees concerned also seek employment abroad. These are certainly unhealthy practices which tend to create indiscipline in services, much to the detriment of Government work. It is, therefore, necessary to curb these practices.

2. Government has considered the matter in the light of the provisions of Rule 3.25 of C.S.R. Vol. I, Part I and Rule 15 of Punjab Government Employees (Conduct) Rules, 1966. It has been decided that : -

- a) All such employees, who proceed abroad on leave of any kind and overstay for more than five years, should not be permitted to resume duty except in cases in which circumstances permit to do so with the prior approval of the competent authority (A.D. acting in consultation with, F.D. as defined in Rule 2.14 of Punjab C.S.R. Vol. I, Part I);
- b) Action for the termination of services where called for should also be taken as provided under Rule 3.25 of Punjab CSR Vol. I, Part I by following the procedure laid down in the Punjab Civil Services (Punishment and Appeal) Rules, 1970; and

- c) Action against the Government employees who seek employment abroad while on Study Leave, may be taken under Rule 15 of Punjab Government Employees (Conduct) Rules, 1966 under intimation to Services Department. The fact that a particular Government employee has sought employment abroad can be verified from the Embassy concerned.

Kindly acknowledge receipt.

(Adopted vide Secretary, PSEB Patiala circular endst. No. 112916/113666(ENG/G-456/B dated 25.11.74)

Copy of Secretary PSEB Patiala Circular memo No. 86794/87044/ENG/G-148 dated 3rd September, 1974.

Subject : Speedy disposal of cases of Government servants.

According to the existing instructions of the Board on the subject, an employee who is suspended is required to be served with a charge-sheet within one month of the date of suspension and the whole process of investigation and inquiry against him is to be completed within 6 months (excluding any period during which proceedings are stopped owing to a reference to a Court of Law) and an extension of the period by another three months is required to be obtained under the orders of next higher authority according to the merits of each case. It has, however, been observed that in a number of cases these instructions are not being followed strictly with the result that suspension prolongs indefinitely. This involves hardship to the suspended employees. Besides, administrative interest also suffers. Non-observance of the prescribed procedure for extension in the suspension period where essential is a serious irregularity. This position has, therefore, been reviewed and after careful consideration of the matter it has been decided that :

- (a) Whenever any order of suspension is passed, it should be limited to six months and in cases, where S.E. is the punishing authority, the first extension of 3 months in the period

of suspension should be obtained by him from the Chief Engineer concerned and for a subsequent extension for 3 months, the case should be referred to by the Chief Engineer to the Board for orders of A.M. In case where the C Es., C A O. and Secretary etc are the punishing authorities, even first extension for the 1st three months shall be obtained by them from A.M.

(b) In cases where A.M. is the punishing authority the suspension orders should contain a clause to the effect that the suspension will not continue for more than 6 months. Thereafter if extension beyond 6 months is considered necessary by A.M., approval of the Chairman will be obtained.

(c) In cases, where the Board is the punishing authority, the Chairman would administratively decide whether any further extension beyond six months is needed and if he so decides, the case would be taken to the Board for further extension.

In order to ensure that cases of employees under suspension are decided immediately and in any case within six months period (unless it is extended by the competent authority), the authorities should not hesitate taking disciplinary action against those responsible for improper handling of such cases.

The receipt of this communication may please be acknowledged,

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਕਸਬੀ ਪੱਤਰ ਨੰ: 267-2ਸ II-75/9435 ਮਿਤੀ 24 ਮਾਰਚ, 1975 ਵਲੋਂ ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਫੌਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀ ਆਦਿ।

ਵਿਸ਼ਾ : ਚਿਤਾਵਨੀ ਅਰਥਾਤ ਤਾੜਨਾ ਦਾ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਦੀਆਂ ਆਚਰਨ ਪੱਤਰੀਆਂ ਵਿੱਚ ਰੱਖਣ ਬਾਰੇ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਮੈਨੂੰ ਆਪ ਦਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਸਬੀ ਪੱਤਰ ਨੰ: 1724-ਸ II(3)-71, ਮਿਤੀ 8 ਜੂਨ, 1971, ਵੱਲ ਵਿਵਾਉਣ ਦੀ ਆਗਿਆ ਹੋਈ ਹੈ, ਜਿਸ ਰਾਹੀਂ ਇਹ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ :-

\*ਕਿਸੇ ਕਸੂਰਵਾਰ ਕਰਮਚਾਰੀ ਨੂੰ ਚਿਤਾਵਨੀ (ਜਿਸਨੀ ਜਾਂ ਲਿਖਤੀ ਰੂਪ ਵਿਚ) ਪੰਜਾਬ

ਸਿਵਲ ਸੇਵਾਵਾਂ (ਦੇੜ ਅਤੇ ਅਧੀਲ) ਨਿਯਮਾਵਲੀ 1970, ਅਨੁਸਾਰ, ਇਹ ਦੇੜ ਨਹੀਂ ਗਿਣਿਆ ਜਾਵੇ ਪਰ ਜਦੋਂ ਅਜਿਹੀ ਚਿਤਾਵਨੀ ਦੀ ਇਹ ਨਕਲ ਕਿਸੇ ਕਰਮਚਾਰੀ ਕਰਮਚਾਰੀ ਦੀ ਨਿਜੀ ਕਾਇਮ ਇਹ ਰੱਖੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਕਾਨੂੰਨੀ ਦ੍ਰਿਸ਼ਟੀਕੋਣ ਤੋਂ ਇਹ ਇਕ ਦੇੜ ਬਣ ਜਾਂਦਾ ਹੈ ਕਿਉਂਕਿ ਇਸ ਦਾ ਸਬੰਧਤ ਕਰਮਚਾਰੀ ਦੇ ਸੇਵਾ ਮਾਮਲਿਆਂ ਤੇ ਬੁਰਾ ਅਸਰ ਪੈ ਸਕਦਾ ਹੈ। ਇਸ ਲਈ ਅਜਿਹੀ ਚਿਤਾਵਨੀ ਸਬੰਧਤ ਕਰਮਚਾਰੀ ਦੀ ਜਾਂਚੀ ਮਿਸਲ ਵਿਚ ਰਖਣ ਤੋਂ ਪਹਿਲਾਂ ਇਹ ਸੇਵਿਯਾਨਕ ਤੌਰ ਤੇ ਜਰੂਰੀ ਸਮਝਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਸ ਨੂੰ ਆਪਣੀ ਸਥਿਤੀ ਸਪਸ਼ਟ ਕਰਨ ਦਾ ਯੋਗ ਮੌਕਾ ਦਿੱਤਾ ਜਾਵੇ।

2. ਇਸ ਸਬੰਧ ਵਿਚ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕਸਬੀ ਪੱਤਰ ਨੰ: 6696 ਸ II (1)-73/573, ਮਿਤੀ 24 ਜਨਵਰੀ, 1974 ਰਾਹੀਂ ਇਹ ਸਪਸ਼ਟੀਕਰਨ ਦਿੱਤਾ ਗਿਆ ਸੀ ਕਿ ਜਦੋਂ ਸਾਬਕਾ ਤਾੜਨਾ ਕਿਸੇ ਕਰਮਚਾਰੀ ਦੀ ਜਾਂਚੀ ਮਿਸਲ ਤੇ ਰੱਖੀ ਜਾਂਦੀ ਹੈ ਤਾਂ ਉਸ ਦਾ ਭਾਵ ਉਸ ਨੂੰ ਕੈਨਸ਼ਰ (censure) ਕਰਨਾ ਹੁੰਦਾ ਹੈ ਅਤੇ ਇਸ ਲਈ ਪੰਜਾਬ ਸਿਵਲ ਸੇਵਾਵਾਂ (ਦੇੜ ਅਤੇ ਅਧੀਲ) ਰੂਲਜ, 1970 ਵਿਚ ਨਿਰਧਾਰਿਤ ਵਿਧੀ ਦੀ ਪਾਲਣਾ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ। ਇਸ ਮਾਲੇ ਨੂੰ ਕਾਨੂੰਨੀ ਦ੍ਰਿਸ਼ਟੀਕੋਣ ਤੋਂ ਵਿਚ ਵਿਚਾਰਿਆ ਗਿਆ ਹੈ। ਇਸ ਸਬੰਧੀ ਕਾਨੂੰਨੀ ਸਲਾਹ ਇਸ ਪ੍ਰਕਾਰ ਹੈ :-

"It cannot be said that every warning placed on the personal file amounts to censure. A distinction will have to be drawn between the warning issued on account of any general lapse on the part of a Government employee and a warning issued as a result of the employee being held guilty of misconduct. The correct view would be that a warning with a copy on personal file will become censure only when it is issued as a result of disciplinary action by the disciplinary authority under the Punishment and Appeal Rules holding the employee concerned guilty of misconduct. Therefore, it is not necessary to observe the procedure laid down in the Punishment and Appeal Rules in every case where a warning is to be administered."

3. ਉਪਰੋਕਤ ਅਨੁਸਾਰ ਸੰਬੰਧਤ ਵਿਚ ਸਥਿਤੀ ਇਸ ਪ੍ਰਕਾਰ ਬਣਦੀ ਹੈ ਕਿ :

- (ੳ) ਜਦੋਂ ਕਿਸੇ ਕਰਮਚਾਰੀ ਨੂੰ ਸੇਵਿਯਾਨਕ ਤੌਰ ਤੇ ਜਾਂ ਲਿਖਤੀ ਰੂਪ ਵਿਚ ਪਰ ਸ਼ਾਹੀ ਮਿਸਲ ਤੇ ਰੱਖੀ ਜਿਨਾਂ, ਤਾੜਨਾ ਦੇਣੀ ਹੋਵੇ ਤਾਂ ਇਸ ਲਈ ਪਹਿਲਾਂ ਤੋਂ ਕੋਈ ਮੌਕਾ ਦੇਣਾ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਜਰੂਰੀ ਨਹੀਂ ;
- (ਅ) ਜਦੋਂ ਕਿਸੇ ਕਰਮਚਾਰੀ ਨੂੰ ਜਨਰਲ 'ਲੈਪਰ' ਦੇ ਕਾਰਨ ਤਾੜਨਾ ਦਿੱਤੇ ਹੋਏ, ਉਸਦੀ ਇਕ ਨਕਲ ਜਾਂਚੀ ਮਿਸਲ ਤੇ ਰੱਖੀ ਜਾਵੇ ਤਾਂ ਉਸਨੂੰ ਉਪਰੋਕਤ ਹਵਾਲੇ ਵਾਲੀਆਂ 8 ਜੂਨ 1971 ਦੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਕੇਵਲ ਪਹਿਲਾਂ ਤੋਂ ਆਪਣਾ ਸਪਸ਼ਟੀਕਰਨ ਦੇਣ ਲਈ ਮੌਕਾ ਦੇਣਾ (prior opportunity of explanation) ਜਰੂਰੀ ਹੈ, ਕਿਉਂਕਿ

ਉਸਦੀ ਆਗੇ ਸਿਰਫ਼ ਤੇ ਸਿਰਫ਼ ਤਾਂ ਹੀ ਹੋ ਸਕਦੀ ਹੈ ਜਿਸਦੀ ਵੱਲੋਂ ਉਹ ਤੇ ਵਿਚ ਪਹਾ ਆਪਣੀ  
 ਪਰ ਹੋਰ (ਜਿਸ ਵਿਚਾਰ) (ਜਿਸ ਤੇ ਅਪੀਲ) ਨਿਰਮ, 1970 ਵਿਚ ਸਿਰਫ਼ ਵਿਚੀ ਹੀ  
 ਆਪਣੀ ਆਗੇ ਹੀ ਹੈ।

(ੳ) ਸਾਰੇ ਕਿਸੇ ਕਾਰਜਦਾਰੀ ਨੂੰ ਸਿਰਫ਼-ਕਿਰਦਾਰ ਦੇ ਆਗੇ ਤੇ ਹੋਰੀ ਪਾ ਕੇ ਉਹ ਨੂੰ ਕੇਰਲ ਆਪਣੀ  
 ਉਹ ਆ ਪੁਰਜਾਤ ਹੋਵੇ ਅਤੇ ਅਗਲੀ ਆਪਣੀ ਹੀ ਨਹੀਂ ਉਸਦੀ ਸਿਰਫ਼ ਤੇ ਹੋਰੀ ਆ  
 ਕੇਰਲਾ ਹੀ ਆ ਆਗੇ ਆਪਣੀ ਹੀ ਤੇ ਵਿਚ ਵਿਚੇ ਸੁਪਰੀਕਰਨ ਅਨੁਸਾਰ ਵਿਚ ਵਿਚ  
 ਸਿਰਫ਼-ਕਿਰਦਾਰ ਦੀ ਆ ਆਗੇ, ਜਿਸ ਆਗੇ ਹੋਰੀ ਸਿਰਫ਼ ਸਿਰਫ਼ (ਜਿਸ ਤੇ ਅਪੀਲ) ਨਿਰਮ  
 1970 ਵਿਚ ਸਿਰਫ਼ ਵਿਚੀ ਆਪਣੀ ਆਗੇ ਆਪਣੀ ਹੋਰੀ ਹੋਰੀ। ਪਰੰਤੂ ਜਿਸੇ ਕਾਰਜਦਾਰੀ  
 ਆ ਪੁਰਜਾਤੀ ਕਰਕੇ ਤੇ ਆਪਣੀ ਵਿਚ ਤੇ ਆਗੇ ਕਿ ਅਗਲੀ ਆਪਣੀ ਆ ਆਪਣੀ  
 ਸਿਰਫ਼-ਕਿਰਦਾਰ ਦੀ ਆ ਵਿਚੀ ਆਗੇ। ਆਗੇ ਵਿਚ ਸਿਰਫ਼-ਕਿਰਦਾਰ ਦੇ ਆਪਣੀ ਨਿਰਮ ਵਿਚ  
 ਆਗੇ minor penalty ਵਿਚੇ ਆਗੇ ਪਹਿਲੀ penalty 'ਸਿਰਫ਼-ਕਿਰਦਾਰ' ਦੇ ਵਿਚੀ ਆਗੇ।

4. ਵਿਚ ਆਪਣੀ ਸੁਪਰੀਕਰਨ ਕਰਕੇ ਆਪਣੀ ਆਗੇ ਵਿਚ ਸਿਰਫ਼-ਕਿਰਦਾਰ ਵਿਚੀ ਆਗੇ ਜਿਸ ਤੇ ਆਗੇ  
 ਵਿਚ ਆਪਣੀ ਸਿਰਫ਼-ਕਿਰਦਾਰ ਦੇ ਆਪਣੀ ਉਸਦੀ ਆਗੇ ਆਗੇ।
5. ਵਿਚ ਪੰਡਰ ਆਗੇ ਪਹਿਲੀ ਆਗੇ ਆਗੇ।

(Since adopted by the Board.)

**ਪੰਜਾਬ ਰਾਜ ਬਿਜਲੀ ਬੋਰਡ**

ਦਫ਼ਤਰੀ ਦੁਕਮ ਨੰ: 324/ਜੀ.ਐਨ.ਸੀ./ਐਸ.ਸੀ.-3

ਮਿਤੀ 7-4-75

ਪੰਜਾਬ ਰਾਜ ਬਿਜਲੀ ਬੋਰਡ ਪੁਰਜਾਤ ਪੁਰਜਾਤ ਆਪਣੇ (ਸਰਾ ਅਤੇ ਅਪੀਲ) ਰੈਗੂਲੇਸ਼ਨ, 1971 ਦੇ  
 ਦੇ ਰੈਗੂਲੇਸ਼ਨ 4(1) ਅਤੇ ਪੰਜਾਬ ਸਿਰਫ਼ ਸਿਰਫ਼ (ਸਰਾ ਅਤੇ ਅਪੀਲ) ਕੁਲਜ. 1970 ਦੇ ਕੁਲ 4(1) ਦੇ ਅਧੀਨ  
 ਆਪਣੇ ਫੀਲਡ ਅਫ਼ਸਰਾਂ ਨੂੰ ਨਿਰਮਲਿਖਿਤ ਅਥਿਯਾਤ ਸੰਪਦਾ ਹੈ :-

- 1) ਆਗੇ ਆਗੇ ਵਿਜੀਲੀਅਰ, ਹੋਰ ਕਰਕੇ, ਰੈਵਿਨਿਊ/ਮਿਡਲ ਲੇਖਕਾਰਾਂ  
 ਅਤੇ ਮਿਡਲ ਹੋਰ ਆਗੇ ਆਗੇ ਤੋਂ ਬਿਨਾ ਸਾਰੇ ਅਗਲੀ ਕਰਮ-  
 ਆਗੇ ਨੂੰ ਮੁਅੱਤਲ ਕਰਨਾ, ਜੋ ਉਨ੍ਹਾਂ ਦੇ ਅਧੀਨ ਕੰਮ ਕਰਦੇ ਹੋਣ।
- 2) ਨਿਰਮਲਿਖਿਤ ਵਿਜੀਲੀਅਰ ਆਪਣੇ ਅਤੇ ਆਪਣੇ ਅਧੀਨ ਦਫ਼ਤਰਾਂ ਵਿਚ ਕੰਮ ਕਰਦੇ ਸਾਰੇ  
 ਅਗਲੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਮੁਅੱਤਲ ਕਰਨਾ, ਜਿਨ੍ਹਾਂ ਦੇ ਉਹ  
 ਨਿਰਮਲਿਖਿਤ ਅਧਿਕਾਰੀ ਨਹੀਂ ਹਨ।
- 3) ਮੁੱਖ ਆਗੇ ਆਗੇ ਅਧਿਕਾਰੀਆਂ ਆਪਣੇ ਅਧੀਨ ਕੰਮ ਕਰਦੇ ਸਾਰੇ ਅਗਲੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਮੁਅੱਤਲ  
 ਕਰਨਾ, ਜਿਹਨਾਂ ਦੇ ਉਹ ਨਿਰਮਲਿਖਿਤ ਅਧਿਕਾਰੀ ਨਹੀਂ ਹਨ।

ਇਹ ਸਮਰਥਾ ਕੇਰਲ ਉਥੇ ਹੀ ਵਰਤੀ ਜਾਵੇ ਜਿਥੇ ਕਿ ਮੁਅੱਤਲੀ ਸਬੰਧਤ ਨਿਰਮਲਿਖਿਤ ਅਨੁਸਾਰ ਵਾਜਬ  
 ਆਗੇ ਹੋਵੇ।

(Copy endorsed vide Secretary PSEB Patiala circular endst,  
 No. 25466/870/ENG/LC-3 dated 7-4-75)

Copy of Secretary PSEB Patiala Circular memo No. 34219/35044/ENG-27(57) dated the 12th May, 1975.

Subject :- Disciplinary action against officials involving major punishment-dismissal/removal from service.

The question has arisen whether employees of the Board deserving the penalty of dismissal or removal from service in disciplinary proceedings initiated against them should be retained in service on the ground that they have not rendered the accounts of the stores material as required under standing instructions of the Board contained in circular Memo No 14255/14760/VI(213) FB 64/65 dated 24-2-71 and Memo No 21005/21705/VI(213)FB/64-65 dated 31-1-74 on the ground that if the order of dismissal or removal from service is passed against them, it will not be possible for them to render these accounts. This question has been considered in all its aspects and it has been decided that the order of dismissal or removal from service against any such official should, under no circumstances, be withheld simply because the official concerned has not rendered such accounts. It has been further decided that in addition to the order of dismissal or removal from the service, the competent authorities should at the same time initiate criminal case regarding mis-appropriation/embezzlement of stores etc. and civil case for the recovery of dues against them. Further, it is re-iterated that the supervisory officers, who are required to ensure the rendering of proper accounts within a reasonable time under the above said instructions, must discharge their responsibility in this regard effectively.

Copy of Circular letter No. 234-(GOI)-2SII-75/35048 dated 4th September, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :- Punjab Civil Services (Punishment & Appeal) Rules, 1970 - Instructions regarding principles to be followed in dealing with departmental enquiries.

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

to say that in connection with departmental enquiries against Government employees it is felt that there might be misunderstanding about the "Standard of proof" required for establishing the charge. The Supreme Court in its judgment in the Civil Appeal No. 1758 of 1970 (Decided on 28.10.71), Case of Union of India V. Sardar Bahadur (1972) has categorically laid down as under :-

"A disciplinary proceedings is not a criminal trial. The standard of proof required is that of preponderance of probability and not proof beyond reasonable doubt".

The above principle decided by the Supreme Court should invariably be kept in view while dealing with disciplinary cases against the Punjab Government employees

2. In the present circumstances when in the context of emergency it is most desirable that disciplinary action against Government employees is finalised without any unnecessary delay, it is considered expedient to take note of various factors which contribute to undue delay, and faulty disposal of departmental enquiries. The Government of India have laid down certain guiding principles for their various Departments to avoid procedural delay in disposal of cases of discipline. On the lines of the said guiding principles, the following points are brought to the notice of all Departments :-

- (a) The procedure prescribed in Rule 8 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 is applicable only to cases in which the charges are so serious as to call for one of the major penalties, i.e. Dismissal, Removal or Reduction in the rank etc. A more summary procedure is already available for less serious charges. Enquiries in such cases should be ordered only where it is considered very essential and where facts of the case are not otherwise sufficient to justify imposition of a minor penalty within the terms of Rule 10 of the Rules *ibid.* read with P.G. Circular letter No. 7028-SII(3) 71/30619, dated 24-11-71. The provisions of Rule 8 of the Rules *ibid.* are merely designed to ensure compliance, with a salutary principle of justice and public policy which has also been incorporated in Article 311 of the Constitution of India,

*viz.* that no man should be condemned or punished without being allowed a reasonable opportunity to defend himself. The prescribed procedure, therefore requires that the officer concerned should be told in the form of written charges exactly what he is alleged to have done and on what evidence oral or documentary, the allegations are based in order that he may have an opportunity to inspect the documentary evidence, to test the oral evidence by cross-examination and to furnish such evidence as he may wish to adduce in his own defence. If as result of the enquiry it is decided that the Govt. employee concerned should be dismissed, removed or reduced in rank, he has to be given a further opportunity to show cause, if any, against the actual punishment proposed. Any opportunity short of this would amount to a denial of the reasonable opportunity which is guaranteed by Article 311.

- (b) There is, however, nothing in these minimum requirements which must necessarily lead to protracted proceedings or to a failure to secure just punishment to the accused. The officer conducting a departmental enquiry has to hold the balance even between the interest of the State and the avoidance of injustice to the employee concerned. He is free to take a responsible, reasonable and prudent view of the facts and the circumstances of the case and is not bound by the rigid limitations regarding the admissibility of evidence and degree of proof applicable to prosecution before Criminal courts. Provided the Inquiry Officer gives the necessary time and effort confines his attention to the main points at issue and firmly resists any attempt by the accused employee to introduce irrelevancies or to adopt deliberate dilatory tactics, there is no reason why satisfactory expedition in disposal should not be achieved in all cases without departing from the prescribed procedure.
- (c) The various factors which may contribute to undue delay and faulty disposal of disciplinary cases are :
- (i) Officers conducting the departmental enquiries may be so

- pre-occupied with other duties that they can only spare a few hours at a time at long intervals for the enquiry itself.
- (ii) Unfamiliarity with the procedure or inadequate appreciation of the difference between a departmental enquiry and a trial in a Criminal Court, may lead to over-elaboration, or lack of firmness dealing with dilatory-tactics.
  - (iii) Avoidable delay may sometimes occur at the stage when the enquiry officer has submitted his report and the appropriate authorities have to make up their minds whether the findings are to be accepted and if so what the punishment should be.
  - (iv) Where, under the rules consultation with the Punjab Public Service Commission is necessary some undue delay may occur in making the reference to the Commission, and in the consideration of the case by that body.
3. The delay caused by excessive pre-occupation or unfamiliarities with the procedure could be easily avoided by adopting the following measures :-
- (i) In each Department according to the volume of work, a panel of officers may be made or the officers nominated who have sufficient background and knowledge of the procedure of the departmental enquiries/disciplinary cases. The services of such officers, should be utilised for departmental enquiries. Particular care may be taken not to entrust inquiries to the persons having no sufficient knowledge about the procedure of inquiries.
  - (ii) If in a case it is considered necessary that the work load on account of an important enquiry entrusted to such an officer is excessive the desirability of relieving temporarily such an officer of some or all of his normal duties may be considered. The period for which such an arrangement is necessary to be continued would of course, be decided by the competent authority who would also make local arrangements for disposal of the work.

- (iii) The Inquiry Officer so appointed should familiarise himself with the rules and essential procedural requirements and appreciate the difference between departmental enquiries and trials in the Criminal Courts, especially in the context of the Supreme Court Judgement quoted in para 1 above. A close personal contact with Services Department in regard to the points of doubt arising out of Punjab Civil Services (Punishment & Appeal) Rules, 1970 and with the Vigilance Department where any general matter concerning inquiry by the said Department is communicated, when the case under inquiry is with the Inquiry Officer, will enable the officers to resolve any doubts or difficulties which may arise.
  - (iv) As regards the causes of delay mentioned in (iii) and (iv) of para 2(c) above much improvement will be effected if,
    - (a) it is impressed upon all concerned that both public interest as well as humanitarian consideration demand that no avoidable delay should occur in the disposal of disciplinary cases ; and
    - (b) any failure to give such cases due priority is itself regarded as a dereliction of duty and should be suitably dealt with.
  - (v) As to the possibility of delay occurring in the consideration of the case and tendering of their advice by the Public Service Commission, the procedure laid down in P.G. letter No. 7532-DSSII(2)-73 dated 9-11-73, if meticulously followed would ensure expeditious action on the part of the Commission.
4. The above instructions may kindly be noted by all concerned for careful compliance.
5. Kindly acknowledge receipt.

(Since adopted by the Board).



Copy of Circular letter No. 8333-SII(ASO)-75/36437 dated the 12th September 1975 from the Chief Secretary to Government, Punjab, to all Heads of Dep'ts., etc.

Subject: Compulsory Retirement - Not affected by any enquiry or investigation of charges against Government employee on reaching the age of Superannuation.

I am directed to invite a reference to clauses (iii) and (iv) of sub-para (b) of para 2 of the Punjab Government letter No. 1497-4GS-62/4059 dated the 13th February, 1962, on the subject noted above, wherein it was provided that when there was complaint alleging grave charges and where preliminary investigation had established a prima-facie case exposing the employee concerned to face penalty of dismissal, removal or discharge from service, were pending and it was not possible to complete the enquiry before the date of his retirement, he should not be retired from service till the completion of the investigation and the enquiry. The said provision was based on clause (d) of rule 3.26 of the Punjab Civil Services Rules, Vol. I, Part I, which was as follows :-

"A Government servant under suspension on a charge of misconduct shall not be required or permitted to retire on his reaching the age of compulsory retirement but should be retained in service until the enquiry into the charge is concluded and final order is passed thereon."

2. In this connection, it is pointed out that clause (d) of rule 3.26 ibid was deleted, -vide Punjab Government notification No. GSR-56/Const./Art. 309/63 dated the 18th Feb., 1963. On the deletion of the basic provision in the above mentioned Rules, the provisions of clauses (iii) and (iv) of sub-para (b) of para 2 of the circular letter, dated 13th February, 1962, obviously became in-operative. It has, however, come to notice that some Departments still have not appreciated this position. I am, therefore, directed to make it explicitly clear that on the deletion of clause (d) of rule 3.26 of the Punjab Civil Services Rules, Volume I, Part I, -vide notification of 18th February, 1963, the pro-

visions of para 2 (b) (iii) and (iv) of the above-mentioned circular letter are no longer in force and should be deemed to have been deleted with effect from 18th February, 1963.

3. In view of the changed position of rules and instructions as explained in the above paragraph, it will not be possible to retain an employee in service beyond the age of superannuation, irrespective of an investigation or enquiry of serious charges what so ever against him. This, however, does not mean that any corruption charge or other serious allegation against him will stand dropped. In this connection it is clarified that the charges against the employee concerned shall be persuaded to a logical conclusion and the result kept in view while considering the question of grant of pension to him.

The above instructions may kindly be got noted from all concerned for careful compliance.

(Circulated vide Secretary PSEB Patiala endst, No. 67268/893/ADP-49 dated 4-5-82)

ਸਕੱਤਰ, ਪੰ. ਸਾ. ਸਿ. ਬੇ. ਪਟਿਆਲਾ ਦੇ ਯਾਜਤੀ ਪੱਤਰ ਨੰ: 18781/19031/ਦੀ.ਐਨ.ਜੀ./ਜੀ-148/ਭੀ ਮਿਤੀ 17-2-76 ਦੀ ਨਕਲ।

ਵਿਸ਼ਾ: ਭਰਿਸ਼ਟਾਚਾਰ ਨੂੰ ਖਰਮ ਕਰਨ ਬਾਰੇ।

ਪੰਜਾਬ ਰਾਜ ਭਰਿਸ਼ਟਾਚਾਰ ਵਿਚ ਭਰਿਸ਼ਟਾਚਾਰ ਦੀ ਰੋਕ ਅਤੇ ਭਰਿਸ਼ਟਾਚਾਰ ਸਬੰਧੀ ਕੇਸਾਂ ਦੀ ਪਛਾਣ ਕਰਨ ਲਈ ਇਕ ਚੋਕੀ ਵਿਚਾਰ ਦੀ ਰਚਨਾ ਕੀਤੀ ਗਈ ਹੈ। ਅਜਿਹੇ ਕੇਸਾਂ ਸਬੰਧੀ ਪਛਾਣਾਂ ਚੋਕੀ ਵਿਚਾਰ ਰਾਹੀਂ ਕਰਵਾਈਆਂ ਜਾਂਦੀਆਂ ਹਨ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਪੰਜਾਬ ਰਾਜ ਪਿਸਲੀ ਚੋਕੀ (ਸਮਾਂ ਕੇ-ਅਧੀਨ) ਡਿਪਟੀ-ਮੈਂਬਰ 1971 ਦੇ ਅਨੁਸਾਰ ਸਕੱਤਰ ਅਧਿਕਾਰੀ ਵਿਚਾਰੀ ਪਛਾਣਾਂ ਦੀ ਕਰਵਾ ਸਕਦੇ ਹਨ ਅਤੇ ਇਸ ਲਈ ਵਿਚਾਰੀ: ਇਨਕੁਆਰੀ ਅਧਿਕਾਰ ਦੀ ਨਿਯੁਕਤ ਕੀਤੇ ਜਾਂਦੇ ਹਨ। ਪਰ ਚੋਕੀ ਵਿਚ ਆਖਿਆ ਹੈ ਕਿ ਚੋਕੀ ਵਿਚਾਰ ਕਲੇ' ਕੀਤੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਪਛਾਣਾਂ ਅਤੇ ਵਿਚਾਰੀ ਇਨਕੁਆਰੀ ਅਧਿਕਾਰ ਕਲੇ' ਕੀਤੀਆਂ ਗਈਆਂ ਪਛਾਣਾਂ ਮੁਕੰਮਲ ਹੋਣ ਵਿਚ ਸਾਰੀ ਸਮਾਂ ਲੈਂਦੀਆਂ ਹਨ ਅਤੇ ਇਸ ਸਮੇਂ ਦੌਰਾਨ ਚੋਕੀ ਪਛਾਣਾਂ ਦੀ ਅਧਿਕਾਰੀ ਚੋਕੀ ਡਿਪਟੀ-ਮੈਂਬਰ ਲੈਂਦੇ ਹਨ ਇਸ ਕਾਰਣ ਚੋਕੀ ਕਰਵਾਈਆਂ ਨੂੰ ਠੀਕ ਤਰ੍ਹਾਂ ਸਮਾਂ ਨਹੀਂ ਦਿਤੀ ਜਾਂਦੀ ਅਤੇ ਭਰਿਸ਼ਟਾਚਾਰ, ਚੋਕੀ ਵਿਚ ਕੁਝ ਵਧੇਰੇ ਪੈਦਾ ਹੁੰਦੀ ਹੈ। ਚੋਕੀ ਵਿਚਾਰੀ ਇਨਕੁਆਰੀ ਅਤੇ ਵਿਚਾਰੀ ਇਨਕੁਆਰੀ ਨੂੰ ਸਮੇਂ ਸਿਰ ਅਤੇ ਟੀਕ, ਢੰਗ, ਨਾਲ ਪੂਰਾ ਕਰਨ ਲਈ ਚੋਕੀ ਵਿਚਾਰੀ ਹਫ਼ਤਿਆਂ ਜਾਰੀ ਕੀਤੀਆਂ ਜਾਂਦੀਆਂ ਹਨ ਜਿਨ੍ਹਾਂ ਦੀ ਪਾਲਣਾ ਸਕੱਤਰੀ ਨਾਲ ਅਤੇ ਸਾਰੀ ਸਹੀ ਕੀਤੀ ਜਾਂਦੀ :-

(1) ਸਬੰਧਤ ਰਿਕਾਰਡ ਚੌਕਸੀ ਵਿਭਾਗ ਦੇ ਪੜਤਾਲੀ ਅਫਸਰਾਂ ਨੂੰ ਦੇਣ ਬਾਰੇ।

ਜਦੋਂ ਚੌਕਸੀ ਵਿਭਾਗ ਕਿਸੇ ਚੌਕਸੀ ਕਰਮਚਾਰੀ ਦੀ ਇਨਕੁਆਰੀ ਕਰਦਾ ਹੈ ਤਾਂ ਚੌਕਸੀ ਵਿਭਾਗ ਦੇ ਇਨਕੁਆਰੀ ਅਫਸਰ ਨੂੰ ਉਸ ਕਰਮਚਾਰੀ ਸਬੰਧੀ ਵੱਡਤਰੀ ਰਿਕਾਰਡ ਦੇਣ ਦੀ ਸਲੂਤ ਪੈਦੀ ਹੈ ਕਿਉਂਕਿ ਅਜਿਹੇ ਰਿਕਾਰਡ ਦੀ ਪੜਤਾਲ ਬਿਨਾਂ ਇਨਕੁਆਰੀ ਅਫਸਰ ਆਪਣੀ ਰਿਪੋਰਟ ਨਹੀਂ ਦੇ ਸਕਦਾ। ਇਸ ਲਈ ਇਹ ਵੇਸ਼ਟਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਚੌਕਸੀ ਵਿਭਾਗ ਦੀ ਮੰਗ ਹੋ ਅਜਿਹਾ ਸਬੰਧਤ ਰਿਕਾਰਡ ਤੁਰੰਤ ਜਾਂ ਵਧ ਤੋਂ ਵਧ 10 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਦਿਖਾ ਦੇਣਾ ਚਾਹੀਦਾ ਹੈ। ਚੌਕਸੀ ਵਿਭਾਗ ਉਸ ਵੱਡਤਰੀ ਰਿਕਾਰਡ ਵਿਚ ਵੱਡਤਰੀ ਨੂੰ ਕਰ ਸਕਦਾ ਹੈ ਜੋ ਉਸ ਨੂੰ ਸਬੰਧਤ ਰਿਕਾਰਡ ਦਿਖਾਉਣ ਵਿਚ ਮਦਦ ਨਹੀਂ ਕਰਦਾ ਅਤੇ ਅਜਿਹੇ ਰਿਕਾਰਡ ਆਉਣ ਤੇ ਸਬੰਧਤ ਅਫਸਰ ਕਰਮਚਾਰੀ ਦੇ ਵਿਰੁੱਧ ਅਨੁਸਾਰੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ।

(2) ਅਕਸਰੀ ਕਰਮਚਾਰੀਆਂ ਵਿਰੁੱਧ ਵਿਭਾਗੀ ਇਨਕੁਆਰੀਆਂ।

ਪੰਜਾਬ ਰਾਜ ਬਿਜਲੀ ਬੋਰਡ (ਸਮਾ ਤੇ ਅਪੀਲ) ਡਿਰੈਕਟਰੇਟ 1971 ਅਨੁਸਾਰ ਅਕਸਰੀ ਕਰਮਚਾਰੀਆਂ ਵਿਰੁੱਧ ਵਫ਼ੀਆ ਸਜ਼ਾਵਾਂ ਦੇਣ ਲਈ ਇਨਕੁਆਰੀਆਂ ਸਬੰਧਤ, ਸਮਰੱਥ ਅਧਿਕਾਰੀ ਇਨਕੁਆਰੀ ਅਫਸਰ ਨਿਯੁਕਤ ਕਰ ਸਕਦਾ ਹੈ ਭਾਵੇਂ ਵੱਡਤਰੀ ਵਿਚ ਵਿਚ ਵੱਡਤਰੀ ਤੋਂ ਉਪ-ਜ਼ਰੋਰ ਅਤੇ ਇਨਕੁਆਰੀ ਅਫਸਰ ਦੀ ਅਗਾਮੀ ਹੈ। ਇਹ ਵੇਖਣ ਵਿਚ ਅਤਿਅੰਤ ਹੈ ਕਿ ਇਨਕੁਆਰੀ ਉਪਰੰਤ ਦੀ ਅਜਿਹੇ ਚੌਕਸੀ ਕਰਮਚਾਰੀ ਬੇਦਲ ਫੋਟੀ ਸਭਾ ਦੇ ਕੇ ਹੀ ਛੱਡ ਦਿਤੇ ਜਾਏ ਹਨ ਇਸ ਕਾਰੇ ਹਦਾਇਤਾਂ ਕੀਤੀਆਂ ਜਾਈਆਂ ਹਨ ਅਜਿਹੇ ਕੇਸਾਂ ਵਿਚ ਵਿਚ ਮੁਢਲੀ ਪੜਤਾਲ ਚੌਕਸੀ ਵਿਭਾਗ ਨੂੰ ਕੀਤੀ ਹੋਵੇ, ਅਜਿਹੇ ਕੇਸ ਵਿਚ ਵਿਭਾਗੀ ਇਨਕੁਆਰੀ ਅਫਸਰ ਵਿਭਾਗ ਦੀ ਮਦਦ ਤੋਂ ਸਹਾਏ ਹਨ ਅਜਿਹਾ ਕਰਨ ਨਾਲ ਵਿਭਾਗੀ ਇਨਕੁਆਰੀ ਅਫਸਰ ਨੂੰ ਖਾਣੀ ਮਦਦ ਮਿਲ ਸਕਦੀ ਹੈ ਤੇ ਸਹੀ ਨਤੀਜੇ ਪ੍ਰਾਪਤ ਕੀਤੇ ਜਾ ਸਕਦੇ ਹਨ।

Copy of Circular letter No. 253 (GAI)-2SII-76/23578 dated 28th June, 1976 from the Chief Secretary to Government, Pb., to all Heads of Depts. etc.

Subject : Rule 21 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970-Clarification thereof.

I am directed to address you on the subject noted above and to say that a question has arisen as to whether an employee can submit an application for review of the order passed by the Punishing Authority against which the employee has also exercised the right of appeal allowed under the service rules applicable to him. In this connection it is clarified that the words 'any order under these rules' occurring in rule 21 of the Punjab Civil Services (Punishment and Appeal) rules 1970, include any order passed in appeal. In view of this position, a delinquent Government employee who is not satisfied with

the decision of the appellate authority is at liberty to make a review petition under rule 21 of the Rule ibid.

2. The above clarification may kindly be brought to the notice of all the employees under your control.

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

(Adopted vide Secretary PSEB Patiala circular memo No. 103644/974/ENG/Z-240/loose dated 2-9-76)

Copy of Secretary PSEB Patiala Circular memo No. 114985/5285/ENG-10(9) dated 15-9-76.

Subject : Infliction of punishment of stoppage of increments on Board employees.

Several cases have come to the notice of this office where some officers had inflicted the punishment of stoppage of increment under the Punishment & Appeal Regulations, although the employees concerned were drawing the maximum pay in their pay scales at that time. As there is no actual effect of such punishment on the delinquent officials concerned and it becomes difficult to order alternative punishment at a later stage, it is advised that the pay which the employee concerned is in receipt of should invariably be ascertained before the orders are passed for the stoppage of increment.

Copy of Secretary PSEB Patiala Circular memo No. 144984/145324/ENG/BET/P-1191 dated 5.11.76.

Subject : Treatment of suspension period.

There are different provisions contained in the PSEB Main Service Regulations with regard to the treatment of the suspension period after an employee is re-instated as a result of acquittal by a Court of Law in criminal proceedings and when such an employee is

re-instated after departmental enquiry. Since there was some confusion regarding the applicability of the Regulations in such cases certain references were received from the Chief Engineers to clarify the position. The Legal Section to whom the matter was referred for advice have clarified the position as under :

"The official acquitted from the court in a criminal proceedings taken against him is required to be reinstated with full pay and allowances and his suspension period is to be treated as duty under regulation 7.5 of the PSEB Main Services Regulations, 1972 and there is no discretion for the competent authority whether to treat the period of suspension as duty or non-duty. Note-8 under Regulation 7.3 of Main Service Regulations relates to the departmental enquiry started against the official after his acquittal from the court and in that case it is for the competent authority to decide whether the period of suspension is to be treated as duty or non-duty under clause 4 or 5 of Regulations 7.3 of the PSEB Main Service Regulations."

The above position is brought to the notice of various competent authorities for guidance.

Copy of Secretary, (Gazetted Section) PSEB Patiala Circular memo No. 11038/11383/EGL-101 dated 31.1.77.

Subject: Expeditious disposal of disciplinary cases in respect of the Gazetted Officers Class I and II and other Non-Gazetted Staff.

The present procedure for disposal of the disciplinary cases in respect of Gazetted Officers Class II and I has been receiving the attention of the Board for sometime past, as a great difficulty is being experienced in their finalization, due to non-receipt of timely comments/observations of the various field officers concerned, like the Xens/SEs/CEs, on the explanations of the erring Officers, with the result that the

final disposal of such cases is being delayed abnormally for years together, which consequently put hurdle in deciding the various cases of the officers concerned, such as E.B. Confirmation and Promotion from lower rank to higher rank etc. There was, thus, pressing need to simplify the prevailing procedure. The whole matter has been considered and the following instructions/guidelines are laid down for strict compliance:—

- (i) In disciplinary cases pertaining to AE-II and AE-I, the Divisional Officer should send a copy of his comments to the SE, with a copy to the CE concerned, within a period of 15 days of the receipt of the communication from the Board Secretariat and the SE and CE will in turn send their comments to the next higher authority within the same period.

However, if the Divisional Officer does not send the comments on the reply submitted by an AE/AEE, the Circle Office will itself initiate the case and send his comments to the CE concerned. Similarly, if the CE does not receive the comments of the SE with regard to the comments of the Divisional Officer in a particular case, he may process the case further, in light of the comments of the Divisional Officer, without waiting or insisting upon the comments of the SE and pass on the same to the Secretariat, within the said prescribed period.

- (ii) Further, the Chief Executive Officer will ensure that all officers finalize disciplinary cases without delay. In case, any officer delays finalization of the case, the Chief Executive Officer, while forwarding his comments to the Board Secretariat, shall recommend suitable disciplinary action against the officer/official, at whose instance/level the case has been delayed.

The above instructions shall also be applicable in the case of all other Gazetted Officers Class I and II and the Non-Gazetted employees as well.

**Copy of Secretary, PSEB Patiala Circular memo No. 18118/464/EGL-101 dated 15.2.77.**

**Subject : Processing of disciplinary cases.**

The whole question of processing of disciplinary cases has been receiving the attention of the Board for sometime past, so as to ensure that these are brought to finality without any delay at any stage. In this connection, detailed instructions have already been issued vide memo No. 11038/11383/EGL-101 dated 31-1-77.

2. The matter has further been considered and it has been decided to follow the following course of action for finalizing the disciplinary cases within a reasonable period.

- (i) As soon as it is decided to proceed against the officer/official departmentally on the basis of an inquiry conducted by DIG/V&S or some other Inquiry Officer, the show cause notice/charge-sheet be issued to the officer/official within a period of 15 days of the said decision. For that purpose, the DIG (V&S)/ Chief Engineer will submit the cases to the Secretary, Board or other Chief Executive officers alongwith the charge-sheets or show cause notices. No case will be accepted by the Secretary, Board or any other Chief Executive officer, where this formality has not been completed.
- (ii) The concerned Establishment sections under the Secretary or the Chief Executive Officers will ensure that the officer/official thus charge-sheeted or served with show cause notice, submits his reply within 15 days. If the officer/official wants to consult any record before submitting his reply, he may do so within the period allowed to him or he may get extension in sending his reply.
- (iii) The reply submitted by the officer be commented upon by the field officers in the manner laid down in this office Memo No. 11038/11383/EGL-101 dated 31.1.1977. Where, however, it is decided by the competent authority that the

matter should be inquired into by the Inquiry Officer, the Inquiry Officer so appointed by the competent authority, will complete the inquiry within a period of two months from the date of the decision of the competent authority.

2. The above instructions are applicable to all Gazetted officers Class I and II and Non-Gazetted employees as well. These may be complied with strictly by all concerned.

**Copy of Secretary PSEB Patiala Circular memo No. 21921/22031/ENG/BET/P-642 dated 24.2.77.**

**Subject : Expeditious finalization of disciplinary cases.**

It has come to the notice of the Board that disciplinary cases initiated against the employees are not finalized well before the retirement of the employees and at times due to non-finalization of the disciplinary cases the employees have to be placed under suspension for considerable long period and the Board has to bear a lot of avoidable financial liability on this account. The Board has taken a very serious view of such cases and to avoid re-occurrence it has been desired that all pending cases should be finalised and brought to the notice of the competent authority well before the retirement of the employees concerned.

2. It is, therefore, requested that all pending disciplinary cases may be reviewed and got decided from the competent authority well before the retirement of the official concerned so as to avoid hardship to the employees and un-necessary financial burden on the Board.

**Copy of Secretary PSEB Patiala Circular memo No. 41172/512/ENG/G-148 dated 1.4.1977.**

**Subject : Review of the cases of suspended employees.**

The matter relating to the reinstatement of employees who were

under suspension for a long time either on account of departmental proceedings pending against them or on account of criminal cases pending in the Court, has been engaging the attention of the Board for a long time. After careful consideration of the whole matter, it has been felt that it would not be in the interest of the Board to keep all such employees under suspension and pay them subsistence allowance without getting any work from them. It is, therefore, requested that the cases of all the suspended employees may be reviewed with a view to reinstating them keeping in view the following guide-lines :-

- (i) All the employees who are under suspension for a period exceeding six months and who have replied to the charge-sheets served upon them as a result of departmental proceedings may be considered for reinstatement.
- (ii) Where F.I.Rs have been lodged by the Board for the involvement of employees in criminal and other cases and the employees are under suspension for more than six months, they may also be considered for reinstatement.

2. The officials reinstated on the basis of the above guide-lines may be posted on non-public dealing seats or on the posts where the handling of Stores/Cash is not involved and where they are not in a position to tamper with the evidence against them. It should also clearly be stipulated in the orders that their reinstatement is without prejudice to the finalization of the cases pending against them and will not affect the ultimate decision to be taken by the Board on the basis of verdict/decision of the criminal/departmental proceedings.

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

Copy of Secretary, (Estt. Section/Gazetted) PSEB Patiala Circular memo No. 71546/940/3658/L dated 2.6.77.

Subject : Sanctioning annual increment treating the period of suspension as non-duty period.

Instances have come to the notice of the Board where annual

increments have not been given to the officers/officials on account of the fact that for a particular period they were under suspension and that since disciplinary proceedings have not been completed, it has not been decided as to how the suspension period should be treated whether as on duty or otherwise. In order to avoid hardship to the officers/officials it has been decided that the competent authority may allow the grant of annual increments to such officers/officials treating the period of suspension as non-duty and outcome of the disciplinary cases. These instructions will be applicable in cases where there has been a delay of two years or more in the finalisation of a disciplinary case/cases against a particular officer/official from the date a reply thereto has been submitted by the concerned officer/official.

Copy of Secretary PSEB Patiala Circular memo No. 79248/588/ENG/G-148/L-151 dated 16.6.77.

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

A question has been raised whether disciplinary action could be taken against an employee in respect of misconduct committed before his employment in Board's service. After careful consideration of the matter, it has been decided that requisite disciplinary action can be taken under P.S.E.B. Employees (P&A) Regulations 1971 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 Board's service. 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 brought to the notice of all concerned for information & compliance.

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

Copy of Secretary PSEB Patiala Circular memo No. 112152/112512/ENG/  
G-148 dated 7-9-77.

Subject :—Suspension of Board employees.

It has been observed that for some time past the number of suspended employees of the Board is on the increase and in majority of such cases the allegations against the employees concerned even do not justify a minor punishment. According to general principles to be observed in such cases 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.

2 Since the suspension of employees on flimsy grounds results into financial loss to the Board besides causing undue harassment to the concerned employees, it has been desired by the Board that the various Competent Authorities should be very careful in dealing with the recommendations of suspension which are received from the various quarters. It should be ensured that suspension of Board employees should be resorted to only when the likely punishment is dismissal or removal from service and when there is likelihood that the officials/officers if retained on those posts, are likely to destroy the official record, or to win over witnesses for their defence and it would not be in Board's interest to retain the employees on active duty while inquiry against them proceeds.

3. The above instructions should be followed meticulously and the receipt of this communication may please be acknowledged.

Copy of Circular letter No. 219-GOI-2GSI-77/41551 dated 21st/23rd  
September 1977 from the Chief Secretary to Government, Punjab, to all  
Heads of Depts etc.

Subject : Order of penalty-Speaking order-Instructions regarding.

In continuation of Punjab Government instructions No. 3973-  
SII(3)/72/16816, dated 18-7-72, on the above subject, I am directed  
to bring to your notice the relevant (1) AIR-1967 SC-1606. (2) AIR-  
1970 SC-1302 (3) AIR-1971 SC-862 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.

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/compul-  
sory 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 the receipt of this letter.

#### ANNEXURE

##### Speaking Orders

- (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 autho-

rity 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 V. Union of India  
AIR 1967 SC 1606

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 Prasad Santosh Kumar V. State of UP & others  
AIR 1970 SC 1302.

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 applicant(s) but see no justification for interfering with the order in appeal. The revision application is accordingly rejected.") M/S Travancore Rayons Ltd. V. Union of India-AIR-1971 SC-862.

(Adopted vide Secretary, PSEB Patiala circular memo No. 89709/90734/ENG/G-148/L-194 dated 27-7-78).

Copy of Secretary, PSEB Patiala Circular memo No. 144978/988/EGL dated 9-12-77 to all Chief Executive Officers in the PSEB.

Subject: Procedure for issuing of show Cause Notices/Charge-Sheets.

Chief Executive Officers forward draft Show Cause Notices/Charge Sheets containing various acts of omission and commission done by the Officers. These are served to the concerned officers after obtaining requisite approval of the competent authority. On receipt of reply of the officers, it is observed that the Chief Executive Officers resile from their previous recommendations either due to change in their opinion or on the plea of non-availability of supporting documents and whole of the exercise falls through, causing un-necessary harassment on account of supersession of the officers at the time of their Promotions and also causing delay in processing their Efficiency Bar and Confirmation cases etc.

It is, therefore, essential that in each case, the Chief Executive Officers must obtain explanation of the concerned officer for the charges which are proposed to be levelled against him, screen and verify and collect necessary information/record on the basis of which the charges are subsequently proposed to be substantiated. The matter should come for issue of Show Cause Notices/Charge sheets only when the record collected proves a prima-facie case against the officers so that the requisite order is obtained by the Gazetted Section from the competent authority as per procedure laid down in Punishment and Appeal Regulations. Chief Executive Officers will also invariably send fact finding report alongwith copies of documents on the basis of which the case is made out alongwith draft show cause notice/charge sheet. It may be distinguished that Show Cause Notice is proposed for minor punishment whereas Charge Sheet is proposed for one of major punishment. It is further requested that the above instructions may be followed meticulously because on the one hand it will save the Administration from unnecessary work and on the other hand officers will be saved of avoidable harassment. Similar procedure may be followed in their own offices in respect of Non-Gazetted Establishment.

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

Subject: Communication of an order passed by way of Punishment under the Punjab Civil Services (Punishment & 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 (P&A) 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. Rules 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 21/23.9.77 may be kept in view for all the classes of employees.

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

4. Kindly acknowledge its receipt.

(Adopted vide Secretary PSEB Patiala circular memo No. 90946/91971/ENG-148/L-194 dated 27.7.78)

Copy of Secretary PSEB, Patiala Circular memo No. 29052/062/ENG-10 (45) dated 11.4.78.

Subject: Speedy disposal of appeals filed against the punishment awarded by the Chief Executive Officers.

The provisions of Regulations 21, 22, 24 & 25 of the Punishment and Appeal Regulations which are, generally, considered relevant for disposal of appeals are reproduced below:

#### REGULATION-21

##### PERIOD OF LIMITATION OF APPEALS

No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of six months from the date on which a copy of the orders appealed against is delivered to the appellant.

#### REGULATION-22

##### FORM AND CONTENTS OF APPEAL

(1) Every person preferring an appeal shall do so separately and in his own name.

(2) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain material statements and arguments on which the appellant relies, and shall be complete in itself.

(3) The authority which made the order appealed against shall on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant record to the appellate authority without any avoidable delay and without waiting for any direction from the appellate authority.

#### REGULATION-24

##### WITHHOLDING OF APPEALS

(1) The authority which made the order appealed against may withhold the appeal if:—

- (i) it does not comply with any of the provisions of Regulation 22; or
- (ii) it is not submitted within the period specified in Regulation 21; or
- (iii) it is a repetition of an appeal already decided and no new facts or circumstances are adduced.

Provided that an appeal withheld on the ground only that it does not comply with the provisions of Regulation 22 shall be returned to the appellant and, if resubmitted within one month thereof, after compliance with the said provisions, shall not be withheld.

(2) Where an appeal is withheld, the appellant shall be informed of the fact and the reasons therefor and a copy of this order withholding the appeal forwarded to appellate authority.

(3) No appeal shall lie against an order withholding an appeal passed by competent authority.

#### REGULATION-25

##### TRANSMISSION OF APPEALS

(1) The authority which made the order appealed against shall, without any avoidable delay, transmit to the appellate authority every appeal which is not withheld under Regulation 24, together with its comments thereon and the relevant records.

(2) The authority to which the appeal lies may direct transmission to it of any appeal withheld under Regulation 24 and thereupon such appeal shall be transmitted to that authority together with the comments of the authority withholding the appeal and the relevant records.

2. Of late, it has, however, been observed that the number of pending appeals preferred by the officials against the punishment awarded by the Chief Executive Officers is, inter alia, increasing on account of the fact that complete information/documents are not received from the punishing authority as required under the (P&A) Regulations, in the first instance. For obvious reasons, the Board is anxious to ensure speedy disposal of the appeals and in order to achieve the desired object, it is desired that immediately on receipt of a copy of the appeal from the official concerned para-wise comments on the appeal as required under the provisions of the Punishment and Appeal Regulations should be forwarded to this office in the annotated form as under :-

S.No.	Ref. to Para No. of the appeal.	Contention of the appellant	Detailed comments of the punishing authority duly supported by relevant record/ instructions/rules on the subject.
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3. Besides, it may also invariably be indicated if the official concerned is governed under the PSEB Employees (P&A) Regulations or under Punjab Civil Services (P&A) Rules, along with the date on which a copy of the order of the punishment was delivered to the appellant for the purpose of examining whether or not the appeal is time barred, as under the PSEB (P&A) Regulations, the period for preferring the appeal is six months from the date on which the copy of the orders is delivered to the appellant but under the Punjab Civil Services (P&A) Rules, the period is 45 days. The relevant record connected with the punishment may also be forwarded as required under the

P&A Regulations for the perusal of the competent appellate authority.

An-other factor which is contributing towards abnormal delay in the disposal of the appeals, is that in most of the cases the relevant information/comments are being asked for from the field officers, which may not be normally necessary, when the punishing authority has, at the time of awarding punishment, satisfied itself about the lapse on the part of the official concerned on the basis of the record in its possession. It is, therefore, desired that unless some additional information is considered essential from the field offices in disposal of an appeal no reference need be made to the field officers for offering comments on the appeals.

4. You are, therefore, requested to :-

- (i) Supply your comments on the appeals in the annotated form as indicated above.
- (ii) Inform the date on which the orders of punishment are delivered to the official.
- (iii) Inform the rules by which the official is governed, and
- (iv) To take care that all the relevant information considered necessary for the expeditious disposal of the appeal is supplied in the first instance, as per provisions of the Punishment and Appeal Regulations/Rules with a view to cutting down delay in the disposal of the appeals.

5. The above instructions may kindly be followed meticulously and receipt of this communication be acknowledged.

Copy of Circular letter No. 2124-V(3)-78/5861 dated 11th July 1978 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Policy and procedure relating to sanction for prosecution in respect of vigilance cases.

I am directed to address you on the subject noted above and to say that it has come to the notice of the Government that when the

officers of the Vigilance Bureau, after completing investigation in corruption cases, approach appropriate authorities competent to remove the accused from his office, for granting sanction for his prosecution as required under Section 6 (1) (c) of the Prosecution of Corruption Act, the latter, instead of applying their mind on the material collected by the Police during investigation, sometime start their own enquiry or cause the case to be looked into by some subordinate officer. While the Government has no desire to interfere in the discretion of the competent authority in the matter of deciding the question of sanction, there seems to be no justification in law for the competent authority to hold or cause to be held a parallel enquiry into the matter in which the Police has already held regular investigation under its statutory powers. The Government is of the view that the question of sanction should be decided on the consideration of material collected during the investigation, and if the competent authority feels that there is some more relevant material which has not been brought on record by the police, it may bring this fact to the notice of the investigating agency so that the latter may be able to look into it to reach a final conclusion as to whether any offence has been committed or not. The competent authority can then apply its mind to the facts and circumstances of the case to decide whether sanction for prosecution is to be accorded or declined. It is hoped that adherence to this approach will help to bring about smooth and speedy disposal of corruption cases.

(Adopted vide Secretary PSEB Patiala circular memo No. 5577/6507/ENG/G-148/L dated 8th January, 1979)

Copy of Circular letter No. 6660-7/7/78-2/PP/33043 dated 20th October 1978 from the Chief Secretary to Govt., Pb., to all Heads of Depts., 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) SLR 78 and

1978(1) SLR 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 up to 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 services. To this extent, the Government instructions bearing No. 2764-2S11-74, dated 22nd April, 1974 stands modified.

(Adopted vide Secretary, PSEB Patiala circular endst. No. 297/1547/ENG/G-148/L dated 1st January, 1979)

Copy of Secretary PSEB Patiala Circular memo No. 142099/106/ENG-10(320) dated 28.11.79 to all C.Es in the PSEB including C.E/I-W, Punjab Chandigarh.

Subject : Appeal against letter of warning.

It has been observed that some employees of the Board prefer appeals even when a letter of warning or advice is issued to them by the competent authority considering it to be a punishment. Since letter of advice/warning as also warning with a copy in Q.R. file is not a punishment under the provisions of the Punishment and Appeal Regulations, no appeal against this measure is maintainable. The above clarification is afforded for purposes of disposing of appeals filed by the officials, against the issue of letter of advice/warning.

Copy of Secretary PSEB Patiala Circular memo/endst. No. 1849/2832/EGL-101 dated 5/8-1-80.

Subject : Processing of Disciplinary Cases.

The question of speedy disposal of disciplinary cases against the Gazetted Officers has been engaging the attention of the Board since long. Instructions were imparted in this behalf earlier also vide Memo

No. 18118/464/EGL-101 dated 15-2-77, but it has been observed no serious consideration is paid to bring such cases to finality at the earliest. During the pendency of such cases, personal issues of the officers like Promotion, crossing of Efficiency Bar and Confirmation etc. are held up thereby subjecting the concerned officers to mental pressure and financial hardship, which state of affairs is not conducive to sound administrative principles. In order to speed up the finalisation of such cases, the following procedure is laid down :—

- i) The officers who are served with Show Cause Notice/ Charge Sheet will submit reply within stipulated period direct to this office alongwith a copy of the same to the XEN concerned. In the event of non-receipt of explanations direct from the officer within the stipulated period in this office, it will be presumed that the officer has nothing to say in defence and exparte proceeding will be initiated against him.
- ii) On receipt of explanations of the officer, the XEN concerned will forward his parawise comments to the Superintending Engineer within a fortnight positively with a copy to this office. Similarly the SE concerned on receipt of the explanations of the officer with comments from the XEN concerned in his office will forward his comments to the Chief Engineer within 15 days without fail simultaneously endorsing a copy to this office.
- iii) It will be the responsibility of the office of the Chief Engineer to ensure that the comments from the XENs/SEs are received in his office within the stipulated period and further his comments on the explanations of the officer are passed on to this office with his specific recommendations within 15 days positively of receipt in his office. In case the comments after the submission of the explanation by the concerned officer are not received in the Head Office within a period of two months, the Head Office will be left with

no other option but to process the case exparte on the basis of the material/evidence already available on record.

2. No reminder will be issued from the Secretariate. It will be for the concerned officers to take suitable measures to obtain and forward the explanations of the officer to the next authority.
3. The past cases which are still lingering may also be dealt with on the above lines to ensure their expeditious finalisation.

Copy of Secretary, PSEB Patiala memo No. 12756 dated 12-2-80 to the address of SSP (V&S) PSER, Patiala with Copy to the field offices vide Circular endst. No. 12757/832/C-1628/L dated 12-2-80.

Subject : Completion of enquiries conducted by the Vigilance Unit of the Board.

Continuation instructions issued vide this office endst. No. 2807/2832/EGL-101 dated 5/8-1-1980 on the above noted subject.

2. The necessity of early submission of enquiry reports by the Vigilance Unit of the Board, has been stressed time and again. It has, however, been noticed that the investigation of vigilance enquiries is not promptly conducted with the result that the interest of the officers/officials in the matters concerning their Promotion, Efficiency Bar and Confirmation etc. are jeopardised. In order to ensure that undue hardship is not caused to the employees due to non-finalisation of Vigilance enquiries, it has been decided that all-out efforts should be made to get all such enquiries completed at the earliest, but not later than six months in any case from the date of registration of an enquiry. If, however, any of the enquiries is not completed within this specified period, the explanations of the concerned officers/officials of the Vigilance Unit, should be obtained and forwarded to the concerned authorities with your comments/recommendations for taking action against them.

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

Copy of Secretary PSEB Patiala Circular memo No. 23149/23418/LB  
3(24) 79/128 dated 18/21-3-80.

Subject : Dismissal from service following conviction in a Court of Law.

For quite sometime, it has been observed that no uniform procedure is being observed in cases where employees are proceeded against departmentally as a result of their conviction by a court of law. Various punishing authorities/appointing authorities seem to hold the view that dismissal from service must necessarily follow on conviction of an employee on a criminal charge. Such authorities also hold the view that dismissal from service has to take effect from the same date on which an employee is convicted of a criminal charge. This view does not hold good in terms of rules/regulations on the subject or the law as interpreted by the Supreme Court of India and various High Courts. After thorough consideration of the case, it has been decided to issue this circular letter for guidance. Regulation 7 of PSEB (P&A) Regulations 1971, reads as under :—

“(1) The Board or any other authority empowered by it by general or special order may :—

- (a) institute disciplinary proceedings against any employee;
- (b) direct a punishing authority to institute disciplinary proceedings against any employee on whom that punishing authority is competent to impose under these regulations any of the penalties specified in Regulation 5.

(2) A punishing authority competent under these regulations to impose any of the penalties specified in clauses (i) to (iv) of Regulation 5 may institute disciplinary proceedings against any employee for the imposition of any of the penalties specified in clauses (v) to (ix) of Regulation 5 notwithstanding that such punishing authority is not competent under these regulations to impose any of the latter penalties.” In terms of Regulation 14 of PSEB Employees Punishment & Appeal Regulations 1971, where any penalty is imposed on an employee on the ground of

conduct which had led to his conviction on a criminal charge or where the punishing authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the matter provided in these regulations or where the Board is satisfied that in the interest of security of the State, it is not expedient to hold any inquiry in the manner provided in these regulations, the punishing authority may consider the circumstances of the case and make such orders thereon as it deems fit.

2 Some cases have been referred to this office for advice as to whether the orders regarding dismissal from service are to be issued by the appointing authority/punishing authority concerned, as the case might be, from the date of conviction in a court of law or from a subsequent date. In this connection, it is stated that it has been opined in almost all the cases that a person convicted of a criminal charge in a court of law may be given a hearing and that thereafter suitable order on the merits of the case may be passed to be effective from the date of issue of the order. It has been made clear in the advices referred to above that such speaking orders have to take effect from the date of issue and not from retrospective effect. In this context, it may be clarified that every conviction does not necessarily lead to dismissal from service. Each case has to be considered on its own merits and during the period of such consideration intervening between the date of conviction and date of issue of final orders, the employee concerned has to be deemed to have been placed under suspension under Regulation 4 (2) of the Regulations *ibid*.

3. For the purpose of clarification, it may be stated here that the Supreme Court of India/various High Courts have laid down law on the subject in the following cases :—

- i) Kuldip Singh Vs. Union of India & others 1975 SLR (1) 792.  
Dismissal, removal or reduction of rank as a result of conviction on a criminal charge, cannot be called as consequential order (page 363-Service Law Reporter Digest 1967-1975 Viba Bude Vs. the State of Orissa)
- ii) State of Orissa & Others 1971(1) SLR 671 (Orissa Digest)

It is for the appointing authority on hearing the petitioners to determine what would be the appropriate punishment.

(iii) Rajinder Singh Vs. State of Punjab 1969-SLR-754 (P&H)

Conviction of criminal charge-Conviction must not necessarily result in dismissal or removal. It is open to authority not to inflict any punishment or impose lesser punishment-competent authority bound to determine the nature of quantum of punishment.

(iv) Union of India Vs. Tara Chand 1972(2)SLR(28) Rajasthan

Punishing authority has to apply its mind before passing orders of removal from service.

(v) Bhagirathi Bhatnagar Vs. State of Orissa. 1973(2)SLR Orissa.

Services cannot be terminated with retrospective effect-verbal orders cannot be accepted.

(vi) AIR 1975-Supreme Court.

The Divisional Personnel Officer, Southern Railway and another appellant Vs. T.R. Challappan Respondent.

(vii) AIR 1975-Supreme Court 2216 AIR December, 1975

Hearing on conviction is a must and all the circumstances must be carefully considered by the punishing authority.

4. Insofar as the employees governed by Punjab Civil Services (Punishment & Appeal) Rules 1970 are concerned an identical procedure may be followed in terms of the relevant provisions of the Regulations *ibid.*

Copy of Secretary, PSEB Patiala Circular memo No. 175456/816/Reg. 17/Vol, III dated 27.7.81.

Subject :— Processing of Disciplinary Cases.

Continuation this office circular memo No. 18118/464/EGL-101 dated 15.2.77.

2. Clause (ii) of Para-2 of the *ibid* circular lays down that the concerned Establishment Sections under the Secretary or the Chief Executive Officers will ensure that the officer/official charge-sheeted or served with show cause notice, submit his reply within 15 days. If the officer/official wants to consult any record before submitting his reply, he may do so within the period allowed to him or he may get extension in sending his reply.

3. The matter has been considered in the light of the latest Punjab Government Instructions on the subject, and it has been decided to increase the period for furnishing reply to the charge-sheet to 20 days from the present 15 days as laid down in clause-(ii) of Para-2 of this office circular memo under reference.

Copy of Circular letter No 4/25-81/1PP/16048 dated 14th December 1981 from Government of Punjab, Deptt. of Personnel & Administrative Reforms, Chandigarh to all Heads of Deptts. etc

Subject : - Procedure to be followed in cases where the turn of an officer/official whose conduct is subject to an inquiry, comes for placement in the Selection Grade.

I am directed to say that some Departments have sought guidance regarding the placement in the Selection Grade of officers/officials whose conduct is subject to any inquiry. Government had issued instructions vide circular letter No. 1497-4GS-62/4059, dated the 13th February, 1982 which were reiterated vide circular letter No. 4/3/S1-IPP/3500, dated the 15th April, 1981 detailing the procedure to be followed in cases where an officer/official whose conduct is under inquiry is due for promotion to a higher post. Government have decided that the same procedure as is followed for promotion to higher posts should be followed *mutatis-mutandis* in cases where an officer/official whose conduct is under inquiry, is due for placement in the selection grade.

2. These instructions may please be brought to the notice of all

concerned for strict compliance.

3. Kindly acknowledge receipt.

(Circulated vide Secretary PSEB Patiala endst. No. 2612/3462  
Reg/ADP. 88 dated 8.1.82)

Copy of Secretary PSEB, Patiala Circular memo No. 36268/578/ENG-23  
(1) Vol. IX dated 8.3.82.

Subject:—Cases of suspended employees.

Detailed instructions for expeditious disposal of cases of suspended employees were issued vide circular memo. No. 157377/503/ENG-23 (1) LC No. 174-A dated 14.11.1968 and memo No. 86794/87044/ENG/G-148 dated 3.9.1974.

2. The existing provision in paragraph 3 of circular memo. No. 157377/503/ENG-23 (1) LC No. 174-A dated 14.11.1968, reads as under :

"It has been decided that an official who is suspended should be served with a charge sheet within one month of the date of suspension. In case a suspended employee is not served with a charge sheet within one month of the date of suspension, he would be automatically reinstated."

3. The above mentioned provision has led to certain difficulties inasmuch as in some cases, it has not been possible, despite best efforts to prepare the charge sheet and get it served upon the suspended employee, within a period of one month.

4. The matter has, therefore, been reconsidered and it has been decided that a charge sheet to a suspended employee should be served within a period of one month and that in case it is not so served, the competent authority, who has suspended the employee, must seek an extension from the next authority for another one month. In the case of suspensions ordered by various Chief Engineers, the next higher competent authority to extend the period by one month, would be

the Administrative Member of the Board. Further, it has been decided to delete forthwith, the existing provision of automatic reinstatement in the event of non service of a charge-sheet within one month of the date of suspension.

5. The instructions issued vide circular letters dated 14.11.1968 and 3.9.1974, copies enclosed, thus stand modified accordingly.

Copy of Circular letter No. 4/25/81-IPP/5595 dated 27th April, 1982 from Government of Punjab, Department of Personnel & Administrative Reforms, Personnel & Administrative Ref. (Personnel Policies Branch) Chandigarh to all Heads of Depts etc.

Subject:—Procedure to be followed in cases where the turn of an officer/official whose conduct is subject to an inquiry, comes for placement in the Selection Grade.

I am directed to invite a reference to this Department circular letter No. 4/25-81/IPP/16048, dated the 14th December, 1981, on the subject cited above, and to say that some departments have sought clarification on the point whether a vacancy in selection grade has to be kept reserved for an officer/official who is not considered for placement in the selection grade because of inquiry/disciplinary proceedings pending against him. The matter has been considered by Government. As the grant of a selection grade does not involve change in the nature of duties or the place of posting, the exigency of public service obviously, does not call for the filling up of a selection grade vacancy immediately. It has, therefore, been decided that in cases where it is decided to withhold the grant of selection grade in pursuance of the aforesaid instructions, a selection grade vacancy should always be kept vacant till the finalization of the disciplinary proceedings so that it may be possible to grant Selection Grade from due date on clearance from the disciplinary

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

2. Kindly acknowledge receipt.

(Adopted vide Secretary PSEB Patiala circular endst. No. 122047/697/ADP-88 dated 22-7-82)

Extract of Office Order No. 14/Pension/Z-53 dated 21-5-82.

In order to ensure that the Pension/Family Pension cases are disposed of speedily, the Punjab State Electricity Board is pleased to order as under :—

- (1) In the case of our employees who die while in service before the finalisation of the disciplinary proceedings pending against them, the suspension period if any, should be treated as duty for all intents and purposes even if they died after reinstatement. Formal sanction in this respect should be issued by the office where the official was working at the time of death instead of the appointing authority, in order to avoid delay. Copies of such orders should be endorsed to the Appointing Authority as well as the office by whom he was placed under suspension, in case it is other than the office where he was serving at the time of death.
- (2) In the case of employees who retire before the finalisation of disciplinary proceedings against them, the period of suspension, if any, should not be reckoned as qualifying service for the purpose of pension and increments, pending the finalisation of disciplinary proceedings. The audit should admit their pay fixation and pension cases on the above principle. Their pay and pension should be revised in the light of

the orders passed by the competent authority in disciplinary proceedings including suspension period, in due course.

- (3) The period of absence both in the case of employees who die during service or retire should be treated as leave of the kind due, if no leave is due as extraordinary leave, even if formal leave applications have not been submitted by the employees concerned.

x x x

(Circulated vide Secretary, Pension Section PSEB Patiala endst No. 59785/60640/Z-53 dated 21-5-82).

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## CHAPTER VIII

### OVER TIME ALLOWANCE TO PEONS/JAMADARS

Copy of Circular letter No. 6476-PI(C)-57/18892 dated 19th/27th Sep. 1957 from the Chief Secretary to Government, Pb., to all Heads of Depts., etc.

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

I am directed to address you on the subject noted above, and to state that the Governor of Punjab is pleased to enhance the rate of overtime allowance from Rs. 0.25 to Rs. 0.37 per day to each of the peons including Jamadars employed in the Secretariat offices, and in the offices of the Heads of Departments only at their headquarters when they are detained in office on official duty after one hour of the usual office hours. The allowance will also be admissible to those who may have to be called for official duties to office or at the residences of officers at the Secretariat headquarters on Sundays and holidays. No overtime allowance will be admissible to peons and Jamadars, when they accompany officers on tour and to those working in the offices of Deputy Commissioners and Commissioners in the Divisions.

2. Care should, however, be taken to see that this concession is not abused and the peons are only detained on duty in really genuine cases in the interest of Government work. As a rule such use of peons should be avoided in particular by the officers who have more than one peon. The duties of peons in their case should be so arranged that one peon works upto 4 p.m. and the other comes on duty from 12 noon and works upto 7 p.m. (6 p.m. in winter) if need be. Office peons must not be detained on duty except under express orders of their Superin-

tendent or any other Gazetted Officer. The officer who required his peon for such a duty shall certify before payment is authorised. The drawing officers should furnish the following certificates in support of all contingent bills relating to claim of overtime allowance granted to peons who are called to duty after office hours :—

- (1) "Certified that the Peons and Jamadars for whom overtime allowance has been claimed in the bill, were actually required for duty after one hour of the usual office hours or on holidays."
  - (2) "Certified that I have satisfied myself that the requirements of the orders issued in Chief Secretary to Government, Punjab's letter No. 6476-PI(C)-57/18892, dated the 19th Sep., 1957, have been complied with in case of peons and jamadars for whom overtime allowance has been claimed in this bill."
3. The expenditure involved will be debited to the primary unit 'Contingencies' of the office concerned.
  4. This letter will supersede the instructions issued by the State Government on this subject from time to time in the past.

(Adopted and circulated for its application to Peons/Jamadars vide O/O No. 4024/PSEB dated 27-3-68)

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

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

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 6476-PI(C)-57/18892, dated the 27th September, 1957, which inter-alia lay down that the peons including jamadars employed in the Secretariat offices and in the offices of Heads

of Departments at their headquarters are entitled to an overtime allowance of Rs 0.37 per day, when they are detained in offices on official duty after one hour of the usual office hours. The question regarding grant of overtime allowance to these Peons and Jamadars if they are called upon to work more than one hour earlier than the usual office hours has been engaging the attention of Government for some time past. It has now been decided by Government that these peons and jamadars if they are called upon to work more than one hour earlier than the usual office hours will also be entitled to the overtime allowance at the same rates and conditions as laid down in the letter under reference.

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

(Circulated vide Secretary PSEB Patiala O/O No. 4024/PSEB dated 27-3-68, issued vide endst. No. 30295/30708/M-159/7 dated 28-3-68)

ORDER NO. 4024/PSEB

DATED : 27th March, 1968.

The Punjab State Electricity Board is pleased to sanction payment of Rs. 10/- per month as Special Pay to the Jamadars and Peons attached with the Chairman, Members and Secretary of the Board for the work which they have to do almost daily before and after the office hours.

2. The Board is further pleased to sanction the grant of an over-time allowance at the rate of 37 paise per day to each of the Peons including Jamadars employed in the Headquarters offices (excepting those attached with the Chairman, Members & Secretary) on the conditions as laid down in Punjab Government letter No. 6476-PI (C)-57/18892 dated 19th/27th Sept., 1957 and 1569-Pol(3)-64/3714, dated 22/24-2-64, appended here to.

3. The above orders shall take effect from the date of issue of this order.

(Circulated vide Secretary PSEB Patiala endst. No. 30607/708/M-159/7 dated 28.3.68)

ORDER NO. 4028/PSEB

DATED : 18th April, 1968.

In continuation of order No. 4024/PSEB, dated 27-3-1968, sanctioning the grant of Over-time Allowance to Peons including Jamadars in Head-Quarters offices, the Punjab State Electricity Board is pleased to order that the words "Special Pay" appearing at the end of second line in paragraph-1 therein shall be substituted to read as "Fixed Over-time Allowance".

(Copy circulated vide Secretary PSEB Patiala endst. No. 17730/42/M-159/7 dated 23-4-68)

Copy of Circular letter No. 1211-SII(6)-69/5432 dated 27th Feb., 1969 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

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

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 1569-Pol(3)-64/3714 dated the 22nd/24th February, 1964, according to which peons including jamadars, in Secretariat offices and in the offices of the Heads of Departments at their headquarters, if they are called upon to work more than one hour earlier than the usual office hours, were made entitled to overtime allowance at the rate of 37 paise per day. Government have further considered the matter and have decided that over-time allowance should be paid to peons including jamadars in the Secretariat offices and offices of the Heads of Departments at their

Headquarters if they put in extra duty in excess of one hour before and/or after the office hours or on holidays and the rate of overtime allowance will be at 37 paise per hour for the period spent in a day, in excess of one hour.

2. This issues with the concurrence of the Finance Department vide their U.O. No. 9428-3FR-68 dated the 13th/16th December, 1968  
(Circulated vide Secretary PSEB Patiala O/O No. 861/ENG/LC/G-149 dated 24-10-69)

OFFICE ORDER No. 861/ENG/LC/G-149 DATED 24-10-69.

In continuation of Board's order No. 4024/PSEB dated 27-3-1968 as modified vide its order No. 4028/PSEB dated 18-4-1968, the Punjab State Electricity Board is pleased to order that in accordance with Punjab Government letter No 1211-SII(6)-69/5432 dated 27-2-69 (Copy enclosed), overtime allowance should be paid to the peons and jamadars working in the Headquarters offices of the Board if they put in extra duty in excess of one hour before and/or after office hours or on holidays at the rate of 37 paise per hour for the period spent in a day in excess of one hour, except Jamadars and Peons attached to Chairman, Members and Secretary who would continue to be paid overtime allowance at the rate of Rs. 10/- per month as per existing orders.

2. The above orders issues with the concurrence of Finance Section vide its U.O. No. Nil/Fin-37/69-70 dated 25-6-1969.

(Circulated vide Secretary PSEB Patiala endst. No. 63058/162/ENG/LC/G-149 dated 24.10.69)

Office Order No. 712/ENG/L. C/G-149,

Dated : 11.10.73

The Punjab State Electricity Board is pleased to enhance the

overtime allowance of Jamadars/Peons attached to the Chairman, Members and Secretary, sanctioned vide this office order No. 861/ENG/LC/G-149 dated 24-10-1969, from Rs. 10/-per month to Rs. 20/-per month, with immediate effect.

(Circulated vide Secretary PSEB Patiala endst. No. 86807/17/ENG/LC/G-149 dated 11-10-73)

Copy of Circular letter No. 12160-6GS-76/47907 dated 1st December, 1976 from the Chief Secretary to Government, Punjab, to all Heads of Depts. 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 27-2-69, on the subject noted above and to state that Government have reconsidered the matter afresh and have decided that overtime 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/- honorarium for a holiday.

2. This issues with the concurrence of Finance Department vide their U.O. No. 4669-5FR-76, dated 15-10-76.

(Circulated vide Secretary PSEB Patiala O/O No. 451/ENG/G-149 dated 28-4-77)

OFFICE ORDER NO. 451/ENG/G-149

DATED : 28-4-77

In continuation of Board's order No. 861/ENG/LC/G-149 dated 24-10-69 the Punjab State Electricity Board is pleased to adopt the Punjab Government circular letter No. 12160-6GS-76/47907 dated 1.12.76 (copy enclosed) for the grant of overtime allowance to the Peons and Jamadars working in the Headquarters offices of the Board if they put in extra duty in excess of one hour before and/or after office hours or on holidays on the following rates :-

- 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. The aforesaid overtime allowance shall not be admissible to the Jamadars/Peons attached to Chairman/Members and Secretary who will continue to be paid overtime allowance @ Rs. 20/- per month.

(Circulated vide Secretary PSEB Patiala endst. No. 55629/829/ENG/G 149 dated 28-4-77)

Copy of Circular letter No. 489-4GS-II-77/17867 dated 2-5-77 from the Chief Secretary to Government, Punjab, to all Heads of Deptts, etc.

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

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 12160-6GS-76/47907, dated, 1-12-76, 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.

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2. This issues with the concurrence of Finance Department vide their U.O. No. 1694-5FR-77, dated 20-4-77.

(Adopted vide Secretary, PSEB Patiala circulars endst. No. 87379/87579/ENG/G-149 dated 8-7-77)

Copy of Circular letter No. 7/8/81-GE/6479 dated 8th June, 1981 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.  
Subject : Grant of overtime allowance to Government employees.

Attention is invited to Punjab Government circular letter No. 12160-6GS-76/47907 dated 1st December, 1976, on the above noted subject and to state that the Government of India, has desired that with a view to effect economy in Administrative expenditure of the Government, the Government employees should not be allowed to work over-time and claim over time allowance/honoraria as a matter of course. Such employees be allowed to work over-time in exceptional circumstances. It is, therefore, desired that class IV employees entitled for over-time allowance/honoraria should be allowed to work over-time in very exceptional circumstances. Efforts should be made to finish the work within the prescribed office hours, so that there hardly arises any need for deputing Government employees to do work over-time.

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

(Circulated vide Secretary PSEB Patiala endst. No. 227895/227937/Reg./ADP-88 dated 12-10-81)

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## CHAPTER IX

### COMPULSORY/VOLUNTARY RETIREMENT

*Copy of Circular letter No. 5410-3GS-63/11926 dated 28th March, 1963, from Sh. Saroop Krishan, I.C.S., Financial Commissioner Planning and Additional Chief Secretary to Govt., Punjab, to all Heads of Depts., etc.*

*Subject: Age of compulsory retirement-raising of.*

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

2. A Government employee who attained the age of compulsory retirement on or after 1-12-1962 or who was on leave preparatory to retirement or proceeded on such leave on or after 1-12-62, will not be entitled to the benefit of the increased age of compulsory retirement unless he is permitted to resume duty after the appointing authority is satisfied that he is efficient and physically fit.

3. Government employees who had already retired before 1-12-62, or who were on refused leave on 1-12-62, beyond the date of compulsory retirement are not entitled to resume duty under these

orders. Those employees, however, who on 1-12-62 were on refused leave beyond the date of compulsory retirement may be re-employed, if fit.

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

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

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

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

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

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

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

(Benefit extended vide Secretary PSEB Patiala O/O No. 2073/PSEB dated 30-4-63.)

ORDER No 2073/PSEB

DATED 30TH APRIL, 1963,

The Punjab State Electricity Board is pleased to extend the benefit of enhanced age of compulsory retirement from service from 55 to 58 years to its employees including those who were formerly on foreign service, as contained in Punjab Government letter No. 5410-3-GS-63/11926, dated 28-3-63 (copy enclosed for reference).

2. The Board is further pleased to order that in implementing this decision, the following procedure shall be observed :—

- (i) The Appointing Authorities will make up their mind at least three months before the date of retirement of an employee, whether his retention in service beyond the age of 55 years is justified on the basis of his work and conduct or not. In the latter case the employee concerned shall be served with three months' notice retiring him on attaining the age of 55 years without assigning any reason. Likewise an employee may also voluntarily retire after giving three months notice to the appointing authority.
- (ii) If an employee is allowed to continue beyond the age of 55 years, the appointing authority shall retain an absolute right to dispense with his service without assigning any reasons, after giving three months' notice at any time till the employee attains the age of 58 years. Similarly an employee can also seek voluntary retirement at any time after serving three months' notice.
- (iii) The cases of the employees who have already retired on or after 1-12-1962 or who were on L.P.R. or refused leave should be decided in the light of the preceding decisions, subject to the condition that those who are considered fit to return to duty, shall be required to produce certificate of physical fitness from the Medical Authority prescribed under the service rules.
- (iv) The intervening period between the date of relinquishing

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charge and returning to service in the case of those who are permitted to resume duty would be treated according to the instructions to be issued in due course.

(Circulated vide Secretary PSEB Patiala endst. No. 34368/708/Meeting/M-93/30 dated 30.4.63)

Copy of Circular No. 14039-3GS-63/35196 dated 13/16 th Sep., 1963 from Shri Saroop Krishan, ICS Planning Commissioner and Additional Chief Secretary to Government Punjab, Chandigarh to all Heads of Depts. etc. Subject : Age of compulsory retirement-raising of.

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

1. (i) In the terms of para-2 of that letter a Government employee who attained the age of compulsory retirement on or after 1-12-62 or who was on leave preparatory to retirement or proceeded on such leave on or after 1-12-62 is entitled to the benefit of the increased age of compulsory retirement only if he is permitted to resume duty after the appointing authority is satisfied that he is efficient and physically fit. In respect of physical fitness, it will be sufficient if a certificate to that effect from a Civil Surgeon is furnished and examination by a Board etc., will not be necessary.

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

(iii) A Government employee whose date of birth is 1-12-1907 and who was due to retire on 1-12-62 on attaining the age of 55 years is eligible for the benefit of the enhanced age of compulsory retirement.

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It is immaterial in such a case whether he finally relinquished or handed over charge on the afternoon of 30-11-62 or on 1-12-62.

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

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

(iii) In the case, however, of a Government employee who has after 1.12.1962 already retired after attaining the age 58 years or who has less than six months to attain such age from the date of issue of these orders, the refused leave if any, carried forward beyond 55 years of age will not lapse. He may in such a case be granted after attaining the age of 58 years the refused leave to the extent admissible to him on his attaining the age of 55 years, reduced by the amount of leave, if any, availed of by him out of such refused leave, between the ages of 55 and 58 years, plus the leave, if any, applied for as preparatory to the final cessation of duties and refused in the interest of public service, subject to a maximum of six months in all.

3. A Government employee who is required to retire or who himself chooses to retire under para-6 of the Punjab Government letter

No. 5410-3GS-63/11926, dated 28-3-63 may be allowed the leave due and admissible to him provided it does not extend beyond the date on which he attains the age of 58 years. If the leave is allowed to be availed of before the expiry of the period of notice, the period of notice or the unexpired period of notice, as the case may be, and the leave should run concurrently.

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

(Circulated vide Secretary PSEB Patiala memo No. 83696/790/M-93/30 dated 24-10-63 in continuation of Board's O/O No. 2073/PSEB dated 30-4-63 with the stipulation that the intervening period between the date of relinquishing charge & returning to service in the case of those who were permitted to resume duty, will be regulated according to above Government's instructions.)

Copy of Circular letter No. 18790-3GS-63/5569 dated the 19th February, 1964, from Shri Saroop Krishan, I. C. S., Planning Commissioner and Additional Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Age of compulsory retirement-raising of.

I am directed to invite reference to Punjab Government letter No 14089-3GS-63/35196, dated the 13/16th September, 1963, on the subject cited above and to observe as follows : -

- (a) Para 1(ii) of this letter lays down that Government employees who had already drawn pension, death-cum-retirement gratuity and Provident Fund, and were permitted to resume duty thereafter as a result of the raising of the age of compulsory retirement, should be required to refund the

amount of pension, etc., together with interest within two months of the issue of those orders. It has been decided that in such cases simple interest should be charged at the rate of 3% for the period that the money remained with the Government employee concerned.

b) Para 6 of Punjab Government letter No. 5410-3GS-63/11926, dated the 28th March, 1963, provides inter alia that "the appointing authority may require a Government employee to retire after he attains the age of 55 years on three months' notice without assigning any reason". It has to be observed that in cases in which the appointing authority decides that a Government employee should be retired directly after he attains the age of 55 years, action should be started in advance and the three months' notice should be issued so that the period of the notice expires on or before the date on which the age of 55 years is attained. In other words, the instructions provide for retirement in appropriate cases, immediately after the age of 55 years is attained and do not mean that the notice can only be issued after that date; in cases in which the appointing authority considers it appropriate to direct retirement as soon as the age of 55 years is attained. It is not only in order but necessary that the notice should issue in advance so as to take effect from that date.

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

(Circulated vide Secretary (Meeting Section) PSEB Patiala memo No. 49219/49318 dated 18th July, 1964 in continuation of this office order No. 2073/PSEB dated 30-4-63)

Copy of Circular letter No. 4776-3GS(I)-64/15823 dated 19th May, 1964, from the Chief Secretary to Govt., Punjab, to all Heads of Deptts. etc.,

Subject : Age of compulsory retirement-raising of.

I am directed to invite reference to para 6 of Punjab Government

letter No. 5410-3GS-63/11926, dated the 28th March, 1963, according to which the appointing authority may require a Government employee to retire after he attains the age of 55 years on 3 months' notice without assigning any reason. In order to ensure uniformity in the operation of this provision and also equitable treatment in all cases, it has been decided to observe the following criteria and procedure for the purpose :—

- (i) Six months before a Government employee attains the age of 55 years, his record should be carefully examined by the appointing authority, and a provisional judgement formed as to whether he should be retired on attaining the age of 55 years. This decision should be made well in advance so that in the event of retirement being finally decided upon, a notice could be given to the Government employee concerned, at least 3 months before the date on which he is to attain the age 55 years and his retirement, given effect to at that age.
- (ii) When the appointing authority has reasonable cause to believe that a Government employee is lacking in integrity, it would be appropriate to consider him for premature retirement, irrespective of an assessment of his ability or efficiency in work.
- (iii) In a case in which a Government employee's integrity is not in doubt but his physical or mental condition is such as to make him inefficient for further service, it would be appropriate to consider him for premature retirement.
- (iv) A Government employee who has been assessed as 'average' should not be retired at the age of 55 years. The test whether a Government employee should be allowed to continue upto the age of 58 years should not, for obvious reasons, be as rigorous as the one applied in considering when exten-



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sion in service is allowed beyond the age of superannuation otherwise the power to grant extension would have been sufficient and there would have been no need to raise the age of retirement itself. In considering whether an officer/official falls below the average standard, the question may sometimes arise as to whether he should be judged with reference to the requirements of his substantive grade or those of the grade in which he has been officiating. It is not unusual for instance, for a Government employee who has earned good reports in his substantive grade to prove inadequate in the officiating grade. Ordinarily his fitness to continue in service upto the age of 58 years may be judged in relation to his substantive grade, and if he is good enough for that grade but not for the higher grade in which he has been officiating, he may be reverted to his substantive grade but retained in service. There may be difficulties when a Government employee has been officiating in a higher grade for a long time and it appears unlikely that he would put his heart into his work after reversion. This, however, is a question on which no hard and fast rules can be laid down and each case will have to be considered on its own merits.

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

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

- (a) Government employees who are permitted to resume duty under para 2 of Punjab Government circular letter No. 5410-3GS-63/11926 dated the 28th March, 1963 on account of extension of age of superannuation from 55 to 58 years, should be allowed actual expenses incurred by them on travelling both ways, subject to the condition that these should in no case exceed the amount of travelling allowance, ordinarily admissible under the rules to such employees without prejudice to their claim to T.A. on final retirement at the age of 58 years in conformity with Government instructions contained in Punjab Government letter No. 9219-FR(I)-60/1625, dated the 9th February, 1961.
- (b) It has been laid down in para 1(ii) of Punjab Government circular letter No. 14089-3GS (I)-63/35196, dated the 13th/16th September, 1963, that the period between the date of compulsory retirement of a Government employee (at 55 years) and the date on which he was permitted to resume duty, would be treated as leave of the kind due. A point has been raised as to how the leave preparatory to retirement already availed of by such a Government employee would be treated. In this connection it is stated that the leave preparatory to retirement already enjoyed in such cases will have to be re-classified as earned leave upto the extent of 120 days and the balance as half pay leave. The remaining gap upto the date of joining, if any, will also have to be covered by the grant of half pay leave or extraordinary leave as the case may be, in terms of Punjab Government circular letter referred to above.

These orders issue in consultation with the Finance Department vide their U.O. references No. 2298-IFRI-64, dated the 10/14th April,

1964 and No. 3467-(5)-FR II-64, dated the 7/8th April, 1964.

(Circulated vide Secretary (Meeting Section) PSEB Patiala memo No. 49219/49318 dated 18-7-64 in continuation of this office O/O No. 2073/PSEB dated 30-4-63)

Copy of Circular letter No. 10820-3GS(I)-64/39574 dated 9th Dec. 1964 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Age of compulsory retirement-raising of

I am directed to say that in para 1 (ii) of Punjab Government circular letter No. 14089-3GS-63/35186, dated the 13th/16th September, 1963 on the subject noted above, a condition was imposed to the effect that the amount of pension, death-cum-retirement gratuity and provident fund where already drawn by the Government employees who were permitted to resume duty under para 2 of Punjab Government circular letter No. 5410-3GS-63/11926, dated 28th March, 1963, will have to be refunded by them, together with interest, within two months of the issue of orders dated 16.9.1963, referred to above. On reconsideration Government has now decided that the condition referred to above, in relaxation of the provisions of Rule 13 29 of the Punjab Civil Services Rules, Volume II, may be relaxed to the extent that the subscribers may not be required to refund the G.P. Fund money drawn by them at the time of their retirement at the age of 55 years. It has further been decided that no interest should be charged from them.

2. These instructions are being issued with the concurrence of the Finance Department vide their U.O. advice No. 11596-4FRI-64, dated the 7th December, 1964.

3. The receipt of this letter may be acknowledged.

(Adopted vide Secretary PSEB Patiala Circular memo No. 10854/955/Meeting/M-114/6 dated 6-2-65)

Copy of Circular letter No. 1594-SII (4)-67/10623 dated 6th/14th April, 1967 from the Chief Secretary to Government, Punjab, to all Heads of Depts etc

Subject: Retirement of Government employees on attaining the age of 55-Whether the notice served by the employee can be rejected by appointing authority also, whether once accepted, the notice can be withdrawn by the employee unilaterally.

I am directed to invite a reference to the Punjab Government circular letter No. 5410-3GS-63/11926, dated the 28th March, 1963 on the raising of the age of compulsory retirement, which, inter-alia, provides that a Government employee may, after attaining the age of 55 years, voluntarily retire after giving three months' notice to the appointing authority. A question has arisen in this connection whether a Government employee, who has given three months' notice to retire, can withdraw the same at any time before the expiry of the period of the notice. The matter has been carefully considered by the Government and they have been advised that a notice of retirement given by a Government employee cannot be withdrawn by him unilaterally without the prior approval of the appointing authority.

(Adopted vide Secretary PSEB Patiala circular endst. No. 84138/328/M-154/Spl. 1 dated 8-12-67 in continuation of Board's O/O No. 2073/PSEB dated 30-4-63 and circular memo No. 75724/819/M-154/Spl. I dated 10-11-67)

Copy of Secretary PSEB Patiala Circular memo No. 75724/819/M-154/Spl. 1 dated 10-11-67.

Subject: Age of compulsory retirement-raising of.

Continuation Board's Order No. 2073/PSEB dated 30-4-1963 and subsequent Punjab Government circular letters No. 18790-3GS-63/5569 dated 19-2-64 and 4776-3GS(1)-64/15823 dated 19-5-64, copy each of

which was supplied vide this office memo. No. 49219/49318 dated 18-7-1964

2. According to the procedure and criteria laid down in the afore-said references for adjudging the suitability of an employee, in terms of Rule 3.26 of the Punjab C.S.R. Vol II for retention in service beyond the age of 55 years, the cases of Board's employees who are due to attain the age of 55 years, are required to be carefully examined by the appointing authority six months from the date on which the employee concerned is due to attain the age of 55 years. If the appointing authority has reasonable cause to believe that the employee is lacking in integrity or his physical or mental condition is such as to make him inefficient for further service, he may be retired premature by giving him notice for the prescribed period. Further according to these instructions, if an employee is assessed as an average on the whole, he is to be retained in service, adjudging the suitability in relation to his substantive grade and the officiating grade. If such an employee is found not good enough for the officiating grade, he is to be reverted to the substantive grade but has to be retained in service.

3. Since the decision in the matter rests with the respective appointing authorities, it is felt that they might be applying different standards. The matter has, accordingly, been considered by the Punjab State Electricity Board in its 154th Meeting held on 21-10-1967 and with a view to observing uniformity in dealing with each such case, it has been decided that the instructions as referred to above may continue to be followed except that while evaluating the suitability of a person for retention in service beyond the age of 55 years, instead of 'average' performance as provided in the existing extant instructions, a person with performance 'above average' should only be retained beyond the age of 55 years. These instructions should, therefore, be strictly observed in future, by the respective appointing authorities

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

Copy of Circular letter No. 2018-SII(2)-71/16458, dated 30th June, 1971, from the Chief Secretary to Government, Punjab, to all Heads of Dep'tts., etc. etc.

Subject :— Age of compulsory retirement-raising of.

I am directed to invite reference to Punjab Government letter No. 4776-3GS(1)-64/15823, dated 19th/21st May, 1964, on the subject noted above, wherein it is laid down that six months before a Government employee attains the age of 55 years, his record should be carefully examined by the appointing authority, and a provisional judgement formed as to whether he should be retired on attaining the age of 55 years or allowed to continue in service upto 58 years. A decision in this behalf, has to be taken well in advance so that in the event of retirement being finally decided upon, a notice could be given to the Government employee concerned, at least three months before the date on which he is to attain the age of 55 years, and his retirement, given effect to at that age.

2. It has been noticed that these instructions are not being observed meticulously by some of the departments and the cases are sometimes submitted to the competent authority for passing orders even after the Government employee concerned has attained the age of 55 years. In some cases the period of notice to be served on the Government employees also falls short of three months. Government takes a serious view of such lapses/delays on the part of officers/officials concerned. Moreover it is not in public interest to keep the Government employee concerned in suspense un-necessarily. It is, therefore once again emphasised that action regarding examining of the record of a Government employee should be initiated six months before he attains the age of 55 years and the case submitted to the competent authority for final orders well in advance so that in the event of retirement being finally decided upon, the Government employee concerned could be served with the notice at least three months before his attaining that age.

3. The instructions referred to above further provide that when

the appointing authority has reasonable cause to believe that a Government employee is lacking in integrity, it would be appropriate to consider him for premature retirement irrespective of the assessment of his ability or efficiency in work. It is clarified that even a single adverse remark on the integrity of a Government employee should be sufficient for retiring him prematurely on attaining the age of 55 years.

4. The contents of this letter may kindly be brought to the notice of all concerned for strict compliance.

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

(Since adopted by the Board)

Copy of Secretary, PSEB Patiala Circular memo No. 453/524/M-190/31 dated 24-8-71.

Subject:— Age of compulsory retirement—change in the criteria for retention of employees in service beyond the age of 55 years.

1. Order No. 2073/PSEB dt. 30.4.63  
2. Memo No. 49219/49318, dt. 18.7.64  
3. Memo No. 75724/819/M-154/Spl.1 dt. 10.11.67
- Kindly refer to Board's Circulars noted in the margin, on the above subject, laying down instructions for screening of officers in time before their attaining the age of 55 years with a view to determining their continuance or otherwise upto the age of 58 years.
2. The Board has considered carefully the recent communications No. 3228-SII(2)-71, dated the 3rd June, 1971, and 4147-SII(2)-71/17956, dated 12-7-1971, issued by the Punjab Government, on the above subject and has laid down for uniform action the following directive:—

"Only such of the Board's employees as have "good" record consistently throughout their service and particularly during the five years preceding the age of 55,

should be considered for retention upto the age of 58 years."

Since the work and conduct of the Board's employees is, by and large, known to the officers/authorities determining retirement at the age of 55 or continuance thereafter, it is not necessary to strictly construe the Q.R. record as detailed in the files, but the record can be re-assessed by the said authorities with a view to arriving at the correct assessment.

The basic criterion to be kept in view is that only efficient and honest officers/officials with good record should continue in Board's service beyond the age of 55 years.

3. While conveying the above, I am directed to request you to please ensure uniform application of the afore-mentioned policy adopted by the Board.

4. Please acknowledge receipt of this letter.

Copy of Circular letter No. 7496-SII(2)-71 dated 30th Nov., 1971 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Compulsory retirement of Government employees—grant of leave.

I am directed to invite a reference to Punjab Government letter No. 14089-3GS-63/35196 dated 13/16th Sep, 1963 on the subject noted above wherein it is laid down that a Government employee who is required to retire or who himself chooses to retire under para 6 of the Punjab Government letter No. 5410-3GS-63/11926 dated 28-3-63 may be allowed the leave due and admissible to him provided it does not extend beyond the date on which he attains the age of 58 years. In this respect a question has arisen as to what amount of leave can be granted to such a Government employee as leave preparatory to retirement and as to whether L.P.R. can be granted in combination with or

in continuation of any other kind of leave. In this connection, it is clarified that in such cases, the Government employee concerned may be granted leave as under according to his own choice :-

- i) either Leave Preparatory to Retirement upto 180 days on full pay if it is due under rule 8.116 of the Punjab Civil Services Rules, Vol-I Part-I; or
- ii) Earned leave upto 120 days with permission to combine it with any other kind of leave if due.

In both these cases the condition laid down in para-3 of the instructions contained in letter No. 14089-3GS-63/35196 dated the 13/16th Sep., 1963 that the leave so availed should not extend beyond the date on which the employee concerned attained the age of 58 years, would apply.

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

(Adopted vide Secretary PSEB Patiala memo No. 12270/730/ENG/G-148/Vol-III dated 17-3-72)

ਕਾਪੀ ਪੰਜਾਬ ਸਰਕਾਰ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 2019 ਸII (2)-72/12411 ਮਿਤੀ: 25 ਮਈ, 1972 ਵਲੋਂ ਮੁਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਵੱਲ ਸਾਰੇ ਵਿਭਾਗਾਂ ਦੇ ਮੁੱਖੀਆਂ ਦੇ ਆਦਿ।

ਵਿਸ਼ਾ: ਸੇਵਾ ਨਿਵਿਰਤੀ ਦੀ ਉਮਰ ਬਾਰੇ-55 ਸਾਲ ਦੀ ਉਮਰ ਉਪਰੰਤ ਰੀਟਾਇਰ ਕਰਨ ਲਈ-ਦਿਆਨਤਦਾਰੀ ਬਾਰੇ ਪ੍ਰਤੀਕੂਲ ਟਿਪਣੀ ਦਾ ਮਹੱਤਵ।

ਮੈਂਨੂੰ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਦਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਗ਼ਜ਼ਤੀ ਪੱਤਰ ਨੰ: 2018-ਸII (2)-71/16458, ਮਿਤੀ 30 ਜੂਨ 1971 ਦੇ ਪੇਰਾ 3 ਵੱਲ ਦਵਾਉਣ ਦੀ ਹਦਾਇਤ ਹੋਈ ਹੈ, ਜਿਸ ਵਿਚ ਵਿਸ਼ੇ ਵੱਲ ਤੇ ਜੋਰ ਦਿੱਤਾ ਗਿਆ ਹੈ ਕਿ ਸਰਕਾਰੀ ਕਰਮਚਾਰੀ ਦੀ ਦਿਆਨਤਦਾਰੀ ਬਾਰੇ ਕੇਵਲ ਇਕ ਪ੍ਰਤੀਕੂਲ ਕਥਨ ਦੀ ਉਮਰ 55 ਸਾਲ ਦੀ ਉਮਰ ਤੇ ਰੀਟਾਇਰ ਕਰਨ ਲਈ ਕਾਫ਼ੀ-ਸਮਝੀ ਜਾਣੀ ਚਾਹੀਦੀ ਹੈ। ਸਰਕਾਰ-ਤੋਂ ਇਸ ਸਬੰਧ ਵਿਚ ਪੁੱਛ ਗਿੱਛ ਕੀਤੀ ਗਈ ਹੈ ਕਿ ਕੀ ਪ੍ਰਤੀਕੂਲ ਕਥਨ ਵੱਖਲ ਲਈ ਸਬੰਧਤ ਕਰਮਚਾਰੀ-ਦਾ ਸਾਰਾ-ਸੇਵਾ-ਰਿਕਾਰਡ ਪੜਖਿਆ ਜਾਣਾ ਹੈ। ਉਕਤ ਉਪਰੋਕਤ ਤੇ ਵਿਸ਼ੇਸ਼ਤਾ ਅਮਲ ਨੂੰ ਯਕੀਨੀ ਬਣਾਉਣ ਲਈ ਇਹ ਸਪੱਸ਼ਟ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ 55 ਸਾਲ ਦੀ ਉਮਰ ਤੇ ਕਰਮਚਾਰੀ ਜਿਸ ਪਦਵੀ ਤੇ ਨਿਯੁਕਤ ਹੋਵੇ ਉਸ ਵਿਚ ਹੀ ਉਸ ਦੀ ਸੇਵਾ-ਦਾ ਮੁਲਾਂਕਣ ਕਰਨਾ ਹੈ, ਜੇਕਰ ਉਹ ਡੈਪੂਟੇਸ਼ਨ ਦੇ ਕਿਆ ਹੋਇਆ ਹੈ ਤਾਂ ਡੈਪੂਟੇਸ਼ਨ ਦੇ ਸਮੇਂ ਤੋਂ, ਇਲਾਵਾ ਉਸ ਦੀ ਪਹਿਲੀ ਆਸਾਮੀ ਜਿਸ ਤੇ ਉਹ ਡੈਪੂਟੇਸ਼ਨ ਤੇ ਜਾਣ ਤੋਂ ਪਹਿਲਾਂ ਨਿਯੁਕਤ ਸੀ, ਦੀ ਸੇਵਾ ਦੇ ਸਮੇਂ ਦਾ ਕੀ ਮੁਲਾਂਕਣ ਕਰਨਾ

ਹੈ। ਜੇਕਰ ਦਿਆਨਤਦਾਰੀ ਬਾਰੇ ਕਥਨ ਬਹੁਤ ਪੁਰਾਣਾ ਹੋਵੇ ਅਤੇ ਉਸ ਤੋਂ ਮੁਕੱਦਮੇ ਉਸ ਕਰਮਚਾਰੀ ਦੀ ਅਗਲੀ ਆਸਾਮੀ ਤੇ ਡਰੋਗੀ ਹੋ ਚੁਕੀ ਹੋਵੇ ਅਤੇ ਅਖੀਰਲੀ ਪਦਵੀ ਉਤੇ ਉਸਦੀ ਦਿਆਨਤਦਾਰੀ ਟੀਕ ਹੋਵੇ ਤਾਂ ਪਹਿਲੇ ਪੁਰਾਣੇ ਪ੍ਰਤੀਕੂਲ ਕਥਨ ਵੱਲ ਧਿਆਨ ਨਹੀਂ ਦਿੱਤਾ ਜਾਣਾ ਹੈ।

2. ਉਪਰੋਕਤ ਵਿਆਖਿਆ ਸਾਰੇ ਸਬੰਧਤ ਕਰਮਚਾਰੀਆਂ/ਅਧਿਕਾਰੀਆਂ ਦੇ ਧਿਆਨ ਵਿੱਚ ਦਿਖਾਉਣ ਲਈ ਪਾਲਣਾ ਹਿੱਤ ਲਿਆ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ।

3. ਇਸ ਪੱਤਰ ਦੀ ਪਹਿਲ ਕਸੀਦ ਕੇਜੀ ਜਾਂਦੀ ਹੈ।

(ਬੰਦ ਠੇ ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਨੂੰ ਅਪਣਾ ਲਿਆ ਹੈ)

Copy of Secretary PSEB Patiala circular memo No. 72466/691/M-212/2.2 dated 25-6-73.

Subject :- Age of compulsory retirement—change in the criteria for retention of employees in service beyond the age of 55 years.

Kindly refer to this office Circular letter No. 453/524/M-190/31 dated 24th August, 1971, on the subject noted above.

2. The Board has considered carefully its earlier policy in regard to continuance or otherwise of its employees upto the age of 58 years and it has been decided to allow Board employees with satisfactory/average record to continue in service upto the age of 58 years.

3. The receipt of this communication may be acknowledged.

Copy of Circular letter No. 216(GOI)-2SII-75 dated 22nd July, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Dep'tts., etc.

Subject :- Strengthening of administration-weeding out corrupt, dishonest or inefficient officers/officials from services.

It needs no emphasis that efficiency and integrity of Government servants are the basic requirements of good administration. At the present time of emergency, when time-bound economic programmes are at hand, it is imperative to root out inefficiency and dishonesty in what-

ever form they are observed. The relevant provisions of various rules, instructions already empower Government to weed out employees whose continuance in service is undesirable. Although there are adequate and exhaustive provisions for dealing with inefficient and dishonest employees, the real necessity is for proper screening of cases for action. Some of the relevant provisions are discussed in the succeeding paragraphs for purposes of facility.

2. Rule 3 of the Govt. Employees (Conduct) Rules 1966 reads as follows :—

\*3. General—(1) Every Government employee shall at all times :—

- i) maintain absolute integrity;
- ii) maintain devotion to duty; and
- iii) do nothing which is unbecoming of a Govt. employee.

For weeding out the inefficient dishonest element and those with doubtful integrity, the following measures are laid down in various instructions and Rules :—

(i) Rule 5.32 and 5.32-A of C.S.R. Vol. II—

5.32 (c)(ii) In this Rule a specific provision is made that the appointing authority can retire a Government employee when he attains the age of 55 years by giving him three months' notice. Similarly a Government employee who has not attained the age of 55 years can be retired after his completing 25 years or more of qualifying service.

5.32-A(b)

It is also clarified in the note given under rule 5.32 that when it is in the public interest to dispense with the services of a Government employee on account of his inefficiency, dishonesty, corruption or infamous conduct, it could be done by following the provisions of the Rules.

(ii) Vide various circulars issued by the Government, detailed instructions were issued as regards the manner in

which the cases of retirement under the Rules referred to above should be processed. The broad features of the instructions are reiterated below for facility of reference :—

P.G. No.

4776-3 GS(T)-64/15823.  
dt. 19/21-5-64

(a) The record of a Government employee should be carefully examined by the appointing authority and a provisional judgement formed as to whether he should be retired on attaining the age of 55 years. This should be done 6 months prior to the date on which the employee attains the age of 55 years. The decision should be taken well in advance so that in the event of retirement of the employee at the age of 55 being finally decided upon, a notice could be given to the employee concerned 3 months before the date on which he is to attain the age of 55 years.

P.G.No.2018  
SII(2)-71/  
16458 dt.  
30-6-71

P.G.No. 2019  
SII(2)-72/  
12411 dt.  
25-5-72

(b) When the appointing authority has reasonable cause to believe that a Government employee is lacking in integrity, it should be appropriate to consider him for pre-mature retirement irrespective of his ability and efficiency. For this purpose even a single adverse remark about the integrity of a Government employee should be sufficient to retire him prematurely; the only exception being when the entry is of a distant past and if he had already been promoted on the next post on which his honesty has been beyond doubt.

(c) In case a Government employee's integrity is not in doubt but his physical or mental condition is such as to make him inefficient for further service, it should be appropriate to consider him for premature retirement.

(d) A Government employee who has been assessed as 'Average' should not be retired at the age of 55 years. In considering whether an officer/official falls below the average standard, the question may sometimes arise as to whether he should be judged with reference to the require-

ments of his substantive grade or those of the grade in which he has been officiating. It is not un-usual for a Government employee, who has earned good reports in his substantive grade to prove inadequate in his officiating grade. Ordinarily his fitness to continue in service upto the age of 58 years may be judged in relation to his substantive grade, and if he is good enough for that grade but not for the higher grade in which he has been officiating, he may be reverted to his substantive grade but retained in service.

- (iii) Vide circular letter No. 2468-SII (6)-67/32058, dated the 29th November, 1967 while accepting the recommendations of the Punjab Administrative Reforms Commission (para 4.27 of the Report of the Commission), Government had issued instructions that inefficiency should be recognised as a ground for major punishment. It was considered, when this decision was taken, that in order to improve efficiency there is need for curative measures not only at the commencement of the career of an employee i.e. at the time of recruitment/training etc. but also at any time during the course of service if the employee is then found inefficient.
- (iv) Vide circular letter No. 2314-SII(3)-72/12580, dated the 30th May, 1972, Government have issued instructions emphasising the need of thorough scrutiny of the property returns of Government employees which they are required to submit in compliance with the provisions of Punjab Government Employees (Conduct) Rules, 1966, in order to ensure that the particulars mentioned in the property returns correspond with the known sources of income of Government employee. It is also further provided that if as a result of the scrutiny it is found that the employee concerned could be impeached or suitably proceeded

against, necessary action should be initiated by the punishing authority in terms of the Punjab Civil Services (Punishment and Appeal) Rules. That punishing authority is required to send quarterly progress reports to the concerned Administrative Secretary.

- (v) In the Punjab Civil Services (Punishment and Appeal) Rules, 1970 also, there are adequate provisions for Government to deal with inefficient, dishonest or other unsuitable Government employees. Penalties such as those of compulsory retirement, reduction in rank mentioned in Rule 5 of the Rules *ibid* are specifically referred to in this behalf.
- (a) In the explanation to Rule 5 *ibid*, it is *inter-alia*, clarified that the following shall not amount to a penalty :
- (i) reversion of a Government employee officiating in a higher service, grade or post to a lower service, grade or post, on the ground that he is considered to be unsuitable for such higher service, grade or post or on any administrative ground unconnected with his conduct ;
  - (ii) reversion of a Government employee appointed on probation to any other service, grade or post, to his permanent service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation;
  - (iii) compulsory retirement of a Government employee in accordance with the provisions relating to his superannuation or retirement;
  - (iv) termination of the services—
    - (a) of a Government employee appointed on probation, during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation ; or

(b) of a temporary Government employee appointed otherwise than under contract, on the expiration of the period of the appointment, or on the abolition of the post or before the due time in accordance with the terms of his appointment ; or

(c) of a Government employee employed under an agreement, in accordance with the terms of such agreement.

(b) Attention is also invited in this behalf to the following provision in Rule 13 of the Rules *ibid*:—

“Special procedure in certain cases :—

Notwithstanding anything contained in rules 8,9,10,11 and 12.

- (i) Where any penalty is imposed on a Government employee on the ground of conduct which has led to his conviction on a criminal charge ; or
- (ii) where the punishing authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules ; or
- (iii) where the Governor is satisfied that in the interest of the security of the state, it is not expedient to hold any inquiry in the manner provided in these rules, the punishing authority may consider the circumstances of the case and make such orders there on as it deems fit ;

Provided that the Commission shall be consulted, where such consultation is necessary, before any orders are made in any case under this rule.”

3. In the light of the above, you are requested to take all steps to improve the administrative efficiency and to root out graft or lack of integrity in whatever form they may be noticed. Any of the methods mentioned above can, according to the requirements of the situation, be made use of to deal with a particular case. It may be added that primary responsibility of checking the corruption where it

exists and also plugging all the loop holes rests with the Administrative Departments concerned in terms of the Vigilance Manual.

4. For ensuring definite improvement in the efficiency and establishing clean administration, Government would expect immediate and serious consideration at your end. Steps taken in this direction may kindly be intimated to the Administrative Department, with a copy to the services Department.

(Circulated vide Secretary PSEB Patiala memo No. 75315/616/ENG/G-392 dated 12-9-75)

Copy of Circular letter No. 5240-2SII-75 dated 23rd July, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :— Strengthening of administration—Weeding out corrupt, dishonest or inefficient officers/officials from services— Provision of retirement at the age of 50 years.

I am directed to invite your attention to the instructions issued vide P.G. Circular letter No. 216(GOI)-2SII-75 dated the 22nd July, 1975, on the subject noted above and to say that the question of retiring Government employees at the age of 50 years in cases in which it is considered necessary to do so in the public interest, on the lines of the general policy of the Government of India, has been considered and it has been decided that on the analogy of the provisions in Rules 5.32 and 5.32-A of Punjab Civil Services Rules Volume II, any Government employee may be considered for retirement in the following manner :—

If he is in Class-I service or Class-II service or Class-III service or post and had entered Government service before attaining the age of 35 years, after he has attained the age of 50 years.

2. While considering the question of retirement of a Government employee on the above lines, the criteria and the general principles



as laid down in the instructions dated 22nd July, 1975 referred to above may kindly be kept in view.

3. Where it is necessary in the public interest to make the premature retirement effective immediately, and where three months' notice is not given or notice for a period less than three months is given, the employee shall be entitled to get pay and allowances for three months or the period by which the notice falls short of three months, as the case may be.

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

(Circulated vide Secretary PSEB Patiala memo No. 75315/616/G-392 dated 12-9-75)

Copy of Pb. Govt. Notification No. GSR-76/Const./Art 309/75 dated 28th July, 1975 Circulated vide their endst. No. 5372-2SII-75/28363 dated 28/31-7-75 to all Heads of Deptts., etc.

(Extract from Punjab Government Gazette (Extra.), July 28, 1975)  
(Srvn. 6, 1897 Saka.)

**PUNJAB GOVERNMENT  
GENERAL ADMINISTRATION (SERVICES)**

**DEPARTMENT**

**Notification**

The 28th July, 1975

No. GSR-76/Const./Art. 309/75—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling thereunto and with the previous approval of the Central Government under sub-section (7) of section 115 of the States Reorganisation Act, 1956 and sub-section (6) of section 82 of the Punjab Re-organisation Act, 1966, the Governor of Punjab hereby makes the following rules, namely :—

1. (1) These rules may be called the Punjab Civil Services (Premature Retirement) Rules, 1975. Short title and commencement.  
(2) They shall come into force at once.

2. In these rules, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :— Definitions.

- (i) "appropriate authority" means the authority which has the power to make substantive appointments to the post or service from which the Government employee is required or wants to retire or any other authority to which it is subordinate.
- (ii) "employee" means any person appointed to public services and posts in connection with the affairs of the State of Punjab, excluding those listed in rule 7.
- (iii) "qualifying service" means service qualifying for pension.

3. (1) (a) The appropriate authority shall, if it is of the opinion that it is in public interest to do so, have the absolute right, by giving an employee prior notice in writing, to retire that employee 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. Premature Retirement.

(b) The period of such notice shall not be less than three months :

Provided that where at least three months' notice is not given or notice for a period less than three months is given, the employee shall be 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.

(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.

4. A retiring pension and death-cum-retirement gratuity shall be granted to a Government employee, who retires or is required to retire under rule-3.

5. The provisions of these rules shall have effect notwithstanding any thing inconsistent therewith contained in any other rules for the time being in force.

6. All rules regulating the conditions of service as respects premature retirement of persons appointed to public services and posts in connection with the affairs of the State of Punjab, in force immediately before the commencement of these rules, are hereby repealed :

Provided that :-

- a) such repeal shall not affect the previous operation of the rules hereby repealed or anything done, or any action taken, thereunder ;
- b) any proceedings under the rules hereby repealed, pending at the commencement of

these rules shall be continued and disposed of in accordance with the provisions of these rules as if such proceedings were proceedings under these rules.

7. Nothing in these rules shall apply to :-

- i) the members of the All India Services ; Saving.
- ii) the persons appointed to the Secretarial staff of the Legislative Assembly ;
- iii) the persons belonging to any judicial services of the State.

8. If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Governor or such other authority, as may be specified by the Governor by a general or special order and the Governor or such other authority shall decide it. Interpretation

(Adopted by the Board vide Secretary PSEB Patiala circular memo No. 75315/616/ENG/G-392 dated 12-9-75)

Copy of Circular letter No. 6333-SII(ASO)-75/36437, dated the 12th Sep., 1975, from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Compulsory Retirement.-Not affected by any enquiry or investigation of charges against Government employee on reaching the age of Superannuation.

I am directed to invite a reference to clauses (iii) and (iv) of sub-para (b) of para 2 of the Punjab Government letter No. 1497-4GS-62/4059, dated the 13th February, 1962, on the Subject noted above, wherein it was provided that when there was complaint alleging grave charges and where preliminary investigation had establis-

hed a **prima-facie** case exposing the employee concerned to face penalty of dismissal, removal or discharge from service, were pending and it was not possible to complete the enquiry before the date of his retirement, he should not be retired from service till the completion of the investigation and the enquiry. The said provision was based on clause (d) of rule 3.26 of the Punjab Civil Services Rules, Vol. I Part-I, which was as follows:—

"A Government servant under suspension on a charge of misconduct shall not be required or permitted to retire on his reaching the age of compulsory retirement but should be retained in service until the enquiry into the charge is concluded and final order is passed thereon "

2. In this connection, it is pointed out that clause (d) of rule 3.26 *ibid* was deleted, vide Punjab Government notification No. GSR-56/Const./Art. 309/63 dated the 18th Feb., 1963. On the deletion of the basic provision in the above mentioned Rules the provisions of clauses (iii) and (iv) of sub-para (b) of Para 2 of the Circular letter, dated 13th February, 1962, obviously became in-operative. It has, however, come to notice that some Departments still have not appreciated this position. I am, therefore, directed to make it explicitly clear that on the deletion of clause (d) of rule 3.26 of the Punjab Civil Services Rules, Volume I, Part I, vide notification of 18th February, 1963, the provisions of para 2 (b) (iii) and (iv) of the above-mentioned circular letter are no longer in force and should be deemed to have been deleted with effect from 18th February, 1963.

3. In view of the changed position of rules and instructions as explained in the above paragraph, it will not be possible to retain an employee in service beyond the age of superannuation, irrespective of an investigation or enquiry of serious charges whatsoever, against him. This, however, does not mean that any corruption charge or other serious allegation against him will stand dropped. In this connection it is clarified that the charges against the employee concerned shall be persuaded to a logical conclusion and the result kept in view while considering the question of

grant of pension to him.

4. The above instructions may kindly be got noted from all concerned for careful compliance.

(Circulated vide Secretary PSEB Patiala endst. No. 67268/893/Reg/ADP-49 dated 4.5.82)

Copy of Circular letter No.6520-2SII-75/38581 dated 26th Sept., 1975 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

Subject : Punjab Civil Services (Premature Retirement) Rules, 1975—  
Weeding out corrupt, dishonest or inefficient officers/officials from services.

I am directed to address you on the subject noted above and to say that with the publication of the Punjab Civil Services (Premature Retirement) Rules, 1975 in the Government Gazette (Extraordinary) on 28th July, 1975 the 'appropriate authority' as defined in the Rules *ibid* has been given absolute right to retire any Government employee 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, by giving that employee prior notice of three months in writing. This right has to be exercised if, in the opinion of the authority concerned, it is in 'public interest' to do so.

2. Previously, Rules 5.32 and 5.32-A of Punjab Civil Services Rules, Volume II were being invoked to consider cases of premature retirement of Government employees, where this was called for, on completion by the employees of 25 years of qualifying service or of 55 years of age. These Rules had laid down certain conditions for observance. In regard to the manner in which the provisions

Scope of Rules.

Previous rules of premature retirement.

of the said rules were required to be enforced, the latest instructions were circulated, vide P.G. letter No 216-(GOI)-2SII-75, dated 22-7-75 wherein, the text of the previous instructions on the subject was given in detail. As regards 'compulsory retirement' as a measure of penalty in terms of Rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, the procedure laid down therein was required to be observed

Policy of Government : Absolute right

3. It is necessary to lay down clearly the policy of Government for the exercise of the absolute right by the appropriate authorities to order premature retirement under the Punjab Civil Services (Premature Retirement) Rules, 1975. The essential features of the Government policy in this behalf are, therefore, stated as under.

Objective of the Policy

4. The primary anxiety of Government is, in the interest of administrative efficiency, to ensure that dead-wood, or more precisely, the inefficient and corrupt element should be weeded out from the services. It is with this end in view that absolute right to retire a Government employee prematurely has been acquired through the Rules notified on 28th July, 1975.

Basis to formulate opinion.

5. The absolute right vesting in the 'appropriate authority', as defined in the aforesaid rules, viz (the authority which has the power to make substantive appointments to the post or service from which the Government employee is required or wants to retire or any other authority to which it is subordinate) as an agent of the welfare State should, however, be utilised judiciously in order that the 'public interest' is really served by the premature retirement of the employee concerned. The said authority may formulate its opinion by (i) scrutiny of the confidential reports of the employee concerned; and (ii) by

taking into consideration any other substantial material that it might have before it.

6. It is not feasible to lay down in absolute terms as to how many adverse entries about inefficiency, incompetence or lack of integrity would justify the premature retirement under the new Rules. The service record as a whole would determine the merits of each case in this behalf. Quite often, the confidential roll alone would be sufficient to guide the appropriate authority in reaching a conclusion. The remoteness of an adverse entry (already communicated to the employees concerned and not expunged), the gravity of a blot and other developments in the service career of the employees concerned, such as the crossing of efficiency bars, confirmation, promotion to a higher post or any other meritorious service rendered by the employees concerned would have their relative importance. Conclusive and proven reports based on inspections, and departmental and vigilance enquiries would also be helpful in taking decisions under the Rules.

7. It need no reiteration that Government wishes to retain in its service only those employees whose integrity is un-impeachable. Thus, even a single entry depicting the employee concerned as a person of doubtful integrity (generally fortified by reasons) and the adverse remarks thereabout having been communicated and not expunged should justify the appropriate authority in considering him for premature retirement under the new rules. If the adverse remark on the integrity is of a distant past and there are certain intervening factors in the service of the employee as referred to in para 6 above, the appropriate authority would formulate its opinion after taking into account the cumulative effect of the record of the employee concerned. It is also relevant to add in this behalf that the appropriate authority may consider the premature retirement

Cumulative effect of record.

Integrity as pivotal criterion.

of Government employee if it has reasonable cause to believe that the employee concerned is lacking in integrity, irrespective of an assessment of his ability or efficiency in work.

Fitness for retention in substantive rank/post.

8. If a Government employee is officiating in a higher post consequent upon his promotion in such a grade after having earned good reports in his substantive grade and if his efficiency is not considered adequate in the higher grade, ordinarily his fitness to continue in service beyond the age of 50 years or 25 years service may be judged in relation to his substantive grade. But if he is good enough for substantive grade but not for the higher grade in which he has been officiating, he may be reverted to his substantive grade, but retained in service.

Stages of review of cases.

9. Rule 3 of the Punjab Civil Services (Premature Retirement) Rules, 1975 permits the appropriate authority to consider the premature retirement of an employee at any time after he has completed 25 years qualifying service or 50 years of age. It thereby enables the appropriate authority to review the cases of even those Government employees whose continuance in service beyond the age of 55 years according to the previous instructions might have been considered. Unless there are extenuating circumstances, repeated reviews for continuance in service of Government employees at various points of time after they have completed 50 years of age should not become common. Such repeated reviews breed insecurity even among those employees whose continuance in service is desirable. In case, however, some special facts come to notice which lead the appropriate authority to conclude that a particular employee has so deteriorated in his performance that his continuance requires further scrutiny, such a review can be held. It would be advisable when making the first review under the Premature Retirement Rules for the cases of all Government employees

who have completed the qualifying service of 25 years or are about to complete the age of 50 years or have completed the age of 50 years to be reviewed. Even if the cases of some employees for continuance beyond the age of 55 years have been cleared earlier, such a general review would ensure that an identical yardstick is applied when deciding the cases of all concerned employees in a particular category.

Therefore, a constant watch on the work and conduct of the employees nearing 50 years of age or/and completing 25 years of qualifying service and during the period subsequent thereto would be required. For administrative convenience the cases of such employees be reviewed as follows :—

- (1) When a Government employee completes 25 years qualifying service, if it is earlier than his completion of 50 years age or/and when Government employee is to attain the age of 50 years, as the case may be; and
- (2) When a Government employee is to attain the age of 55 years.

In case a Government employee is cleared at the time of first review, he should be allowed to continue till the second review and in case a Government employee is cleared at the second review, he should be allowed to continue upto the age of 58 years without any fresh review unless another review is justified by any exceptional reasons, such as his subsequent work or conduct or the state of his physical health, which may make such earlier retirement clearly desirable.

Every review should be made well in advance, that is, six months prior to the date on which an employee

attains the age of 50 years or completes 25 years qualifying service and 55 years age, as the case may be so as to enable the appropriate authority to give three months notice to the employee concerned. The cases in which a review was made according to the previous policy, at 55 years age should be reconsidered in the light of the above criteria for observance of the Punjab Civil Services (Premature Retirement) Rules, 1975 and a suitable decision taken.

Notice period and entitlement of pay & allowances in lieu thereof.

10. Under the Punjab Civil Services (Premature Retirement) Rules 1975 (Rule 3(1)(b) thereof) a notice of three months is necessary to be given to the Government employee whose premature retirement is to be ordered in terms of these rules. It has also been provided therein that in case at least three months notice is not given or notice for a period less than 3 months is given, the employee concerned shall be 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 the period of three months, or, as the case may be, for the period by which such notice falls short of three months.

The above provision, *inter-alia*, enables the appropriate authority to order premature retirement forthwith i.e., without three months notice or with a notice less than three months in cases in which the exigency so demands. Consequently the affected employees become entitled to the amount of pay and allowances, etc. for the period by which notice falls short of three months. This entitlement however, does not mean that if the payment is not made forthwith, it would result in legal complications. It is, of course, desirable to make this payment as early as possible but in cases where immediate payment is not possible this should not be taken to be a cause of obstruction in

giving effect to premature retirement of the employee concerned, wherever called for, in the opinion of the appropriate authority.

11. The appropriate authority which has been of empowered to order retirement in the extant rules has been defined under Rule 2(1) as the 'authority which has the power to make substantive appointments to the post or service from which the Government employee is required or wants to retire or any other authority to which it is subordinate'. It is thus clear that premature retirement shall have to be made, where necessary, by the authority which has the power to make substantive appointments and not necessarily by the authority which made previously any substantive appointment or confirmation in the case of any employee, who may be presently officiating and might be holding lien in some other post. The authority which is superior authority to the one referred to above can also pass an order of premature retirement.

Authority competent to retire.

12. The last and the most important point to be observed by the Departments is that special care by the reporting/reviewing authorities in recording the annual confidential reports of their subordinates is essential. These reports assume great importance in the context of the indispensable need for maintaining efficiency and clean administration. For premature retirement, the annual confidential reports, as explained above would play a vital role. It is, therefore a matter of paramount importance that the recording of annual confidential reports should be done with frankness, fearlessness and with a view to give the correct estimate of the employees concerned. It has to be realised by the reporting/reviewing authorities that any wavering depiction or ill-considered remarks on the work and conduct of the employees under them can

A.C.Rs to be written more realistically.

do a great harm to the administration and public interest. Reporting officers should therefore, come out clearly and without any hesitation to express their views.

Quarterly return.

13. It is requested that the above instructions may please be noted by all concerned for very careful compliance. It is also requested that the Departments may furnish to Services Department a quarterly return indicating the total number of cases of employees of all classes (including Class IV reviewed as indicated in para 9 above separately, class wise, and the number of cases where it has been decided to retire the persons concerned, in the public interest. The first return should pertain to the quarter July-September, 1975 and sent to this Department so as to reach it not later than the 15th October, 1975. Returns for subsequent quarters should reach this Department by the 15th of the month following the quarter to which the report may relate.

14. Kindly acknowledge receipt.

(Adopted vide Secretary, P.S.E.B. Patiala circular endst. No. 103744/4594/ENG/G-392 dated 7-11-75)

Copy of Circular letter No. 8767-2SII-75/45614 dated 21st Nov., 1975 from Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :- Punjab Civil Services (Premature Retirement) Rules, 1975—  
Payment to the officers retired prematurely under these rules.

I am directed to address you on the subject noted above and to say that following points have been raised for clarification :-

- (i) Whether the employee retired under the Punjab Civil Services (Premature Retirement) Rules, 1975 is to be con-

sidered to have retired with effect from the date of order of premature retirement in case three months' pay and allowances are paid and the date on which three months notice expires in case three months notice is given to the employee; or his retirement date be regulated by the instructions issued by Finance Department vide No. 240-GOI-6FR-74/20436, dated the 7th October, 1974 and No 6722-6FR-74/25704, dated the 20 December, 1974.

- (ii) What claim is to be treated as the last claim (in terms of rule 4.25 of the Punjab Subsidiary Treasury Rules Vol. I) of the employee retired under the Premature Retirement Rules, and
- (iii) Whether any authority from the Accountant General, Punjab in case of Gazetted Officers is required for the payment of three months' pay and allowances in lieu of three months notice ?

2. The matter has been considered by Government and the position is clarified as under ad-seriatim :-

- (i) The retirement date will be the date from which the employee is required to retire or seeks retirement, under the Premature Retirement Rules, 1975.
- (ii) In the case of three months' notice, last claim should be in respect of period from the first of the last month to the date of retirement in which the three months notice expires. In cases where the retirement is made with immediate effect by payment of three months' pay and allowances, the last claim should be in respect of the period from the first of the month to the date of that month on which he is relieved of the post, and
- (iii) No authority from the Accountant-General, Punjab is required. However, the claim for last period be released after the receipt of No Demand Certificate.

3. The above clarification issues with the concurrence of the Finance Department, vide their U.O. No. 7447-6FR-75 dated 7-11-75

4. Kindly acknowledge receipt.

(Adopted vide Secretary PSEB Patiala circular endst. No. 21539/22439/ENG/G-392 dated 19-2-76)

Copy of Circular letter No. 179-GOI-2SH-76 dated 31st May, 1976 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject — Punjab Civil Services (Premature Retirement) Rules, 1975 — Clarifications regarding.

I am directed to address you on the subject noted above to say that various Departments have been seeking clarifications on the following points arising from the application of Rule 3 of the Punjab Civil Services (Premature Retirement) Rules, 1975 in cases where Government employees are allowed pay & allowances in lieu of notice for retirement :-

- (i) Whether the pay and allowances for three months are to be reduced by pension and pension equivalent of gratuity or both are to be paid in full simultaneously during this period.
- (ii) Whether House Rent Allowance & City Compensatory Allowance for three months will be admissible.
- (iii) Whether the pay and allowances to be given in lieu of notice period shall be calculated on the basis of those drawn immediately before retirement or on the basis of pay and allowances including normal increment, if any, which the Government employee would have drawn, had he remained in service during the notice period.
- (iv) Whether income-tax can be deducted at source from the pay & allowances in lieu of the notice period.

(v) Whether the notice period of three months in lieu of which pay & allowances are given will count as qualifying service for pension.

2. The above points have been considered and the position is clarified as under ad-seriatim :

- (i) As the Government employee concerned will retire immediately on payment of pay & allowances in lieu of notice he would be entitled to pension from the date of such retirement and the pension shall not be deferred till after the expiry of the period of three months for which he is paid pay and allowances. In other words, pay & allowances given in lieu of the notice period would be in addition to pension for the said period.
- (ii) The Government employee, who are given pay and allowances in lieu of the notice period are entitled to House Rent Allowance & City Compensatory Allowance at the rates at which they were drawing the allowances immediately before retirement subject to the conditions prescribed for the purpose of grant of such allowances.
- (iii) The pay & allowances to be given in lieu of the notice period would be the pay and allowances drawn by him immediately before retirement. Since he would stand retired immediately on payment of pay & allowances, the question of taking the date of increment into consideration does not arise.
- (iv) The three months' pay and allowances given in lieu of notice are "Salary" and therefore, income tax is required to be deducted at source.
- (v) The Government employee would stand retired immediately on payment of three months pay and allowances in lieu of the notice period and will not be in service thereafter. Therefore, the question of counting this period for purposes of pension etc. does not arise.



3. The above clarification issues with the concurrence of the Finance Department vide their U.O. No. 3458-6FR-76. dated 26-5-1976.

4. Kindly acknowledge receipt,

(Adopted vide Secretary PSEB Patiala circular endst, No, 101149/101999/ENG/G-392 dated 26.8.76)

Copy of Circular letter No. 6785-2SII-76/33543 dated 12th August, 1976 from the Chief Secretary to Government, Punjab, to all Heads of Dep'ts., etc.

Subject : Punjab Civil Services (Premature Retirement) Rules, 1975—Civil Writ No. 5926 of 1975—Shri Harchand Singh, AETO, Vs. State of Punjab and others—Quashing of the order of premature retirement.

I am directed to address you on the subject noted above and to quote below an extract from the judgement of the Punjab and Haryana High Court in Civil Writ No. 5926 of 1975—Shri Harchand Singh, A.E.T.O, Vs. State of Punjab and others, for your information and guidance :—

“The petitioner was retired and the impugned order passed by the Government on the basis of the conclusion - ‘the petitioner’s record has been thoroughly unsatisfactory. In spite of the entries having been expunged, there are still a good number of adverse entries regarding his work, conduct and integrity.’ These conclusions are not borne out from the record of petitioner. According to the reply in paragraph 15 of the written statement; there were a number of complaints received against the petitioner after his promotion on March 5 1975. We specifically enquired from the learned counsel for the State about the alleged complaints. We were informed only one complaint has been received against the petitioner which was dated October 3, 1975. That complaint, obviously, was received after the impugned order was

passed; which is dated October 1, 1975. From all this, we are fully convinced that the authority concerned had not applied its mind to the record of the petitioner so as to warrant the conclusion that it was in public interest to retire the petitioner.

It was then contended by the learned counsel for the respondent State that though the petitioner had been promoted as an Assistant Excise and Taxation Officer in March 5, 1975 yet it was within the jurisdiction of the Government to retire the petitioner in public interest after perusing the entire record of the petitioner including the one before the date of his promotion. As a principle of law, the appointing authority is not debarred from perusing the entire record of any employee so as to form an opinion whether to retire him or not under rules. The scope and ambit of the power of the Government in this regard were exhaustively considered by a Division Bench of this Court in Gurdial Singh, Assistant Sub-Inspector of Police Vs The State of Punjab and others. (1976 Service Law Reporter, 78.) In paragraph 38 of the said Judgement, the summary of the conclusion arrived at regarding the various matters in controversy in that case has been given. Whereas the right of Government to retire an employee in public interest has been recognised to the fullest extent according to that decision, it has also been held as follows :—

“An order of premature retirement can be quashed or set aside by a Court only if it is either shown to have been actuated by malice or is shown to have been passed in an arbitrary or capricious manner or by an authority not competent to pass such an order under the relevant service rules.” Thus it is within the jurisdiction of this Court to quash the order of premature retirement in the exercise of its extraordinary jurisdiction under Articles 226 and 227 of the Constitution of India in case such an order is found to be arbitrary or capricious. From a perusal of the record of the petitioner and the averments made by respondents No. 1 and 2, we are of the considered opinion that the impugned order

cannot be termed any thing but arbitrary in the circumstances of this case. We are further of the opinion that the retiring authority did not apply its mind to the record of the petitioner. An extraneous matter like the alleged complaint which was not in existence at the time of the passing of the impugned order was also taken into consideration.

For the reasons recorded above, this Writ Petition is accepted and the impugned order retiring the petitioner is set aside. There will, however, be no order as to costs."

2. Kindly acknowledge receipt.

(Adopted vide Secretary PSEB Patiala memo No. 117165/118115/ENG/G-148/L dated 5-10-78)

Copy of Circular No. 6106-2GS-76 dated the 27th August, 1976 from the Chief Secretary to Government Punjab, to all Heads of Deptts, etc.

Subject: The Punjab Civil Services (Premature Retirement) Rules, 1975-Question of consideration of representation against the premature retirement.

I am directed to invite your attention to the detailed instructions issued vide Punjab Government circular letter No. 6520-2SII-75/38581, dated the 26th September, 1975 regarding the weeding out of corrupt, dishonest or inefficient employees from services under the Punjab Civil Services (Premature Retirement) Rules, 1975 (hereinafter referred to as the Rules). There is no specific provision in the Rules for review against the order of premature retirement. This aspect has been considered by the Government and following instructions are issued :-

- (a) According to the instructions issued vide Punjab Government letter No. 6936-SII(3)-73, dated the 22nd October, 1973, Government employees have been allowed to make a representation in any matter connected with their service rights or conditions. A Government employee who has been ordered

to be retired prematurely by the appropriate authority under the rules can, therefore, submit a representation against his premature retirement to the next higher authority who shall consider the representation on merits and take appropriate decision.

- (b) The employee concerned will be allowed to resume duty in case it is decided by the higher authority to set aside the premature retirement. His period of absence from duty i.e. from the date of premature retirement till his resuming duty may be regulated according to Rule 4.20, 4.22 and 4.23 of C.S.R. Volume-II.
- (c) No Second representation will be entertained if the first representation has been considered and rejected.
- (d) Government is competent to review its own decision as well as the decision made by any authority subordinate to it on the representation or on its own motion and take appropriate decision in cases where such a review is called for.

2. Limitation of period of filing representation.

- (i) As regards the period within which a representation should be filed, it has been decided that in the case of an employee who has been served with three months notice for premature retirement, the representation may be filed within one month of the service of the notice upon him.
- (ii) In case of premature retirement with three months' pay and allowances in lieu of notice period, the representation may be filed within one month from the date of retirement.
- (iii) The cases in which premature retirements have already been ordered before the issue of these instructions, the period of one month of submission of representation will start from the date of issue of these instructions.
- (iv) In cases where representations have already been filed but have not so far been considered by the higher authority, those should be considered now.

3. Government further desires that such representations should be disposed of by the higher authority at the earliest and normally within the period of notice or two months from the receipt of representation. Representations already pending should be disposed of within two months from the date of issue of these instructions.

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

(Adopted vide Secretary PSEB Patiala circular endst. No. 123238/4188/ENG/G-392 dated 7-10-76)

**Copy of Secretary (Gazetted Section) PSEB Patiala Circular memo No. 9432/42/EBP-1975 dated 21-4-77 to All C.Es, CAO, CA, Dy Secy./P&E, PSEB Patiala.**

**Subject : Age of compulsory retirement.**

Detailed instructions have been issued vide this office Memo No. 75724/819/M-154/Spl. I, and No. 72466/691/M-212/2.2 dated 10-11-1967 and 25-6-73 respectively regarding retention of Govt. employees beyond the age of 55 years. According to these instructions, it is incumbent upon the competent authority to consider the question of the suitability of employees for retention in service beyond the age of 55 years atleast six months from the date on which they are to attain that age. If on an objective assessment, it is found that the employee is not suitable for retention in service, he is retired in accordance with the provisions of these instructions read with Rule 3.26(a) of Pb. CSR Vol. I, Part-I/3, 23(a) of the PSEB Main service Regulations, 1972 and Rule 5.32 of Pb CSR Vol. II.

According to Rule 3.26(a) of Pb.CSR Vol. I and Regulation 3.23(a) of PSEB Main Service Regulations, 1972 the date of compulsory retirement of employers belonging to Class I, II and III services, is the date on which they attain the age of 58 years. After the age of compulsory retirement,

no Board employee is, ordinarily, to be retained in the service of the Board.

The objective assessment of an employee at the age of 55 years for determining whether he should be retained in service after the age of 55 years, does not imply that in case the competent authority decides to retain him in service any sanction thereof should be issued. The issue of such a sanction will be contrary to the provisions of Rule 3.26(a) of Pb CSR Vol. I, Part I and 3.23(a) of PSEB MSR Vol. I 1972. Wherein the age of superannuation has been stated as 58 years it is, therefore, not necessary to issue any sanction where the competent authority has decided to retain an employee after an objective assessment, beyond the age of 55 years and the employee shall be allowed to continue in service upto the age of 58 years. However, the appointing authority has an absolute right to retire an employee on or after attaining the age of 55 years by giving him a notice of not less than three months without assigning any reason as prescribed in Rule 5.32-A(c) of the Pb. CSR Vol. II/Regulation 3.23 (c) (4) of the PSEB Main Service Regulations Vol. I Part I.

**Copy of Secretary PSEB Patiala Circular memo No. 61945/62285/LB-3 (24) dated 12-5-77.**

**Subject : Retirement of permanent employees of the erstwhile PWD (Electricity Branch) before attaining the age of superannuation.**

Shri Gurbachan Singh Bhambra, AE Class II (Civil) who was retired before attaining the age of superannuation i.e. 58 years, by giving him a three months' notice, had challenged his pre-mature retirement in the Punjab and Haryana High Court in Civil Writ petition No. 1721 of 1975. It was, inter-alia alleged by the petitioner that the Board could not retire him before attaining the age of superannuation which was 58 years as per PSEB Main Services Regulations. The writ petition was defended on the ground that the petitioner was permanent

employee of the erstwhile PWD Electricity Branch and was governed by the Punjab Civil Services Rules. Even otherwise, the Board had adopted the Punjab Civil Services Rules for its employees and the petitioner who was eligible for retiring pension under the Punjab Civil Services Rules Vol. II, was validly and legally retired in terms of Rule 5.32-A (Which is synonymous to Rule 5.32) of the Rules, *ibid* which, vest an absolute power in the appointing authority to retire any employee any time on or after attaining the age of 55 years by giving a notice of not less than three months without assigning any reason. The contention of the Board has been up-held and the writ petition was dismissed on 21-1-77. A copy of the judgement is sent herewith for information and guidance.

The ratio of the judgement is that the Board having adopted Punjab Civil Services Rules Vol. II, it has the power to retire any employee before attaining the age of superannuation i.e. 58 years, in accordance with the provisions of the said Rules.

IN THE HIGH COURT OF PUNJAB AND  
HARYANA AT CHANDIGARH  
CIVIL WRIT SIDE.

Civil Writ Petition No. 1721 of 1975.

Shri Gurbachan Singh Bhambhra SDO (Civil), C.C. Sub-Division No. 2/2, GNDTP, Bhatinda.

...Petitioner.

Versus

Punjab State Electricity Board, Patiala, through Chairman,

.. Respondent.

Petition under Article 226 and 227 of the Constitution of India  
praying as under ;—

- a) a suitable writ, direction or order be issued to the respondent quashing the notice of retirement;

- b) any other appropriate writ, direction or order as this Hon'ble court may deem fit in the circumstances of the case be issued ;  
c) that there is time left with the petitioner to serve the requisite notice of motion on the respondent as if required by the High Court Rules and Orders ;  
d) notice of motion on the respondent be dispensed with ;  
e) production of certified copy of Annexure P/1 be dispensed with ;  
f) a stay order staying the operation of the impugned order Annexure P/1 attached to the Writ Petition.  
g) Costs of the petition be awarded to the petitioner.

Dated the 21st January, 1977.

Present

The Hon'ble Mr. Justice Aji Singh Bains

For the Petitioner : Mr. Sarup Singh, Advocate

Mr. Kuldip Singh, Advocate.

For the Respondent : Mr. K.P. Bhandari, Advocate.

JUDGEMENT

Ajit Singh Bains, J. (Oral).

Gurbachan Singh Bhambhra petitioner was appointed as Sectional Officer on 19th December, 1950, by the Punjab Government, P.W.D., Electricity Branch. The petitioner opted for the service of Punjab State Electricity Board (hereinafter called the 'Board') with effect from 1st February, 1959. Since then he is serving with the Board. He was promoted as Sub Divisional Officer (Civil) with effect from 1st April, 1970. It is alleged in the petition that he was served with a notice from the Board giving him three months' notice to retire from service with effect from 12th April, 1975. Copy of the notice is reproduced below :—

"It has been decided by the Board to retire you from its service attaining the age of 56 years.

You are, therefore, hereby served with a three months' notice, effective from 13-1-1975 and you shall retire from the service of the Board on the completion of 3 months' notice viz 12-4-75 A.N."

It is against this order of the Board dated 9th January, 1975, copy Annexure P.I, that the present writ petition has been filed.

Mr. Sarup Singh, learned counsel for the petitioner, has contended that under the Board Service Rules which are applicable to the petitioner no such notice could be given to the petitioner. Mr. Bhandari learned counsel for the Board, has pointed out that the Punjab Civil Services Rules, Volume-II, are still applicable to the petitioner and under Rule 5.32 the Board was competent to retire the petitioner on or after attaining the age of 55 years by giving a notice of not less than three months without assigning any reason. He has pointed out that when the offer was made to the petitioner and others like situated persons by the Board to opt for their service, then it was mentioned in that offer that they shall be allowed the same scale of pay as they were drawing under the Punjab Government on the eve of their transfer to the Board and as they would have drawn in their present posts due to annual increments or promotion had they continued under the Punjab Government but for the formation of Board and the other terms and conditions of their service will remain the same as laid down in the Service Rules. Mr. Bhandari also pointed out that there is a statutory notification also regarding the adoption of Punjab Civil Services Rules in the case of the Board employees who were earlier serving the Punjab Government and later opted for the Board's service. The power of the Government under this rule was earlier challenged and their Lordships of the Full Bench of this Court in Pritam Singh Brar v. State of Punjab and Others A.I.R 1968 Punjab and Haryana 189 have observed as under :—

"Rule 3.26 and Rule 5.32 should be read together and not

in isolation, and the former was controlled by the latter. Hence, though Rule 3.26 had fixed the age of superannuation at 58, the Government could retire a servant before he had attained that age, if he had completed 25 years' qualifying service or attained the age of 55".

Otherwise also this writ petition is more or less infructuous because the petitioner is due to complete his 58 years of age on 9th March, 1977. The Motion Bench had stayed the operation of the impugned order and so even after the impugned notice he continued in service upto now.

No other point is urged.

For the reasons recorded above, I find no merit in this petition and the same is dismissed with no order as to costs.

Sd/- A.S. Bains  
(Ajit Singh Bains)  
Judge

January 21, 1977

Copy of Circular letter No. 629-6FR-77/14545 dated 6th June, 1977 from Commissioner for Finance and Secretary to Government, Punjab, Finance Department, to all the Heads of Departments etc.

Subject : Recovery of D.C.R.G. and General Provident Fund, (in instalments) paid to the Government employees Class III and Class IV staff prematurely retired under Premature Retirement Rules.

I am directed to invite a reference to Punjab Government letter No. 6'06-2GS-76 dated the 27th August, 1976 and to say that as a result thereof certain class III and class IV staff prematurely retired from service might have been taken back in services on review of the orders passed for their premature retirement. The matter as to whether the repayment of the retirement benefits such as gratuity, contributions towards G.P.F. be made by them in lumpsum or in instalments had

been under the consideration of Government. As it was very difficult for the employees to repay the same in lumpsum, the Governor of Punjab is pleased to decide that the amount of D.C.R.G/Terminal Gratuity may be recovered in not more than 12 instalments and interest at adhoc rate of 6 percent per annum should be charged on the amount of D.C.R.G/Terminal Gratuity from the date of actual payment on premature retirement to the date on which final instalment is paid back or to the date of final retirement, whichever is earlier.

2. As regards the provident fund amount provision already exists under rule 13.29 of Punjab Civil Services Rules Volume-II, regarding repayment in such cases in instalments or otherwise.

3. The question of refund or otherwise of the amount of pension received by the Government employees during the intervening period where such period has been treated as neither duty nor leave but 'dies-non' is under consideration and further orders will be issued in due course.

(Adopted vide Secretary PSEB Patiala Circular memo No. 142828/3412/Reg-4/Loose dated 14-12-81)

Copy of Circular letter No. 184-GOI-2GS-I-77/40341 dated the 14th/15th Sep., 1977 from the Chief Secretary to Government, Punjab to the address of all Heads of Deptts., etc.

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 Govt. 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 rule 2.2 of CSR Vol 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 judgement of the Punjab and Haryana High Court in Civil Writ No. 5926 of 1975 an extract of which was circulated vide Punjab Govt. letter No. 6785-2GSII-76/33543 dated 12th August, 1976 may please be kept in view.

3. Kindly acknowledge the receipt of this communication.

(Adopted vide Secretary PSEB Patiala circular memo No. 116187/117137/ENG/G-148/L dated 5-10-78)

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

The Punjab Civil Services (Premature Retirement) Rules, 1975  
(sub-rule (2) of Rule 3) adopted by the Board vide its circular memo No.  
75315/616/ENG/G-392 dated 12.9.1975 provides that any Board 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. These rules do not  
confer a right on a Board employee to seek retirement from service  
before the expiry of the three months notice referred to therein, the  
reasons being obvious. A Board 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 was given to him. Further it may not be  
possible to make administrative arrangement immediately in place of  
the employee seeking retirement. Thus the compulsion of notice on the  
part of the Board employee has been provided by the Board to safe-  
guard administrative interest.

2. A question has arisen as to whether the appropriate authority can  
of its own permit a Board employee to retire from service after deposi-  
ting 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 Board employee in service during the period of notice. The Board  
has carefully considered the matter and 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 allo-  
wances for the period by which the notice fell short of three months,  
should be examined by the concerned appropriate authority on merits  
and if it is considered that there are no circumstances requiring the  
retention of the Board employee in service during the period of notice,  
such cases may be sent invariably to this office (in Estt. Non-Gazetted  
Section for non gazetted employees and to Gazetted Estt. Section for  
gazetted officers respectively) for obtaining necessary sanction which  
will be accorded by the Chairman in the case of Non-Gazetted employees  
and Full Board for Gazetted Officers.

3. Kindly acknowledge its receipt.

Copy of Circular letter No. 1411-2PP-78/5724 dated 23rd Feb, 1978 from  
the Government of Punjab, Deptt. of the Personnel and A.R., to all Heads  
of Deptts., etc.

Subject: - Payment of pay and allowances in lieu of notice period given  
to a Government employee who is retired while under suspen-  
sion—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 immedi-  
ately 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 re-instate 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.

(Circulated vide Secretary PSEB Patiala endst. No. 141057/141557/Reg./ADP-49 dated 10-12-81)

Copy of Circular letter No. 6650-7/7/78-2PP/33043 dated 20th October, 1978 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., 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) SLR 78 and 1978(1) SLR 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 up to 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 services. To this extent, the Government instructions bearing No. 2764-25II-74, dated 22nd April, 1974 stands modified.

(Adopted vide Secretary, PSEB Patiala circular endst. No. 297/1547/ENG/G-148/L dated 1st January, 1979)

Copy of the Circular letter No. 17/1/78-6FR (79-GO1)/6 dated 24th Nov., 1978 from the Commissioner for Finance and Secretary to Govt., Punjab, Finance Deptt., to all the Heads of the Deptts., etc.

Subject: Recovery of Death-Cum-Retirement Gratuity and General Provident Fund (in instalments) paid to the Government employees Class-III and Class-IV staff prematurely retired under Premature Retirement Rules.

I am directed to invite a reference to Punjab Government Finance Department letter No. 629-6FR-77/14545 dated the 6th June, 1977 on the subject noted above, according to which it was decided to recover the amount of death-cum-retirement gratuity etc. paid to the Govern-



ment employees who were prematurely retired under the Punjab Civil Services (Premature Retirement) Rules, 1975 and subsequently reinstated in service in 12 instalments. The matter has been re-considered in the light of the decision taken for their employees by the Government of India and in partial modification of the orders contained in the afore mentioned letter, the Governor of Punjab is pleased to order as follows :—

(i) The amount of death-cum-retirement gratuity received may be allowed to be retained by the Government servant concerned on payment of simple interest as prescribed for the General Provident Fund for the corresponding period. The amount so retained will be adjusted against the final death-cum-retirement gratuity becoming due on final retirement and the balance, if any, will be paid to him.

(ii) Where the intervening period between premature retirement and date of reinstatement is treated as duty, the amount of pension drawn by the individual should be adjusted against the salary payable.

(iii) Where the period is treated as leave due and admissible, the pension amount shall be adjusted against the leave salary. In cases where leave salary due and admissible is not enough to cover the entire period and extraordinary leave has to be granted the reinstated employees may be given the option to retain pension if it is more advantageous. If this option is exercised the period for which pension is retained, shall not count finally for qualifying service.

(iv) Where the period prior to reinstatement is neither treated as duty nor leave but 'dies-non' (i.e. when no directions are given) pension already drawn shall be allowed to be retained by the employee.

(v) Where part of the pension has been commuted, the commuted amount may not be recovered from the Government servant concerned but for the purposes of sub-paras (ii)(iii) & (iv) above the full amount of pension before commutation and the pension equivalent of gratuity shall be taken into account for the purpose of pay fixation.

The pay of a Government employee whose pension is allowed leave commuted, shall on reinstatement be reduced by the amount also be allowed including the amount commuted and pension equivalent of him in continuation he shall draw such reduced pay plus pension after commutation. He will be entitled to increments admissible from the date he finally retires. He will be entitled to increments admissible from the date he retires to time. If any occasion arises to re-fix his pay as a result of transfer, deputation or promotion, the notional pay, being drawn plus pension, shall be taken as 'pay' for purposes of re-fixation. On his final retirement, the pension shall be recalculated and the pension already being drawn will be revised suitably.

2. The question of the deferment or otherwise of recovery on account of General Provident Fund is separately under consideration and necessary orders will be issued in due course.

(Adopted vide Secretary PSEB Patiala circular memo No. 142828/3412/Reg-4/Loose dated 14-12-81)

Copy of Circular letter No. 16/72/78-2PP dated 27th February, 1979 from the Chief Secretary to Government, Punjab, to all Heads of Departments 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 employee 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

...ity. The matter has been considered by Govern-  
view the policy of the Government of India, and it  
...ed that there being no provision in the Punjab Civil  
(premature Retirement) Rules, 1975 to this effect, a government  
...e who is allowed to retire voluntarily after the expiry of this  
...e 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.

(Adopted vide Secretary PSEB Patiala circular memo No. 202878/3228/REP-14/L dated 29-10-82)

Copy of Govt. of Punjab, Department of Personnel & Administrative Reforms, Chandigarh's Circular letter No. 16/3/78-2PP/11297 dated 15th November, 1979 to all Heads of Depts., etc

Subject : Treatment of the period intervening between the date of premature retirement and the date of reinstatement in service — Policy regarding.

I am directed to say that in Punjab Government letter No. 6106-2GS-76, dated 27th August, 1976, it was laid down inter-alia that the period of absence from duty, i.e. from the date of premature retirement till the date of resumption of duty in the case of an employee who is reinstated in service, may be regulated according to rules 4.20, 4.22 and 4.23 of the Punjab C.S.R., Volume II. With a view to laying down a uniform policy in the matter and after taking into account the policy of the Govt. of India, it has now been decided by the Government that the period intervening between the date of premature retirement and the date of reinstatement may be regulated by the authority ordering reinstatement as duty or as leave of the kind due and permissible or dies-non, as the case may be, taking into account the merits of each case. The earned leave due and admissible is indicated in Rule 8.116 of Punjab

C.S.R. Vol. I, Part I. After a Government employee is allowed leave due and admissible to him under rule 8.116 ibid, he can also be allowed half pay leave, extraordinary leave due and admissible to him in continuation of the earned leave.

2. Further, in the case of employees who had been prematurely retired on grounds of inefficiency and by the time the higher authority to consider the representations against such premature retirement came to the conclusion that the premature retirement was unjustified, the date of superannuation of the employee has already arrived or had passed, it has been decided that the authorities empowered to pass final orders may at their discretion reinstate the superannuated Government employee notionally with effect from the date of compulsory retirement and treat the period upto the date of superannuation, as duty, or as leave of the kind due and admissible or dies non, as may be considered appropriate by the competent authority.

3. The cases which have already been decided need not be reopened and the pending cases may be decided in the light of these instructions.

(Adopted vide Secretary P.S.E.B. Patiala circular memo no 75197/462/REP-14/L dt. 19-5-82.)

Copy of Punjab Government, Notification No. GSR-168/Const./Art 309 read with Art. 234/Amend. (2)/79 dated 29th Nov., 1979 circulated vide their letter No. 16/5/78-2PP/915 dated 29th Jan., 1980 to all Heads of Depts., etc.

GOVERNMENT OF PUNJAB  
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS  
(PERSONNEL POLICIES BRANCH)

Notification

The 29th, November, 1979

No. G.S.R. 168/Const./Art. 309 read with Art. 234/Amd. (2)/79.— In exercise of the powers conferred by the proviso to article 309 read

with article 234 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 further to amend the Punjab Civil Services (Premature Retirement) Rules, 1975, namely :—

1. (1) These rules may be called the Punjab Civil Services (Premature Retirement) First Amendment) Rules, 1979.
  - (2) They shall be deemed to have come into force on and with effect from the seventh day of June, 1978.
  - (3) They shall not apply to the secretarial staff of the Legislative Assembly.
2. In the Punjab Civil Services (Premature Retirement) Rules, 1975 (hereinafter referred to as the said rules), in rule-3, after sub-rule (2), the following sub-rules shall be inserted, namely :—
- “(3) (a) At any time after an employee has completed twenty years of qualifying service, he may, by giving notice of not less than three months in writing to the appropriate authority, retire from service.
  - (b) The notice of voluntary retirement given under this sub-rule shall require acceptance by the appropriate authority.
  - (c) Where the appropriate authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.
  - (4) The employee, who has elected to retire under sub-rule(2) or sub-rule (3) and has given the necessary notice to that effect to the appropriate authority, shall be precluded from withdrawing his notice except with the specific approval of the appropriate authority :

Provided that the request for withdrawal shall be made before the intended date of his retirement.

Note 1 :—A notice of less than three months may also be accepted by the appropriate authority in deserving cases, with the concurrence of the State Government in the Department of Personnel and Administrative Reforms.

Note 2 :—If an employee retires under sub rule (2) or (3) above 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 shall be recovered as provided in rule 8 119 (d) of the Punjab Civil Services Rules, Volume-I, Part-I.

Note 3 :—In computing the notice period of three months referred to in rule 3, the date of the service of the notice and date of its expiry shall be excluded.”

3 In the said rules, for rule 4, the following rule shall be substituted, namely :—

- “4. (1) A retiring pension and death-cum-retirement gratuity shall be granted to an employee who retires or is required to retire under rule 3.
- (2) While granting proportionate pension and gratuity to an employee retiring under sub-rule 3) of rule-3, his qualifying service as on the date of intended retirement shall be increased by a period not exceeding five years, so however, that the total qualifying service of the employee as so increased shall not in any case exceed thirty years or the period of qualifying service which the employee would have completed had he retired on the date of his superannuation, whichever be less.
- (3) The pension and gratuity of the employee retiring under sub-rule (3) of rule 3 shall be based on the emoluments as defined in rule 6.19-C and 6.24 of the Punjab Civil Services Rules, Volume II, and the increase in his qualifying service under sub-rule (2) shall not entitle him to any notional fixa-

tion of pay for purposes of calculating pension and gratuity.

- (4) The amount of pension to be granted after allowing increase in the qualifying service under sub-rule (2) shall be subject to the provisions of rules 2.2 and 6.4 of the Punjab Civil Services Rules, Volume-II".

(Adopted in toto by the Board vide Secretary PSEB Patiala circular memo No. 152995/3633/Reg/Rep. 14 dt. 15-6-81)

Copy of Circular letter No. 16/16/79-3PP/381 dated 15th January, 1980 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :— Grant of leave to the employees retired under the Punjab Civil Services (Premature Retirement) Rules, 1975.

I am directed to say that in Punjab Govt. letter No. 14089-3GS-63/35196, dated 13/16-9-1963, it was laid down that a Government employee who is required to retire or who himself chooses to retire may be allowed the leave due and admissible to him provided it does not extend beyond the date on which he attains the age of 58 years. These instructions were further clarified vide Punjab Government letter No. 7496-SII(2)-71, dated 30-11-1971 according to which Government employees could be allowed leave according to their own choice as under :—

- (i) Either leave preparatory to retirement upto 180 days on full pay, if it is due; or
  - (ii) Earned Leave up to 120 days with permission to combine it with any other kind of leave, if due.
2. The above clarificatory instructions have been incorporated as Note 2 below rule 8.116 (iii) of Punjab Civil Services Rules, Volume I, Part-I.
3. The provisions relating to premature retirement of Government employees are contained in the Punjab Civil Services (Premature Retirement) Rules, 1975.

4. Under Rule 8.21 of Punjab Civil Services Rules, Volume I, Part I, the leave at the credit of a Government employee lapses on his retirement and as such the leave can be given only before retirement. In the case of Government employees who are made to retire by giving 3 months' notice, or are made to retire by paying salary and allowances in lieu thereof, the date of retirement falls on the date on which the notice for 3 months expires or the date on which the orders of retirement by giving 3 months' pay are issued. It is, therefore, not possible to grant leave in such cases as envisaged in para 1 above. To overcome this difficulty, Government have reconsidered the whole matter and have decided as follows :—

- (i) A Government employee who is made to retire prematurely by giving him a notice of three months or by giving him pay and allowances in lieu of notice, may be granted leave upto 180 days, if it is due, which may extend beyond the date on which he is made to retire provided it does not extend beyond the date on which he attains the age of 58 years. Such a Government employee should apply for leave within the period of notice given to him. In case he is retired by giving him pay and allowances in lieu of notice, he should apply for leave within the period for which such pay and allowances have been paid and where he is granted leave, the leave salary shall be allowed only for the period of leave excluding that period for which pay and allowances in lieu of notice have been allowed.
- (ii) A Government employee who seeks premature retirement, after giving at least three months' previous notice in writing, may be granted leave upto 180 days, if it is due, which may extend beyond the date on which he retires (according to the notice given by him) provided it does not extend beyond the date on which he attains the age of 58 years. Such a Government employee should apply for leave within the period of notice given by him.
- (iii) In both the cases as at (i) and (ii) above, if the leave is allow-

ed to be availed of before the expiry of the period of notice, the period of notice or the unexpired period of notice, as the case may be, and the leave should run concurrently. The leave beyond the date of premature retirement, if any, would be treated as terminal leave, and shall not be construed as extension of service.

(iv) A Government employee who is granted leave beyond the date on which he retires prematurely as per notice given by him, or is made to retire, as the case may be shall be entitled during such leave to leave salary as admissible under normal rules, reduced by the amount of pension and pension equivalent or other retirement benefits as per provisions of Rule 8.122 (6) of Punjab Civil Services Vol. I, Part I.

5. The past cases which have already been settled need not be reopened for determining the nature of leave though in those cases too, the officer(s)/official(s) concerned would be deemed to have retired on the completion of the notice period but the cases pending decision till the date of the issue of these instructions, may be regulated in accordance with the aforesaid revised policy.

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

(Adopted w.e.f. 15-1-80 vide Secretary PSEB Patiala circular memo 152101/2739/Reg./Adp-49 dated 15-6-81)

Copy of Circular letter No. 17/1/78-6FR/10443 dated 14th Nov., 1980 from the Chief Secretary to Government, Panjab, to all Heads of Depts., etc.

Subject: Recovery of Death-cum-Retirement Gratuity and General Provident Fund (in instalments) paid to the Government employees Class III and Class IV staff prematurely retired under Premature Retirement Rules.

I am directed to refer to F.D. letter No. 17/1/78-FR(6) dated

24th November, 1978 on the subject noted above and to say that doubts have been raised about the exact scope and application of the orders. The position has been examined further and is clarified as below :—

<u>S.No.</u>	<u>Point raised</u>	<u>Clarification</u>
(i)	In case the period of interruption has been regularised by the grant of earned leave, half pay leave and extraordinary leave, whether Government employee concerned should be paid pension for the period of extraordinary leave.	Since no leave salary is payable for the period of extraordinary leave, the Government employee concerned will be eligible to retain pension for the period of extraordinary leave. The period of extraordinary leave will not qualify for pension.
(ii)	If a Government employee opts to retain the amount of DCRG in what manner the interest should be recovered ?	The simple interest as prescribed for G.P. Fund in respect of the corresponding period should be recovered every month from the leave salary or pay and allowances of the Government employees concerned.
(iii)	Where a part of DCRG has been recovered from a Government employee before he exercised option to retain the DCRG whether the option should cover the un-recovered amount of DCRG or the amount of DCRG already recovered should be refunded to the Government employees.	Option will cover only the un-recovered amount of DCRG. The portion of DCRG already recovered is not to be refunded.
(iv)	Whether the term 'leave salary' in para (iii) of letter dated	'Yes' the term 'leave salary' in para (iii) of letter dated

- 24-11-78 is leave with salary due and admissible ?
- (v) Whether pension including commuted portion thereof plus pension equivalent of gratuity is to be recovered only in cases where the Govt. employee has commuted a part of pension or in all cases irrespective of the fact whether commutation has been made or not ?
- (vi) Whether the term pension occurring in sub-para (ii) (iii) and (iv) of para 1 of letter dated 24.11.78 includes pension equivalent of gratuity also ?
- (vii) Whether it is permissible to recover both the pension equivalent of gratuity and interest on gratuity retained ?
- (viii) Whether two types of reinstatements in service viz (i) by the orders of the Court and (ii) in other by the orders of administrative reviewing
- 24-11-78 means leave with salary.
- In terms of para 1 (i) of letter dated 24-11-78, simple interest as prescribed is payable by a Government employee who opts to retain DCRG. Therefore, it is not necessary to recover pension equivalent of DCRG from the leave salary or the pay and allowances of the Government employee. Pension including the amount of pension commuted, if any, is required to be adjusted against leave salary or pay and allowances of the Government employee.
- 'No'
- Pension equivalent of gratuity is not to be recovered as interest on the amount of DCRG retained is required to be recovered.
- Only cases of reinstatement by the administrative reviewing authority are regulated by the afore-said letter.

authority, are to be regulated under the letter dated 24-11-78 ?

(Adopted vide Secretary PSEB Patiala circular memo No. 142828/3412/Reg-4/Loose dated 14-12-81)

Copy of Pb Govt. Department of Personnel & Administrative Reforms, Chandigarh's Circular letter No.16/3/78-2PP/12747 dated 19th Nov., 1980 to all Heads of Deptts., etc.

Subject :- Treatment of the period intervening between the date of premature retirement and the date of reinstatement in service  
—Policy regarding.

I am directed to say that in Circular letter No. 16/3/78-2PP/11297, dated 15th November, 1979 on the subject noted above, instructions were issued to the effect that if a Government employee retired under the Premature Retirement Rules, 1975, is reinstated in service, the period intervening between the date of premature retirement and the date of reinstatement may be regulated by the competent authority as duty, or as leave of the kind due and permissible, or as dies-non, taking into the account the merits of each case. A clarification has been sought as to the meaning of the term 'dies-non'. After obtaining clarification from the Government of India who had used this term in their own instructions, I am directed to inform you that the term 'Dies-non' is used in common parlance as a period which does not exist. As such if a certain portion in the period of service of a Government employee is treated as 'dies-non', it would mean that it does not exist at all and this period does not count for pension, for leave, for seniority or any other purpose.

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

(Adopted vide Secretary PSEB Patiala circular memo No. 75824/76089/Reg/REP-14/L dated 19-5-82)

Copy of Circular letter No. 16/42/78-2PP/7300 dated 22nd June 1981 from the Chief Secretary to Government Punjab, to all Heads of Deptts. etc.

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

I am directed to invite your attention to Punjab Government Circular letter No. 6520-2SII-75/38581, dated the 26th September, 1975 relating to the weeding out of corrupt, dis-honest or in-efficient officers/officials from service under the Punjab Civil Services (Premature Retirement) Rules, 1975, and to say that Government have reviewed the matter in the light of the revised policy of the Government of India and other administrative requirements. Government have decided to lay down the following additional guidelines in the matter :—

- (i) Although the entire service record of an employee has to be considered, premature retirement should not be ordered if during the last 5 years the work and conduct of the employee has been good or better than that.
- (ii) Ordinarily no retirement should be ordered within a period of one year preceding the date of superannuation of the Government employee.
- (iii) If an adverse entry relating to integrity exists in the confidential reports during the 10 years preceding the review, or if after its recording there has been no change in the class, status or the post of the officer, that single entry should be considered sufficient for ordering premature retirement.
- (iv) If the adverse report on integrity relates to the distant past or is more than 10 years old, the subsequent record of the employee should be scrutinised carefully. If the subsequent reports vouch-safe the integrity of the employee in unambiguous terms, the inference is that he has improved his conduct and it should not be necessary to order his premature retirement. A similar view can be taken if an employee has been promoted

after the recording of the adverse remarks.

2. I am to request that the above guidelines may please be brought to the notice of all concerned officers/officials for information and guidance.

(Circulated vide Secretary P.S.E.B. Patiala endst No. 190574/191200/Reg/Rep. 14/L dated 14-8-81.)

## PUNJAB STATE ELECTRICITY BOARD

OFFICE ORDER No. 451/Rep-14 Dated Patiala the 20-7-1982.

In exercise of the powers conferred by clause(c) of Section 79 of the Electricity (Supply) Act, 1948, the Punjab State Electricity Board is pleased to make the PSEB Services (Premature Retirement) Regulations 1982, namely :—

### 1. Short Title & Commencement.

- (i) These Regulations may be called the PSEB Services (Premature Retirement) Regulations, 1982.
- (ii) These Regulations shall come into force at once.

### 2. Definitions.

In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :

- (1) "Appropriate Authority" means the authority which has the power to make substantive appointments to the post or service from which the Board employee is required or wants to retire or any other authority to which it is subordinate.
- (2) "Board" means the Punjab State Electricity Board constituted under Section 5 of the Electricity (Supply) Act, 1948.
- (3) "Employee" means any person appointed to Board Services

and posts in connection with the affairs of the Board excluding those listed in Regulation 8

(4) "Qualifying Service" means service qualifying for pension.

### 3. Premature Retirement.

(1) (a) The appropriate authority shall, if it is of the opinion that it is in public interest to do so, have the absolute right, by giving an employee prior notice in writing, to retire that employee on the date on which he completes 25 years of qualifying service or attains 50 years of age or on any date thereafter to be specified in the notice.

(b) The period of such notice shall not be less than three months :

Provided that where at least three months' notice is not given or notice for a period less than three months is given, the employee shall be 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.

(2) Any Board 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,

(3) (a) At any time after a Board employee has completed twenty years of qualifying service, he may, by giving notice of not less than three months in writing to the appropriate authority, retire from service.

(b) The notice of voluntary retirement given under this sub-regulation shall require acceptance by the appropriate authority.

(c) Where the appropriate authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice the retirement shall become effective from the date of expiry of the said period.

(4) The employee, who has elected to retire under sub-regulation (2) or sub-regulation (3) and has given the necessary notice to that effect to the appropriate authority, shall be precluded from withdrawing his notice except with the specific approval of the appropriate authority :

Provided that the request for withdrawal shall be made before the intended date of his retirement.

NOTE-1:—A notice of less than three months may also be accepted by the appropriate authority in deserving cases, with the concurrence of the Board.

NOTE-2:—If an employee retires under sub-regulation (2) or (3) above 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 shall be recovered as provided in regulation 8.54(d) of the P.S.E.B., M.S.R. 1972 Vol. I Part. I.

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

4. (1) A retiring pension and death-cum-retirement gratuity shall be granted to an employee who retires or is required to retire under Regulation 3.

(2) While granting proportionate pension and gratuity to an emp-



employee retiring under sub-regulation(3) of Regulation 3 his qualifying service as on the date of intended retirement shall be increased by a period not exceeding five years, so however, that the total qualifying service of the employee as so increased shall not in any case exceed thirty years or the period of qualifying service which the employee would have completed had he retired on the date of his superannuation, whichever be less.

(3) The pension and gratuity of the employee retiring under sub-regulation(3) of Regulation 3 shall be based on the emoluments as defined in rule 6.19-C and 6.24 of the Punjab Civil Services Rules, Vol. II, and the increase in his qualifying service under sub-regulation (2) shall not entitle him to any notional fixation of pay for purposes of calculating pension and gratuity.

(4) The amount of pension to be granted after allowing increase in the qualifying service under sub-regulation(2) shall be subject to the provisions of Rules 2.2 and 6.4 of the Punjab Civil Services Rules, Vol. II.

#### 5. Limitation Period for filing Representations.

(a) The affected Board employee can submit a representation against his premature retirement orders passed by the appropriate authority to the next higher authority, within one month after the service of the notice upon him.

(b) The employee concerned shall be allowed to resume duty in case, it is decided by the higher authority to set aside the premature retirement. His period of absence from duty i.e. from the date of premature retirement till his resuming duty shall be regulated according to Rule 4.20, 4.22 and 4.23 of C.S.R. Vol. II.

(c) No second representation shall be entertained if the first representation has been considered and rejected.

(d) The Board can review its own decision as well as the decision made by any authority subordinate to it on the representation or on its own motion and take appropriate decision in cases where such review is called for.

#### 6. Over-riding Effect.

The provisions of these Regulations shall have effect notwithstanding anything inconsistent therewith contained in any other Rules/Regulations for the time being in force.

#### 7. Repeal.

All Regulations regulating the conditions of service in respect of premature retirement of persons appointed to Board services and posts in connection with the affairs of the Board, in force immediately before the commencement of these Regulations, are hereby repealed :

#### Provided that

(a) Such repeal shall not affect the previous operation of the regulations hereby repealed or anything done, or any action taken, thereunder ;

(b) any proceedings under the regulations hereby repealed, pending at the commencement of these regulations shall be continued and disposed of in accordance with the provisions of these regulations as if such proceedings were proceedings under these regulations.

#### 8. Saving.

Nothing in these Regulations except regulation 3(3) shall apply to Board employees who were holding substantive permanent pensionable posts in the erstwhile Electricity Branch of the Punjab Public Works Deptt. on 31.1.59 including those on "Probation" against permanent posts under Punjab Government in the said Branch while they were on "Foreign Service" with the Board or when their Services were transferred to the Board,

### 9. Interpretation.

If any doubt arises as to the interpretation of any of the provisions of these regulations, the matter shall be referred to the Board or such other authority, as may be specified by the Board by a general or special order, and the Board or such other authority shall decide it.

(Circulated vide Secretary PSEB Patiala, memo No. 120854/121754/Reg/Rep-14 dated 20-7-82 with the stipulation that all the executive instructions/clarifications issued by the Punjab Government relating to Punjab Civil Services (Premature Retirement) Rules, 1975, adopted by the Board from time to time relating to premature retirement rules shall mutatis-mutandis apply in relation to the Board's Regulations cited as subject.)

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## CHAPTER X

### CONCESSION/FACILITIES TO THE FAMILY MEMBERS OF THE DECEASED EMPLOYEES

Copy of Circular letter No. 1864-FRI-57/10821, dated the 12th March, 1957, from Shri S.R. Varma, I.A.S., Secretary to Government, Punjab, Finance Department to all Heads of Depts., etc.

Subject : Conveyance at Government expense of families and personal effects of Government servants who die while in service.

I am directed to say that the question of transport at Government expense of the families and personal effects of the Government servants who die while in service has been under consideration of the Government of the Punjab for some time. The Governor of the Punjab is now pleased to decide that in such cases, the following concessions will be admissible to members of the "family", as defined in Rule 2.17 of the Punjab Civil Services Rules, Volume I, Part I (1st edition, 1953), for the purposes of travelling allowance rules, provided the journey is completed within six months after the death of the Government servant.

2. Travel expenses will be admissible by the shortest route from the last headquarters of the Government servant to his normal place of residence which shall be the permanent home as entered in his service book or record or such other place as might have been declared to be the permanent home by the Government servant while in service.

3. The amount of travel expenses payable to the members of the family will be :—

(a) for journey by rail :

(i) Actual fare (without the incidentals) of the class of accommodation to which the deceased Government servant was himself entitled for each member of family.

(ii) Actual cost of transportation of personal effects on the scale as admissible under Rule 2.59 (a) I (iii) of the Punjab Civil Services Rules, Volume III, T.A. Rules (1st edition, 1952).

(b) for journeys by road :

(i) One mileage allowance for one member of family, a second mileage allowance if two other members of family and a third mileage allowance if more than two other members of family travel, at the rate applicable to the deceased Government servant.

(ii) Actual cost of transportation of personal effects on the scale as admissible under Rule 2.59 (a) II (ii) of the Punjab Civil Services Rules, Volume III, T.A. Rules (1st edition, 1952).

4. If at the time of the death of a Government servant a member of his family happens to be at a station other than the Government servant's last headquarters or being there proceeds to a station other than the normal place of residence, such member may draw the actual fare for the journey made by rail or steamer, road mileage for the actual distance of road journey and cost of transport of personal effects from the place where he was at the time of the Government servant's death to the place to which he actually travelled, provided that the total expenses claimed shall not exceed the total mileage allowance and cost of transportation of personal effects up to the prescribed limit that would have been admissible had such member travelled from the headquarters of the Government servant to the normal place of residence.

5. These orders will not apply to :

(a) Government servants engaged on contract and those who are not in the whole time employment of Government.

(b) Government servants paid out of contingencies.

(c) Government servants who die while on leave preparatory to retirement.

(d) Retired Government servants who have been re-employed.

(e) Temporary Government servants who have not rendered three years continuous service.

(Incorporated & circulated for application to Board employees including those on "foreign service" vide O/O No. 1566/PSEB dated 5-5-62)

Copy of Circular letter No. 9338-3FRI-61/11137 dated the 25th Oct., 1961 from Shri Sampuran Singh I.A.S., Secretary to Govt., Punjab, Finance Deptt., to all Heads of Deptts., etc.

Subject : Conveyance at Government expense of families and personal effects of Government Servants who die while in Service—  
Grant of advance to meet travel expenses.

I am directed to invite a reference to Punjab Government Finance Department letter No. 1864-FRI-57/10821, dated the 12th March, 1957, on the subject noted above and to say that the Governor of the Punjab has now been pleased to decide that, in the cases covered by the aforesaid letter, an advance to meet travelling expenses may be sanctioned subject to the following terms and conditions :—

(i) The advance may be sanctioned by the authority who would have been competent to countersign the Travelling Allowance claim if the officer were alive.

(ii) The amount of the advance may be limited to 3/4th of the probable amount of travelling expenses that may be admissible under the Punjab Government Finance Department letter No. 1864-FRI-57/10821, dated the 12th March, 1957.

(iii) The advance will be admissible to only one member of the family of the deceased Government servant on behalf of all.

It should be the widow/widower or any other member of the family (within the definition of the term "family") who is a minor and of sound mind. The decision of the sanctioning authority as to whom the advance may be given shall be final.

After the advance is sanctioned by the competent authority it may be drawn by the Head of the Office and paid to the member of the family authorized in this behalf.

- (iv) Only one advance will be admissible irrespective of the fact that the members of the deceased Government Servant's family travel in separate batches from the same or different stations.
- (v) The account of the advance drawn should be rendered within one month of the completion of the Journey if the family travels in one batch. In case the family travels in more than one batch the account may be rendered within one month after the completion of the journey by the last batch. In any case the journey must be completed before the stipulated period of six months and the account of the advance rendered within one month of the expiry of the stipulated period at the latest. The advance should, however, be refunded forthwith if the journey is not completed within the stipulated period.
- (vi) The surety of a permanent Government servant of status comparable to or higher than that of the deceased Government Servant should be obtained in the prescribed form (copy enclosed) before the advance is sanctioned. The person receiving the advance should also give an undertaking in that prescribed form in writing to the effect that he/she would abide by the provisions contained in clause (v) above. This is necessary in order to enable the sanctioning authority to effect recovery of overpayments resulting from non-performance of the journey within the stipulated period or non-submission of the adjustment bill within the prescribed period.

- (vii) The advance will be interest-free and will be treated as an 'advance recoverable'. The adjustment of the advance will be watched through Objection Book by the Accounts Officer concerned.

(Circulated vide office order No. 1566/PSEB dated 5-5-62 endorsed vide endst No. 50620/933/Meeting/M-73/8 dt. 5-5-62 read with memo no 33178/511/M-73/8 dt. 25-4-63).

### Surety form

\*Herein insert the name of individual to whom the advance is paid.

KNOW ALL MEN BY THESE PRESENTS THAT we (1)\*..... (hereinafter called the 'obligor') and (2)\*..... (hereinafter called the 'Surety') are held and fully and firmly bound unto the Punjab State Electricity Board, a body corporate under the Elec. (Supply) Act, 1948, (hereinafter called the "Board" which expression shall include its successors and assigns), for the sum of ₹....., to the payment of which amount well and truly to be made, we jointly and severally bind ourselves, our respective heirs, executors, administrators, legal representatives and assigns.

†Herein insert the name of the surety.

‡Here specify the amount of advance paid.

\*Insert the name of the deceased servant.

‡Insert the normal place of residence of the Board's servant a journey to which is admissible under the rules.

WHEREAS The Board has paid to the obligor a sum of Rs..... (receipt of which the obligor hereby acknowledges) on account of advance of travelling expenses to the family of the late\*..... (hereinafter referred to as the 'family') for their journey to †..... and for the transport of the personal effects of the late\*..... to ‡.....

NOW THE CONDITION OF THE ABOVE WRITTEN BOND is such that if the said obligor shall account to the satisfaction of the Board, within one month of the completion of the journey to †..... by the family if the family travels in one batch or when

the family travels in more than one batch, within one month of the completion of the journey by the last batch or within one month of the expiry of the period of six months after the date of receipt of this advance, whichever is earlier for the proper expenditure of the aforesaid advance, then the above written bond shall be void and of no effect, otherwise the bond shall remain in full force and virtue and it is hereby declared that—

(a) any forbearance, extension of time, or indulgence on the part of the Board or any officer to the obligor whether with or without the knowledge or consent of the surety, shall not in any way release the said surety, his heirs, executors, administrators, legal representatives and assigns from his or their liability under the above written bond ;

b) that the stamp duty on this bond shall be borne by the Board.

Signed and delivered by the above named obligor in the presence of :—

1. \_\_\_\_\_  
2. \_\_\_\_\_

Signed and delivered by the above named surety in the presence of :—

1. \_\_\_\_\_  
2. \_\_\_\_\_

Accepted for and on behalf of the Punjab State Electricity Board,  
in the presence of:— 1. \_\_\_\_\_

2. \_\_\_\_\_

PUNJAB STATE ELECTRICITY BOARD

Order No. 1528/PSEB

Dated Patiala the 3rd April 1962

The Punjab State Electricity Board is pleased to sanction the grant of an advance equal to two months' pay, subject to a maximum of Rs. 500.00 (Rs. five hundred) only, to the families of those Class III and IV employees who die while in service (whether on duty or on leave with or without pay) subject to the following conditions :—

- i) The advance shall be sanctioned by the respective Heads of Offices if in their opinion the families concerned have been left in indigent circumstances upon the death of the employees on whom they are dependent and are in immediate need of financial assistance.
- ii) The advance shall be admissible to the families of such non-gazetted employees (whether permanent or temporary) provided they had upto the date of their death (during service) rendered not less than three years' continuous service.
- iii) The amount of advance shall be adjusted as early as possible, and in any case, within a period of six months from the date of sanction against the amount of death-cum-retirement gratuity or the General Provident Fund or other dues ultimately payable to the families of the employees concerned.
- iv) An irrevocable undertaking to the effect that the amount of the advance shall be adjusted against the dues as mentioned in (iii) above shall be obtained from the payees before the advance is paid.
- v) In the case of temporary employees the advance shall be payable to the families of such employees after obtaining an undertaking from two permanent employees of the Board to the effect that the amount of advance remaining un-recovered shall be made good by them.

- vi) The advance will be drawn on establishment pay bill forms enclosing copy of the sanction and the amount to be paid to the payees specified in the sanction order and the fact of payment of advance noted in the Last Pay Certificate, papers relating to Death-Cum-Retirement Gratuity, and other similar papers.
- vii) Copies of the sanction will invariably be sent to the Chief Accounts Officer/Resident Audit Officer/Accountant General Punjab/Chief Accounts officer, Bhakra Nangal Project, Nangal Township, as the case may be.

The amount of advance shall be debitable initially to the Major Head "Loans and Advances to Board's employees-Advance not bearing interest."

(Circulated vide Secretary PSEB Patiala endst. No. 38237/539/Meeting/M-64/17 dated 4-4-62. The orders have been issued on the analogy of Punjab Government circular letter No. 13122-(5)-FRI-60/2404 dated 3-3-61)

**Copy of Circular letter No. 10216-5-FRI-65/1006, dated the 21st January, 1966, from the Secretary to Government, Punjab, Finance Department, Chandigarh, to all Heads of Dep'ts., etc.**

**Subject :** Scheme for providing immediate relief to the families of non-gazetted Government servants who die while in service.

In supersession of the orders contained in Punjab Government letter No. 13122 (5)-FRI-60/2404, dated the 3rd March, 1961 on the subject of providing immediate relief to the families of non-gazetted Government servants in permanent employ who die while in service, the Governor of Punjab is pleased to issue the following orders :—

(i) **Eligibility :**—The families of all non-gazetted Government servants in permanent employ who die while in service (whether on duty or on leave with or without pay) shall be eligible for the relief,

(ii) (a) **Amount of relief :**—This relief should be given in the form of an advance limited to three months' pay of the deceased or Rs. 500 whichever is less.

(b) **Adjustment of the advance :**—The advance should be adjustable against the arrears of salary due, death-cum-retirement gratuity, provident fund accumulations or any other payments due to the deceased and should be so adjusted as soon as possible and in any case within six months from the date of sanction.

Where the advance cannot be so adjusted for the reasons that it is more than the payments due to the deceased under the rules, the balance remaining to be so adjusted should be treated as irrecoverable debited to "71-Miscellaneous-E-Irrecoverable temporary loans and advances written off" under special orders of Government.

(iii) **Beneficiaries :**—In the case of Government servants eligible for the benefits of the New Pension Rules, the payment should be made only to the person or persons nominated by him or otherwise eligible (i.e. where there is no nomination) to receive the death-cum-retirement gratuity in the same proportion as they are entitled to. In the case of Government servants, who are not eligible for the benefits of the New Pension Rules but are subscribers to the Contributory Provident Fund or the General Provident Fund, payment should be made to the person or persons nominated by them in the same proportion as they are entitled to the Fund Amount as specified in the nomination. In cases where there are no nominations and there is a family, the payment should be made to the person or persons entitled to receive the amount under rule 14.27(1) (b) or rule 13.20 (i) (b) of the Punjab C.S.R., Vol. II, as the case may be, and in cases where there is family, the payment should be made to person or persons entitled to the amount under the Provident Act, 1925.

In cases of permanent Government servants with less than five years qualifying service, the payment should be made to the person or persons eligible to receive death-gratuity under this Department circular letter

No. 2647-2FRI-64/5622, dated the 23rd June, 1964 read with circular letter No. 4801-(4)-FRI-65/11300, dated 30th June, 1965.

In all cases an undertaking should be taken from the person or persons concerned before the payment is made, that he/she or they agree to the amount being deducted from the death-cum-retirement gratuity, or the Contributory Provident Fund amount or General Provident Fund amount or the death-gratuity under the 4th November, 1951 orders as amended, as the case may be, ultimately payable to him/her or them.

(iv) **Account Head** :— Payments made under this order shall be debitable to "I-Deposits and Advances-Part III-Advances not bearing interest-Departmental Advances-Civil Advances O.B.A." This should be indicated clearly on the top of the Bill. The sanction order communicated by the Head of the Department/Head of Office to the Audit Officer should contain the following particulars :—

- (i) Name of the official (Non-gazetted).
- (ii) Designation and office in which the person was last working.
- (iii) Last pay drawn (Permanent and Officiating).
- (iv) Amount of Advance sanctioned.
- (v) Name of the payee.

(v) **Timely Payments** :— As it is important to provide the relief in time, Heads of Departments/Offices shall be empowered to use for this purpose the imprest or other resources available with them. If the imprest or other resources are not sufficient to cover the payment, the Head of Department/Office should draw the amount from the Treasury on a simple receipt in a form similar to form S.T.R. 52 which may be corrected suitably. The fact of payment in this behalf should be made in the Last Pay Certificate sent with the papers relating to death-cum-retirement gratuity and similar other payments sent to the Audit Office. In cases where submission of Last Pay Certificate has been dispensed with the fact of the payment of the advance should be indicated in the No Demand Certificate or on page 3 of the pension application or in the letter forwarding the pension papers to the Audit Officer.

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

(Adopted vide Secretary (Pension Section) P.S.E.B. Patiala circular memo No. 2050/2571/BMP/G-100 dated 19-11-66 read with No. 108434/107964/G-100 dated 16-12-66. This supersedes the instructions already issued vide office order No. 1528/PSEB date 3-4-62).

Copy of Circular letter No 8635-7FR 65/15436, dated 23rd August, 1966 from the Secretary to Govt., Punjab, Finance Department, addressed to all Heads of Depts., etc.

Subject : Ex-gratia payments to families of Government Servants travelling by service Aircrafts on duty and dying as a result of accident to the aircrafts.

I am directed to address you on the subject noted above and to say that the death of Government Servants as a result of accident while travelling by air on duty, is treated as being due to 'Special risk of office' for the purpose of (Extraordinary pension) Rules. His family is in that event entitled to the pension and gratuity admissible under those rules. If death occurs while travelling by Air Commercial Plane operated by the Indian Airlines Corporation, the family is likely to receive an ex-gratia payment from the Corporation. No such cover is, however, available if the death occurs in Accident while travelling on duty by service Aircraft. The question of giving compensation in such cases has been under the consideration of the Government. It is felt that the benefits to the families of Govt. Servants involved in fatal Accident while travelling as passengers by Service Air-crafts in the course of the performance of their official duties, should be on a par with those available to the families of personnel travelling by Indian Airlines Corporation planes as fare paying passengers. It has, therefore, been decided that the families of such personnel may be given an ex-gratia payment up to Rs. 42000/- in addition to the benefits admissible under the Extraordinary Pension rules. This payment would be of a purely

ex-gratia nature. It will be sanctioned in each case with the concurrence of the Finance Department.

2. The grant of the aforesaid ex-gratia payment will be without prejudice to the bond required to be executed by such Civilian Government servants and indemnifying Government against any claims on account of death etc. while in flight by service aircrafts.

(Adopted in toto vide Secretary PSEB Patiala circular memo No. 145879/146429/Reg./ADP-15 dated 21-12-81)

Copy of Circular letter No.3906-SII(3)-71/17723 dated 9th July,1971 from the Chief Secretary to Government, Punjab, to all Heads of Deptts etc.

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

I am directed to say that the question of giving appropriate ex-gratia grants and other facilities to the families of Government employees, who die while in service, has been under the consideration of Government and it has been decided to adopt the following general policy in this behalf :-

(a) **Adhoc Ex-gratia grants.**

The Ex-gratia grant to be given to the family of deceased employee will be equivalent to ten(10) times the emoluments, which he was receiving immediately before his death, subject to a minimum of Rs. 5,000 and a maximum of Rs. 15,000, The term "emoluments" for this purpose shall mean the pay as defined in rule 2.44 of the Punjab C.S.R. Vol. I Part I and will include Dearness Pay also. The Ex-gratia grant will be payable to the members of the family of a deceased employee mentioned below, in that order :-

- (i) Widow/Husband
- (ii) Dependant Sons/Daughters.

- (iii) Dependant Father.
- (iv) Dependant Mother.
- (v) Dependant Brothers/Sisters.

(b) **Free medical aid.**

Free medical aid will be given to the family on the same basis as to pensioners except that facility will also be extended to minor children of the deceased employee.

(c) **Accommodation.**

In case where the deceased employee was in possession of Govt accommodation, his family will be allowed to retain the accommodation for one year after his death, the rate of rent being the same as was applicable to him at the time of his death. In other cases, the house rent allowance admissible to the deceased employee, will continue to be given to the family for one year, after his death.

(d) **Free Educational Facilities.**

As already sanctioned under Punjab Government Circular letter No. 462-6(FR)-70/12752, dated 15-6-70 free educational facilities will be allowed to the unmarried children of all Government employees who die while in service subject to the following conditions :-

- (i) The benefit of free education shall be allowed upto Degree Courses (including Professional Courses), provided the children get admission in the said courses on merit and pass the examination held from time to time.
- (ii) Tuition fee at the rate as admissible in Government Institutions only shall be re-imbursed.
- (iii) The benefit will be admissible from the date of death of the Government employee concerned to his children who actually dependant upon their guardian.



2. As regards the procedure for granting these facilities, necessary information in regard to the deceased employee and his family should be obtained in the enclosed proforma alongwith an affidavit, duly attested, and a reasonable proof of title to grant and other facilities, as the case may be.

3. The Ex-gratia grant will be sanctioned by the respective pension sanctioning authorities and necessary authorisation in this behalf will be issued by the Accountant General, Punjab.

4. The expenditure on this account shall be debitable to the budget provision in '65-Pensions and other retirement benefits.'

5. These concessions/facilities which will be admissible to Punjab Government employees as well as to All India Service Officers serving under the Punjab Government will have effect from 1-11-1970.

6. This issues with the concurrence of the Finance Department conveyed vide U.O. No. 1747-6FR-71, dated 30-6-71.

**Form of application for ex-gratia grant/other facilities.**

Application from the family of late Shri/Shrimati .....  
 ..... employed as... ..in the office/  
 Department of.....

- (1) Name and full address of applicant.
- (2) Relationship to the deceased Government employee.
- (3) Circumstances and date of death of the Government employee.
- (4) Name and ages of surviving relations of deceased.

	<u>Name</u>	<u>Age</u>
(a) Widow/Husband.		
(b) Sons.		
(c) Un-married daughters.		

- (d) Widowed daughters.
- (e) Parents wholly dependant on the deceased Govt. employee.
- (f) Widowed/Unmarried sisters.
- (5) The treasury from which ex-gratia grant is to be drawn.
- (6) Any other relevant information.

(Signature of applicant)

Place .....

Date .....

(Adopted w.e.f. 1.11.1970 vide Secretary PSEB Patiala circular memo No. 69016/69616/GB/M-425 dated 26.8.71 read with memo No. 82898/83532/GB/M-425 dated 8.10.71)

Copy of Circular letter No. 8548-SII(3)-71/1167 dated 11th January, 1972 from the Chief Secre ary to Government,Punjab.to all Heads of Deptts., etc.

Subject : Ex-gratia grants and other facilities for families of Government employees who die while in service-Clarification of some points.

I am directed to invite your attention to instructions contained in Punjab Government circular letter No. 3906-SII(3,-71/17723, dated the 9th July, 1971, and to say that the Accountant General, Punjab had raised certain points for clarification in regard to the Government policy on the subject noted above. The clarifications which have been made in reply thereto and are considered essential for dealing with the individual cases before final orders are passed thereon by various departments, are detailed as under :

Sr. Point raised by Accountant No. General, Punjab.	Clarification given by Government.
1. Whether these concessions/facilities will be admissible to all the categories of	The grant of these facilities may be allowed to all regular employees. The work charged emplo-

Government employees including the work charged establishment.

2. What should be the emoluments for calculating the ex-gratia grants in the case of persons on leave or suspension before death.

3. In the absence of the widow/husband, how should the share of ex-gratia grant payable to the dependant sons/daughters/others be apportioned and upto what age a son/daughter/brother/sister of the deceased is to be treated as dependant.

4. The minor/detailed head of account subordinate to the Major Head "65-Pension and other retirement benefits" under which the charges on this account are to be debited.

yees and adhoc employees will not be entitled to these facilities as they are not entitled to pensionary benefits.

The emoluments for the purpose of ex-gratia grants should be what an employee would have drawn had he not been absent from duty or under suspension as defined in rule 2.44 of P5 Civil Services Rules, Volume-I, Part I.

Adhoc ex-gratia grant will be admissible to widow/husband but to other dependants only if they are unemployed and are entirely dependant on the deceased Government employee, if so certified by the Deputy Commissioner of the District. Thus the actual factor of dependence to be certified by the Deputy Commissioner concerned would determine the eligibility/title for the ex-gratia grant and there is no need to specify any age for the purpose.

The entire expenditure of ex-gratia grant and other facilities should be debited to the head to which pensions of Government employees are debited. The details of major and minor heads are as below :—

Major Head : "65-Pension and

Other Retirement Benefits".

Minor Head : "Compassionate Allowance".

5. Necessary authorisation for all payments of Ex-gratia grants including other facilities.

The authorisation for the disbursement of ex-gratia grants should be issued by the Appointing Authority as in the case of anticipatory pension and honoured by the T.O. This will give relief to the bereaved families when they need help the most.

(Circulated vide Secretary PSEB Patiala endst. No. 15576/16426/GB/M-425 dated 24-2-72).

Copy of Secretary PSEB Patiala Circular memo No. 9681/10301/ENG-42(1) dated 25-2-72.

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

Continuation this office (General Section) Circular memo No. 69016/69616/GB/M-425 dated 26-8-1971.

2. A specimen of affidavit as referred to in para 2 of Punjab Government Circular letter No 3906-SII(3)-71/17723 dated 9-7-1971 is sent herewith for information and guidance.

### AFFIDAVIT

I \_\_\_\_\_ Widow/Dependent  
of \_\_\_\_\_ aged \_\_\_\_\_ resident of  
village \_\_\_\_\_, Tehsil \_\_\_\_\_

District \_\_\_\_\_ do hereby solemnly affirm and declare that the particulars given in the attached application for the ex-gratia grant/other facilities to the family of Shri \_\_\_\_\_ deceased, are true and correct to the best of my knowledge and belief and that nothing false has been stated therein.

Place :

Dated : \_\_\_\_\_ Deponent

Verification :

Verified that the contents of the above affidavit are true and correct and that nothing has been concealed therefrom or mis-stated therein.

—  
Copy of Circular letter No. 702-SII (3)-72/7832 dated 15th March, 1972 from the Chief Secretary to Government, Punjab, to all Heads of Dep'ts., etc.

Subject : Ex-gratia grants and other facilities for families of Government employees who die while in service-Clarification with regard to admissibility of House Rent Allowances.

I am directed to invite your attention to para-1(c) regarding accommodation of Punjab Government circular letter No. 3906-SII(3)-71/17723 dated the 9th July, 1971, on the subject noted above and to clarify in consultation with the Finance Department, the position regarding the admissibility of House Rent Allowance in various types of cases as mentioned below :—

(1) If the family of a deceased Government employee vacates the residential accommodation retained by it before the expiry of one year of its own accord, then the benefit of house-rent allowance will not be admissible for the remaining period.

(2) If the family leaves the place of posting of the deceased

Government employee before the expiry of one year which automatically amounts to surrender of Government accommodation at that place, then the house rent allowance for the remaining period will not be admissible.

- (3) If the residential accommodation allotted to the deceased Government employee, is got vacated by the Government from his family due to certain special circumstances, then, alternative accommodation, if available should be allotted to such a family.
- (4) If no accommodation is available as referred to in item(3) above then house-rent allowance for the remaining period shall be granted provided the family lives at that station.

(Since adopted by the Board in a consolidated form)

—  
Copy of Circular letter No. 7697-6FR-71/9662 dated 24th May, 1972 from the Secretary to Govt., Punjab, to all Heads of Dep'ts., etc.

Subject : Scheme for providing immediate relief to the families of Government employees who die while in service.

In supersession of Punjab Government, Finance Department letter No. 10216-5FRI-65/1006, dated the 21st January, 1966 on the subject noted above, I am directed to say that the Governor of Punjab is pleased to issue the following orders :—

(i) Eligibility.

In case a Government employee, other than a casual or daily rated employee, holding a gazetted or non-gazetted post, in a permanent or temporary capacity, dies while in service (whether on duty or on leave, with or without leave salary) and was in receipt of emoluments not exceeding Rs. 1000/- per month, his family will be eligible for relief in the shape

of an advance in accordance with the provisions of this letter.

Note : The term "emoluments" for the purpose of this clause will mean pay as defined in rule 2.44 of CSR Vol I Part I, and also include dearness allowance and additional relief.

**(ii) Amount of Relief.**

The relief may be allowed in the form of advance limited to three months pay (including personal pay, and special pay) of the deceased Government employee or Rs. 1,000, whichever is less, provided that the amount so sanctioned does not exceed the estimated payments due to the family as indicated in clause (v) below.

**(iii) Sanction of Advance.**

The sanction of advance will be communicated to the A G. Punjab by the Head of Office and contain the following particulars.

- (1) Name & Designation of the Government employee.
- (2) Status of Government Employee (whether Gazetted or non-Gazetted)
- (3) The emoluments last drawn :—
  - (a) Pay including special pay or personal pay, if any.
  - (b) Dearness Allowance.
  - (c) Additional Relief.
- (4) Amount of advance sanctioned.
- (5) Name or Names of the beneficiaries to whom the payment of advance is to be made.

The sanction should also indicate the manner in which the advance has to be adjusted.

**(iv) Head of Account.**

Advance paid under this letter should be debited to the head

of Account "T-Deposits and Advances-Part III-Advances not bearing interest—Departmental Advances—Civil Advances O.B.A."

**(v) Adjustment of Advance.**

The advance will be adjusted against the arrears of pay and allowances including leave salary, death cum-retirement gratuity, balances in the C.P.F. or G.P.F. or any other payment due in respect of deceased Government employees and becoming payable to the family. The adjustment of advance should be made as soon as possible, but should not be delayed beyond the period of six months, reckoning from the date of sanction of the advance.

**(vi) Beneficiaries.**

- (a) In case the deceased Government employee was governed by the provisions of Liberalised Pension Rules, or was a subscriber to the Contributory Provident Fund, the payment of advance should be made to the persons in the same manner as the payment of DCRG or the payment of the balances in the CPF would have been made.
- (b) In a case other than the one referred to sub-clause(a) the payment of advance should be made to the person eligible to receive the Death-Gratuity becoming payable on the death of the Government employee.
- (c) A separate undertaking should be taken from each person whom the payment of advance is made that he or she agrees to the amount of advance being recovered from any amounts payable on the death of Government employee.

**(vii) Payment of Advance.**

To enable the Head of Office to make immediate payment to the Family of deceased Government employee, the Head of Office is authorised to use, for this purpose, the imprest or

other resources available with him. If the imprest or other resources are not sufficient to cover the payment, the Head of Office should draw the amount from the treasury on a simple receipt in a form similar to form STR 52 as provided in rule 44 of STR. As soon as the payment of advance has been made, the Head of Office will immediately inform the audit office and also advise him as to how the advance is to be adjusted against the payment becoming payable in respect of the deceased Government employee. The fact of the payment of the advance should also be indicated in Form pen. I and Form pen. I-A. The fact of payment of advance should also be made by the Head of Office on the last pay certificate in respect of Non-Gazetted Govt. employee. A copy of the letter sanctioning advance to a Gazetted Government employee may be endorsed to the Treasury Officer concerned so that the T.O. may make specific mention of the advance in the LPC.

(viii) In the case of a Government employee, who dies while on deputation in foreign service, the advance may be sanctioned by the parent Department.

(Adopted vide Secretary PSEB Patiala circular memo No. 126505/126867/Reg/ADP-63 dated 19-11-81 in supersession of earlier Pb. Government, instructions dated 21st Jan., 1966 adopted by the Board Vide memo dated 19.11.66)

Copy of Circular letter No. 4295-SII (3)-72/21093 dated 21st August, 1972 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :— Ex-gratia grants and other facilities for families of Government employees who die while in service-question of waiving off the recovery of house building advance.

I am directed to invite your attention to the instructions

contained in Punjab Government circular letter No. 3906-SII(3)-71/17723, dated 9.7.71, vide which certain concessions regarding adhoc ex-gratia grant, medical aid and accommodation and free educational facilities were allowed to the widows/dependents of the deceased Government employees. In addition to these facilities, Government have considered the question of extending the concession of waiving off the recovery of some of the loans outstanding against the deceased Government employee concerned and keeping in view the extreme hardship in which the sudden demise of the employee concerned places his family, it has been decided that :—

- i) Where a Government employee dies while in service and without repaying the loan obtained by him or any part of it for construction/purchase/repair of house and/or interest accrued thereon, such loan, or part thereof which remains unpaid, and the interest unpaid, may be adjusted towards the death-cum-retirement gratuity admissible. If the amount due is greater than the death-cum-retirement gratuity, the difference between the two may be written off.
- ii) Powers to write off house building loans would vest in the Administrative Secretary concerned in consultation with the Finance Department.
- iii) Recovery of loans obtained by employees for higher education of their children may be postponed till the child for whom the loan is obtained starts earning. No interest shall be charged on the loan for the period of postponement.
- iv) These concessions shall take effect from 1-11-70.

2. The concurrence of the Finance Department has been obtained vide their U.O. No. 4753-FD-Loans-3(4)-72, dated 12th July, 1972,

3. Kindly acknowledge the receipt of this letter.

(Adopted w.e.f. 1.11.70 vide Secretary PSEB Patiala circular memo No. 1018300/109000/GB/M-425 dated 28-8-73)

Copy of Circular letter No 3747-SII(3)-72 dated 27th Sept., 1972 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

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

I am directed to refer to Punjab Govt Circular letter No. 3906-SII(3)-71/17723 dated 9-7-1971 on the subject noted above, vide which it was inter alia provided that in case where the deceased Government employee was in possession of Govt accommodation, his family will be allowed to retain the accommodation for one year after his death, the rate of rent being the same as was applicable to him at the time of his death and in other cases, the house rent allowance admissible to the deceased employee would continue to be given to the family for one year after his/her death. In this connection a question has arisen whether this House Rent Allowance for one year would be admissible even in case in which the Government employee concerned was on leave exceeding 4 months (may be half pay leave, or extraordinary leave) at the time of his death and was not in receipt of any house rent allowance. The matter has been considered and it has been decided that since the concession of the grant of house rent allowance for a period of one year in the type of the cases referred to above, is of an extraordinary nature, it should not be subject to the normal provisions of Punjab Civil Services Rules, Volume-I, Part-I. Accordingly it has been decided that members of the bereaved family should be granted the benefit of house rent allowance on the basis of his emoluments which the Government employee would have received but for his proceeding on leave.

(Since adopted by the Board in a consolidated circular form)

Copy of letter No. 7374-SII(3)-72/33801 dated 21.12.72 from Chief Secretary to Govt. Punjab to Secretary PSEB Patiala.

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

Reference to your letter No. 105996/GB/M-425 dated 1-12-1975

on the subject noted above.

2. The concessions enumerated in Punjab Government letter No 3906-SII(3)-71/17723, dated 9-7-1971, are admissible in the eligible cases irrespective of the mode of the death of the deceased Government employees.

(Circulated vide Secretary PSEB Patiala endst. No. 102200/103223/GB/M-425 dated 23-7-75).

Extract of Priority No. 3 of Circular letter No. 80(GOI)-SII(3)- 3/12092 dated the 18th April, 1973 from the Chief Secretary to Government, Punjab, to all Heads of Deptts etc.

Subject: - Priority list for various categories of persons for employment in State Services-Rehabilitation of disabled exservicemen and widows/dependents of the deceased Government employees and Defence Services personnel killed or disabled severely in action.

I am directed to address you on the subject noted above and to say that at present there is no uniform policy for according preferential treatment in the matter of absorption in State Services of various categories of persons placed in difficult/unfortunate circumstances such as surplus employees, disabled ex-servicemen, members of family of deceased Government employees and Defence Services personnel killed or severely disabled in action and physically handicapped persons. Being considerate to the need for providing relief to such persons and with a view to expediting the process of rehabilitation of such families, Government have considered this matter in the light of the broad policy followed by the Government of India in this regard and have decided that the following priority list be adopted for recruitment to the State Services of Class III and IV: -

Priority Number	Categories of candidates
x x 3	x x x ... A member of the family of the deceased Government employee, or of a Government employee, who is retired from service on medical grounds.
x x	x x x

2. While making appointments to State Services out of the priority list mentioned above, the following conditions shall have to be observed :—

- (i) The basic qualifications and conditions of experience prescribed for respective posts shall have to be fulfilled;
- (ii) The age-limit in the case of widows seeking employment under item 3 or 4 of the priority list may be relaxed upto 45 years to cover real cases of hardships.

3. The suitability of the persons may be adjudged by the appointing authority and it shall not be necessary to get the approval of the Subordinate Services Selection Board or the Departmental Selection Committees, as the case may be, nor would the registration at the Employment Exchanges be required for making appointments on the basis of the above priority list against the posts, the initial monthly pay of which is Rs. 299 or less. As regards those class III posts, the initial monthly basic pay of which exceeds Rs. 299 and recruitment against which is made through the Punjab Public Service Commission, the prescribed priority shall be extended by the Punjab Public Service Commission to the candidates concerned, other things being equal.

4. While giving effect to the above policy, it has to be ensured meticulously that the claims of the persons who want to take benefit under the priority list are checked carefully and *bona fides* duly verified as per annexure.

#### ANNEXURE

Information to be supplied by the candidate seeking employment under Priority List laid down,—vide Punjab Government Circular letter No. 80(GOI)-SII (3)-73, dated the 18th April, 1973.

Sr. No.	Category		Requirements
	X	X	
3.	X	X	<p>(a) Certificate of death and full particulars of rank, pay, nature of post (pensionable or not) held by the deceased Government employee, from the Department concerned.</p> <p>(b) An affidavit duly attested to corroborate the fact of being widow or husband or dependent of deceased Government employee.</p> <p>(c) If the candidate is a dependent of the deceased Government employee then the following detail may also be furnished: -</p> <ol style="list-style-type: none"> <li>(i) Names of all dependents, their age, their occupation, reasons in support of claim vis-a-vis other dependents.</li> <li>(ii) An affidavit from the applicant and the other dependents that none of them has already obtained appointment under this Priority List.</li> </ol> <p>(d) If a dependent or wife/husband of a Government servant retired from service on medical grounds;</p> <ol style="list-style-type: none"> <li>(i) No. and date and preferably a copy of order of retirement of the government servant concerned, on medical grounds;</li> <li>(ii) &amp; (iii) as at (c) (i) and (ii).</li> </ol>

(Adopted vide Secretary PSEB Patiala circular memo No. 30141/30900/ENG/G-197/LC-674 dated 2.4.74)

Copy of Circular letter No. 2784 SII(3)-73/16221 dated 25th May, 1973 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Ex-gratia grants and other facilities for families of Government employees who die while in service-Clarification with regard to admissibility of House Rent Allowance

I am directed to invite your attention to the instructions contained in Punjab Government circular letter No. 702-SII(3)-72/7832, dated the 15th March, 1972 vide which certain clarification regarding admissibility of the House Rent Allowance to the families of deceased Government employees for a period of one year after his death was given. It was clarified in item-2 thereto that if the family leaves the place of posting of the deceased Government employee, before the expiry of one year which automatically amounts to surrender of Government accommodation at that place, then the house rent allowance for the remaining period will not be admissible. This matter has been considered further and to mitigate rigour of this provision in genuine cases, it is further clarified that if by its observance there arises a real hardship in a case, the request of the bereaved family may please be examined on merits and the case referred to Services Department for advice.

(Since adopted by the Board)

Copy of Circular letter No. 2968-SII-(3)-73/17550 dated 11th June, 1973 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of free educational facilities to the children of deceased Government employees.

I am directed to invite your attention to instructions contained in Punjab Government Circular letter No. 462-6FR-70/12752 dated 15.6.70 and item (d) of Punjab Government circular letter No. 3906-SII-(3)-71/17723 dated 9.7.71 regarding free educational facilities to the children of the deceased Government employees. In terms of item 5

of Punjab Government circular letter No. 8548-SII(3)-71/1167 dated 11.1.72, the authorisation for the disbursement of tuition fee in such cases is also to be issued by the Appointing Authority as is issued in the case of anticipatory pension. Keeping in view the administrative difficulty which may arise in referring such cases invariably to the Appointing Authority and to expedite the process of reimbursement of tuition fee it has been decided that the authority concerned may delegate its power to any class I officer working under it.

(Since adopted by the Board in a consolidated circular form)

Copy of Circular letter No. 4975-6FR/25821 dated 14th Nov., 1973 from the Commissioner for Finance and Secretary to Government, Punjab, Finance Department, to all the Heads of Depts., etc.

Subject: Ex-gratia payments to the families of Government employees travelling by service Aircrafts or other Government Aircrafts on duty and dying as a result of accident to the aircrafts.

I am directed to refer to the Punjab Government, Finance Department letter No. 8635-7FR-65/15436, dated 23rd August, 1966, on the subject noted above and to say that in partial modification of orders contained therein, the Governor of Punjab is pleased to order that the amount of ex-gratia payments to the families of the Government employees travelling by Service Aircrafts or other Government aircrafts on duty and dying as a result of the accident to the aircrafts, will be at the uniform rate of Rs. 42,000/- in each case.

(Adopted in toto vide Secretary PSEB Patiala circular memo No. 145879/146429/Adp. 15 dated 21.12.81)



Copy of Circular letter No. 337-DSSII(1)-74/3061, dated 28th January, 1974, from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Ex-gratia grants and other facilities for families of Government employees, who die while in service-Clarification regarding admissibility.

I am directed to invite your attention to the Punjab Government circular letter No. 3906-SII(3)-71/17723, dated the 9th July, 1971, inter-alia laying down the concessions admissible to the families/dependents of the deceased Government employees. It was clarified, vide Punjab Government circular letter No. 8548-SII(3)-71/1167, dated 11th Jan., 1972, portion quoted below as to which type of cases of the Government employees would be covered by the aforesaid instructions:—

“The grant of these facilities may be allowed to all regular employees. The work-charged employees and the ad-hoc employees will not be entitled to these facilities as they are not entitled to pensionary benefits”.

2. From certain quarters clarification was sought whether those employees, who die while in service, but whose posts are not declared pensionable or who were yet to be confirmed, would also be entitled to the concessions referred to.

3. After considering the matter in consultation with the Finance Department it is clarified that the scope of the instructions particularly those quoted above is to be determined with reference to Rule 3.17-A of the Punjab Civil Services Rules, Vol-II, viz. the cases of all those employees, who have rendered service qualifying for pension, as specified therein, shall be covered for the grant of concessions extended to the families and dependents of the deceased Government employees.

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

(Since adopted by the Board in a Consolidated circular form)

Copy of Secretary PSEB Patiala Circular Memo No. 26943/27565/Spl. 3 dated 8th February, 1974.

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

On the introduction of Pb. Govt. Scheme of Ex-gratia grant and other facilities for families of Govt. employees who die while in service vide their letter No. 3906-SII(3)-71/17723 dated 9-7-71 (adopted by the Board vide Memo No. 69016/69616/GB/M-425 dated 26-8-1971) references having been pouring in, whether this ex-gratia is payable to the workmen on regular establishment involved in fatal accidents in addition to the compensation payable to them under the W.C. Act, 1923. It is clarified that the Pb. Govt. Scheme of ex-gratia grant is applicable only to regular employees entitled to pensionary benefits, who are not covered by the Workmen's Compensation Act. It should be ensured that only one payment i. e. compensation under W.C.A. or ex-gratia as the case may be, is made and not both in any case.

Office Order No. 254/GB/Spl-3

Dated 7.5.1974

The Punjab State Elec. Board is pleased to sanction with immediate effect payment of Rs. 1000/- (Rupees One thousand only) as ex-gratia grant for the purposes of cremation etc. to the dependents of Board employees, who in the discharge of their official duties in obedience to the orders of their superior officers, die as a result of fatal accident.

2. This concession shall be in addition to any other payments admissible to the dependents under the existing rules/instructions.

(Circulated vide Secretary PSEB Patiala endst. No. 80622/81474/GB/Spl. 3 dated 7-5-74)

Office Order No. 676/GB/Spl-3

Dated : 5-11-1974

In continuation of this office order No. 254/GB/Spl-3 dated 7-5-1974, the PSEB is pleased to order that the payment of ex-gratia of Rs. 1,000/- for cremation purposes etc. shall be authorised by the competent authority concerned simultaneously with the sanctioning of compensation under W.C. Act or ex-gratia in lieu thereof, as the case may be, in fatal accident cases.

(Copy endorsed vide Secretary PSEB Patiala endst. No. 172999/3400/GB/Spl-3 dated 5-11-1974)

**Copy of Circular letter No. 5462-5HBI-75/10453 dated 23rd May, 1975 from Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.**  
Subject : Ex-gratia grants and other facilities for families of Government employees who die while in service.

I am directed to invite your attention to the instructions contained in Punjab Government circular letter No. 3906-SII 3)-71/17723 dated 9-7-1971 vide which certain concessions were allowed to the widows/dependents of the deceased Government employees. Government have also decided that free medical facilities should be given to the family of a Government servant (who dies while in service) on the same basis as to pensioners except that facility will also be extended to minor children of the deceased employees.

(Since adopted by the Board)

**Copy of Circular letter No. 2358-SII (6)-75/20274 dated 19th June, 1975 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.**

Subject :—Ex-gratia grants & other facilities for families of Government employees who die while in service.

I am directed to invite your attention to Punjab Government

circular letter No. 3906-SII(6)-71/17723 dated the 9th July, 1971. It was provided therein that in a case where the deceased Govt. employee was in possession of Govt. accommodation, his/her family would be allowed to retain the accommodation for one year after his/her death, the rate of rent being the same as was chargeable from him/her at the time of his/her death. In other cases, the house rent allowance admissible to the deceased employee would continue to be given to the family for one year after his/her death.

2. In accordance with the provision of Rule Sr.A.M.12 of Government Residence (Chandigarh Administration Pool) Allotment Rules, 1972, the family of a deceased Government employee is allowed to retain at the normal rate of house rent the accommodation at Chandigarh for a period of four months only whereafter the Chandigarh Administration insists upon the payment monthly rent at a rate which is twice the standard Licence fee. It creates hardship for the family of a deceased Government employee to have to pay rent at this exorbitant rate. It has been decided that those Chandigarh based families of deceased Government employees, who are in possession of Govt. accommodation, may be granted monthly house rent allowance at the rate of 12½% of the last pay drawn by the deceased Government employee for a period of eight months from the date on which they are required to pay the increased rent. The house rent allowance will be paid by the Department/Office in which the concerned Government employee was serving before his/her death.

3. This issues with the concurrence of the Finance Deptt. conveyed vide their U.O. No. 2089-FICW(5)-75, dated the 3rd April, 1975.

(Since adopted by the Board in a consolidated form)

**Copy of Circular letter No. 1454-SII (6)-75/21326 dated 27th June, 1975 from Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.**

Subject : Ex-gratia grants and other facilities for families of Govt. employees, who die while in service-Clarification with regard to issuing of authority letters for the payment of Ex-gratia grants.

I am directed to invite a reference to instructions contained in

the Pb Govt. circular letter No. 5905-6511-74/39479, dated the 27th November/4th December, 1974, on the subject cited above, wherein it was laid down that the payment of ex-gratia grants to the families/dependents of the deceased Government employees shall be disbursed on the basis of necessary sanctions issued by the Appointing Authorities regardless of the fact whether the concerned Govt. employee was gazetted or non-gazetted and the Treasury Officer concerned shall also facilitate the payment of the ex-gratia grants accordingly on the basis of the sanctions issued by the Appointing Authority. It has been noticed that the payments in such cases have been delayed especially in the case of gazetted officers for the reason that the position regarding the source through which the disbursement of ex-gratia grants & other cash benefits was to be made is not clearly laid down. Ordinarily such payments were desired to be made by the authority and in accordance with the procedure, normally applicable. However to make things clear with a view to removing any doubt about the procedure of disbursement to be actually followed, it is intimated that the disbursement of ex-gratia grant and other facilities etc. in such cases would be arranged as follows :—

- a) In the case of Gazetted Officers, the amount will be drawn and disbursed by the concerned Head of the Department. The sanction to be issued by the Appointing Authority will also normally contain the name(s) and full addresses of the dependent(s) to whom the payment is to be made as also the name of the Treasury at which the payment is to be made. The emoluments last drawn and admissible to the deceased gazetted officer may invariably be got verified from the office of the Accountant General, Punjab, before the sanction is issued by the Appointing Authority.
- b) In the case of non-gazetted officials, the amount will be drawn and disbursed by the Drawing & Disbursing Officer of the office where the deceased employee last served. The sanction to be issued by the Appointing Authority will contain the name(s) and full addresses of the dependent(s)

- to whom the payment is to be made as also the name of the Treasury at which the payment is to be made. The last pay drawn & admissible in the case of non-gazetted officials will be got verified by the sanctioning authority from the Drawing and Disbursing Officer of the office where the deceased employee last served
- c) In cases where the sanction is issued by the Government by virtue of its being Appointing Authority, the copy of the sanction will be endorsed to the following :—
    - (i) Head of the Department, concerned;
    - (ii) Widow/husband/dependents etc. of the deceased employee; as the case may be,
    - (iii) Accountant General Punjab and
    - (iv) Secretary to Government, Punjab, Finance Department (in F.G Br.).
  - d) In cases, where the sanction is issued by an authority other than the Government, the copy of sanction will be endorsed to the following :—
    - (i) Drawing and Disbursing Officer of the Office, where the deceased employee last served;
    - (ii) Widow/husband/dependents etc. of the deceased employee; as the case may be,
    - (iii) Accountant General, Punjab and
    - (iv) Secretary to Government, Punjab, Finance Department (in F.G Branch).

2. It is observed that some of the Departments draw the ex-gratia grants of gazetted officers and non-gazetted officials on pay bill forms whereas some Departments draw the amount on simple receipt form, in the absence of a standard form of the bill for this purpose. Since the Death-cum-Retirement-Gratuity in respect of all retired Officers/Officials is drawn on simple receipt form irrespective of the status, it has been decided that the ex-gratia grants & other cash benefits etc.

should also be drawn on simple receipt form.

3. The expenditure on ex-gratia grants & other facilities etc. will be booked under head Major Head "288-Social Security & Welfare-E-Other Social Security and Welfare Programmes (b) Other programmes (9) Ex-gratia payments to Families of Ministers and Government Servants etc. dying in harness."

4. These instructions will apply to cases which arose on or after 1-11-1970 and in which the payment has not been made so far.

5. This issues with the concurrence of the Finance Department conveyed vide their U.O. No.3469-6FR-75, dated the 29th May, 1975.  
(Since adopted by the Board in a Consolidated form)

Copy of Circular letter No. 224-GOI-6FR-75/18019 dated 7th August, 1975 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :- Ex-gratia payments to the families of Government Servants travelling by service Air crafts or other Government air-crafts on duty and dying as a result of accident to the aircrafts.

I am directed to refer to this department letter No. 4975/6FR-73/25821 dated the 14th November, 1973 on the subject noted above and to clarify that the provisions contained therein shall apply to the following types of air journeys also, subject to such journeys being undertaken by a Government employee while on duty in public interests :

(i) Air journey on test flights, and

(ii) Air journeys by non-scheduled flights in Chartered planes.

These orders will take effect from the date of issue.

(Adopted in toto vide Secretary PSEB Patiala circular memo No. 145879/146429/ADP-15 dated 21-12-81).

Copy of Circular letter No. 4806-3GA-75/51207 dated 3rd Dec., 1975 from the Chief Secretary to Govt. Punjab, to all Heads of Depts., etc.

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

In addressing you on the subject noted above, I am directed to say that from time to time instructions have been issued by the Government regarding ex-gratia grants and other facilities for families of Government employees who die while in service. As these instructions are not available in a consolidated form, it has been noticed that after the demise of a Government employee, his family/dependents are not aware of the various concessions and facilities available to them. For the benefit of Government employees and their dependents a summary of the instructions issued on this subject from time to time is enclosed. These instructions may please be brought to the notice of all Government employees working under you.

#### EX-GRATIA GRANTS AND OTHER FACILITIES FOR FAMILIES OF GOVERNMENT EMPLOYEES WHO DIE WHILE IN SERVICE

##### AD-HOC EX-GRATIA GRANTS

(a) An adhoc ex-gratia grant admissible to the family of a deceased employee is equivalent to ten(10) times the emoluments, which he was receiving immediately before his death, subject to a minimum of Rs. 5,000/- and a maximum of Rs 15,000/-. The term "Emoluments" for this purpose means the pay as defined in Rule 2.44 of the Punjab C.S.R. Vol. I Part I and includes Dearness pay also. The ex-gratia grant is payable to the members of the family of a deceased employee in the order mentioned

P.G. letter No. 3906-SII(3)-71/17723, dated 9th July 1971.

below :—

- (i) Widow/Husband.
- (ii) Dependent Sons/Daughters
- (iii) Dependent Father.
- (iv) Dependent Mother.
- (v) Dependent Brothers/Sisters.

P.O. letter No. 8548-SII,3)- grants are what an employee would have drawn had he 71/1167, not been absent from duty or under suspension as defined dated 11-1-72 in rule 2.44 of Punjab C.S.R. Vol. I, Part I.

(c) Adhoc ex-gratia grant is admissible to widow/husband only but it can be given to other dependents also in the order mentioned in (a) above if they are unemployed and are entirely dependent on the deceased Government employee, if so certified by the Deputy Commissioner of the District. Thus the actual factor of dependence to be certified by the Deputy Commissioner concerned would determine eligibility/title for the ex-gratia grant and there is no need to specify any age for the purpose.

P.G. letter No. 1454.-SII(6)- is to be drawn and disbursed by the concerned Head of 75/21326 dt, the Department. The sanction to be issued by the Appoin- 27th June, 1975 ing Authority will also normally contain the name(s) and full addresses of the dependent (s) to whom the payment is to be made as also the name of the Treasury at which the payment is to be made. The emoluments last drawn and admissible to the deceased gazetted officer may invariably be got verified from the office of the Accountant-General, Punjab, before the sanction is issued by the Appointing Authority.

(e) In the case of non-gazetted officials, the amount is to be drawn and disbursed by the Drawing and Disbursing Officer of the office where the deceased employee last served. The sanction to be issued by the Appointing Authority will contain the name(s) and full addresses of the dependent(s) to whom the payment is to be made as also the name of the Treasury at which the payment is to be made. The last pay drawn and admissible in the case of a non-gazetted official will be got verified by the sanctioning authority from the Drawing and Disbursing Officer of the Office where the deceased employee last served.

(f) In cases where the sanction is to be issued by the Government by virtue of its being Appointing Authority, the copy of the sanction will be endorsed to the following :—

- (i) Head of the Department concerned ;
- (ii) Widow/husband/dependents etc. of the deceased employee as the case may be ;
- (iii) Accountant General, Punjab and
- (v) Secretary to Government, Punjab, Finance Department (in FG Branch)

(g) In cases, where the sanction is to be issued by an authority other than the Government, the copy of sanction will be endorsed to the following :—

- (i) Drawing and Disbursing Officer of the office, where the deceased employee last served ;
- (ii) Widow/husband/dependents etc. of the deceased employee as the case may be ;
- (iii) Accountant General, Punjab and
- (iv) Secretary to Government, Punjab, Finance Department (in FG Branch).

(h) The ex-gratia grants and other cash benefits, etc., are to be drawn on simple receipt form.

(i) The expenditure on ex-gratia grants and other facilities etc., is to be booked under the head "288-Social Security and Welfare-E-Other Social Security and Welfare Programmes (b) Other Programmes (9) Ex-gratia payments to Families of Ministers and Government Servants etc. dying in harness."

## 2. ACCOMMODATION.

P.G. letter  
No. 3906-  
SII(3)-71/  
17723 dated  
9th July,  
1971.

In case where the deceased employee was in possession of Government accommodation, his/her family is allowed to retain the accommodation for one year after his/her death, the rate of rent being the same as was applicable to him/her at the time of his/her death. In other cases, the house-rent allowance admissible to the deceased employee will continue to be given to the family for one year after his/her death.

## 3. HOUSE RENT ALLOWANCE.

P. G. letter  
No. 702-SII  
(3)72/7832,  
dated 15th  
March, 1972

(a) If the family of a deceased Government employee vacates the residential accommodation retained by it before the expiry of one year of its own accord, then the benefit of house rent allowance is not admissible for the remaining period.

(b) If the family leaves the place of posting of the deceased Government employee before the expiry of one year which automatically amounts to surrender of Government accommodation at that place, then the house-rent allowance for the remaining period is not admissible.

(c) If the residential accommodation allotted to the deceased Government employee, is got vacated by the Government from his family due to certain special circumstances, then alternative accommodation, if available is, to be allotted to such a family.

(d) If no accommodation is available as referred to in item (c) above then house-rent allowance for the remaining period is to be granted provided the family lives at that station.

(e) The members of the bereaved family are to be granted the benefit of house rent allowance on the basis of his emoluments which the Government employee would have received but for his proceeding on leave.

P.G. letter  
No. 3747-  
SII (3) 72,  
dated, 27th,  
Sept, 1972.

(f) In accordance with the provisions of Rule Sr. A.M. 12 of Government Residence (Chandigarh Administration Pool) Allotment Rules, 1972, the family of a deceased Government employee is allowed to retain at the normal rate of house-rent the accommodation at Chandigarh for a period of four months only whereafter the Chandigarh Administration insists upon the payment of monthly rent at a rate which is twice the standard Licence Fee. It creates hardship for the family of a deceased Government employee to pay rent at this exorbitant rate. To mitigate this hardship, it has been decided that Chandigarh based families of deceased Government employees, who are in possession of Government accommodation may be granted monthly house-rent allowance @ 12½% of the last pay drawn by the deceased Government employee for a period of eight months from the date on which they are required to pay the increased rent. The house-rent allowance is to be paid by the Deptt./Office in which the concerned Government employee was serving before his/her death.

P.G. letter  
No. 2358-  
SII(6)-75/  
20274, dt.  
19th June,  
1975.

## 4. WAIVING OFF THE RECOVERY OF HOUSE BUILDING ADVANCE.

(a) Where a Government employee dies while in service and without repaying the loan obtained by him or

P.G. letter No  
4295-SII(3)-

72/21093,  
dated the  
21st August,  
1972.

any part of it for construction/purchase/repair of house and/or interest accrued thereon, such loan, or part thereof which remain unpaid, and the interest unpaid is to be adjusted towards the death-cum-retirement gratuity admissible. If the amount due is greater than the death-cum-retirement gratuity, the difference between the two is to be written off.

(b) Powers to write off house building loans vest in the Administrative Secretary concerned in consultation with the Finance Department.

(c) Recovery of loans obtained by employees for higher education of their children may be postponed till the child for whom the loan is obtained starts earning. No interest shall be charged on the loan for the period of postponement.

The above concessions are admissible with effect from the 1st November, 1970.

#### 5. FREE MEDICAL AID.

P.G. letter No. 3906-SII(3)-71/17723, dt. 9th July 1971. Free medical aid is to be given to the family on the same basis as to pensioners except that this facility will also be extended to minor children of the deceased employees.

#### 6. FREE EDUCATION FACILITIES.

P.G. letter No. 3906-SII(3)-71/17723 dt. 9th July 1971. (a) Free educational facilities are allowed to the unmarried children of all Government employees who die while in service subject to the following conditions:—

- (i) The benefit of free education is to be allowed upto Degree Courses (including professional Courses) provided the children get admission in the said courses on merit and pass the examination held from time to time.

- (ii) Tuition fee at the rate as admissible in Government Institutions only is to be reimbursed.

- (iii) The benefit is admissible from the date of death of the Government employee concerned to his children who are actually dependent upon their guardians.

(b) Keeping in view the administrative difficulties which may arise in referring the cases regarding free educational facilities to the children of the deceased Government employees and to expedite the process of reimbursement of tuition fee it has been decided that the authority concerned may delegate its powers to any Class I Officer working under him. P.G. letter No. 2968-SII(3)/73/17550, dated 11th June, 1973.

#### 7. SCOPE OF INSTRUCTIONS.

The scope of the instructions mentioned above is to be determined with reference to Rule 3.17-A of the Punjab Civil Services Rules, Volume II, viz., the cases of all those employees who have rendered service qualifying for pension as specified therein, are to be covered for the grant of concessions extended to the families and dependents of the deceased Government employees. Families of Work-Charged and Ad-hoc employees are not entitled to these facilities. P.G. letter No. 337-DSS-II(1)-74/3061, dated 28th January 1974.

#### 8. PROFORMA FOR OBTAINING FACILITIES.

The information in regard to the deceased employee and his family is to be obtained in the proforma at Annexure 'A' alongwith an affidavit, duly attested, and a reasonable proof of title to grant and other facilities, as the case may be. P.G. letter No. 3906-SII(3)-71/17723 dated 9th July, 1971.

## 9. DEPOSIT-LINKED INSURANCE SCHEME FOR SUBSCRIBERS TO THE PROVIDENT FUNDS.

P.G. letter  
No. 29(GOI)  
JFR-75/11734  
dated 20th  
May, 1975.

The State Government has introduced a Deposit-linked Insurance Scheme which provides an insurance cover to the subscribers without payment of premium. The details of this scheme are as follows :-

- (i) On the death of a subscriber in service the person(s) eligible to receive Provident Fund balances in terms of the relevant rules is/are sanctioned an additional amount equal to the average balance in the account of the deceased Government employee in the Fund during the three years immediately preceding the death of the employee subject to the provisions of sub-para (iii) below;
- (ii) In the case of Contributory Provident Fund, only the subscription of the employee with interest thereon, is taken as the balance for the purpose of this scheme;
- (iii) The above benefit is available subject to the fulfilment of the following conditions :-
  - (a) The balances in the account of the Government employee should not have fallen below the following limits at any time during the three years preceding the date of death: -

Class I	: Rs. 3,000
Class II	: Rs. 2,500
Class III	: Rs. 1,500 ✓
Class IV	: Rs. 1,000
  - (b) The upper limit up to which the benefit of insurance cover is available is Rs. 10,000/-. Thus any amount in excess of Rs. 10,000 in the Fund is disregarded for the purpose of this extra benefit.

- (c) The benefit is admissible only if an employee has put in at least 5 years service at the time of death.

This scheme came into force with effect from 1st March 1975.

## 10. CONCESSION ADMISSIBLE TO TEACHERS ONLY

Besides the concessions admissible to Government employees of all Departments if a teacher employed in the State Education Department dies while in service his family/dependents are also eligible to get financial assistance to the extent of Rs. 2,000 out of National Foundation for Teachers Welfare Fund provided the income of his family/dependents does not exceed Rs 6,000 per annum from all sources.

(Adopted vide Secretary PSEB Patiala circular memo No. 41942/42192/GB/M-425 dated 19/25-3-76 read with memo No. 225500/860/GB/M-425 dated 10.11.76)

## ANNEXURE 'A'

### Form of application for ex-gratia Grant/other facilities.

Application from the family of late Shri/Shrimati \_\_\_\_\_  
employed as \_\_\_\_\_ in the Office/Department of \_\_\_\_\_

1. Name and full address of applicant. :
2. Relationship to the deceased Government employee. :
3. Circumstances and Date of death of the Government employee. :
4. Name and ages of surviving relations of the deceased :

Name                      Age

- a) Widow/Husband.



- b) Sons.
  - c) Un-married daughters.
  - d) Widowed daughters.
  - e) Parents wholly dependent on the deceased Government employee.
  - f) Widowed/Un-married sisters.
5. The treasury from which ex-gratia grant is to be drawn.
6. Any other relevant information.

(Signature of Applicant)

Place-----

Date-----

Copy of Circular letter No. 301-OSD(F)-76/12258 dated 28th April, 1976 from the Secretary to Government, Punjab, Finance Department, to all Heads of Deptts., etc.

Subject : Simplification of leave rules.

I am directed to address you on this subject and to say that in pursuance of the decision taken by the Government of India, the Governor of Punjab is pleased to direct that in the cases of Punjab Government employees who may die, while in service, the cash equivalent of the leave salary (carrying the appropriate amount of dearness allowance) that the deceased employees would have got, had they gone on earned leave that would have been due and admissible to them but for their death on the date immediately following the date of death and in any case not exceeding the leave salary for 120 days, shall be paid to their family, subject to the reduction of the amount of pension equivalent of death-cum-retirement gratuity. In the case of re-employed pensioners however, no deduction on account of pension equivalent of D.C.R.G. shall be made from the cash equivalent in respect of leave earned during their re-employment, but in other cases where the cash equivalent in respect of leave earned before retirement which was refused in

public interest and could not be availed of due to re-employment just after retirement, the deduction on account of pension equivalent of D.C.R.G. shall be made. In the case of those State Govt. employees who are governed by Contributory Provident Fund Rules, no deduction on account of Government contribution to the said Fund shall be made out of the cash equivalent of leave salary payable to the family of the deceased employee.

2 The Governor of Punjab is further pleased to decide that in modification of rule 8.122 of Punjab C.S.R. Volume I Part I, all Punjab Government employees, while on earned leave shall, instead of the leave salary equal to the average of the actual monthly pay drawn during the ten complete months immediately preceding the month in which the leave commences or the substantive pay whichever is greater, be entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

3. The orders contained in paragraph 1 above will come into effect from the date of issue of this letter and those in paragraph 2 above will apply to those who proceed on leave on or after that date.

4. Formal amendments to rules 2.34 and 8.122 will be issued separately.

(Adopted vide Secretary PSEB Patiala circular memo No. 79610/900/ENG/G-148 dated 16-7-76)

Copy of Circular letter No. 8461-6GS-76/38731 dated 13th Sept., 1976 from the Chief Secretary to Govt., Punjab, to all Heads of Deptts., etc.

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

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

1-11-1970. The question of granting the said concessions from a date prior to 1-11-1970 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 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 1-11-1966 to 31-10-1970 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 1.11.1970.

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

(Adopted by the Board vide Secretary PSEB Patiala circular memo No. 82675/83675/GB/M-425 dated 18/25-4-77 in its meeting held on 31.3.77)

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

Subject : Ex-gratia grants 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 27.6.75, on the subject noted above and to state that the words 'Accountant General, Punjab' appearing in the last sentence of para 1 (a) of the said instructions may please be substituted by the words 'Administrative Department.'

(Since adopted by the Board)

OFFICE ORDER NO 346/GB/Spl-3

DATED : 24.3.1977

In supersession of this office order No. 354/GB/Spl-3 dated 7.5.74 and No. 676/GB/Spl-3 dated 5.11.74, Punjab State Elec. Board is pleased to order that as in the case of dependents of Private Persons electrocuted on Board's electric installation (orders issued vide this office order No. 1088/GB/Spl-3 dated 27-8-76), the ex-gratia grant of Rs. 1000/- for the purpose of cremation etc. may be given to the dependents of Board's employees as well who while discharging their duties, died as a result of fatal accident, by the Divisional Officers, on the spot.

2. It has also been decided that this concession to Board's employees shall be in addition to any other payment admissible to the dependents under the existing rules/instructions.

(Circulated vide Secretary PSEB Patiala order No. 61189/62090/GB/Spl, 3 dated 25.3.77)

Copy of Circular letter No. 13225-6GS-76/12197 dated 31st March, 1977 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :— Priority list for 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 18.4.73 on the subject noted above and to clarify that in case of priorities No. 3&4 the date of the death of Govt. 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 die after the coming into operation of that said instructions. This benefit is admissible even in those cases where death took place before the 18.4.73 (i.e. the date of issuing the said instructions).

(Circulated vide Secretary PSEB Patiala memo No. 58948/59288/ENG/G-197 dated 5.5.77)

Extract of para (7) of Punjab Government Circular letter No. 6-GOI-4FR-77/19431 dated 27th July 1977 to all Heads of Departments etc.  
Subject : Simplification of rules and procedure relating to leave—Punjab C.S.R. Vol I, Part I.

I am directed to say that it has been decided that the leave rules as contained in Punjab C.S.R. Volume I, Part I, be simplified as under with immediate effect :—

× × ×

(7) Cash equivalent of leave salary in case of death in service :—

In case of death in service of a government employee, the cash equivalent of the leave salary (carrying the appropriate amount of dearness allowance) in respect of Earned Leave at credit to be paid to his family under rule 8.122 (8) ibid shall be subject to a maximum of 180 days. Further such cash equivalent shall no longer be subject to reduction on account of pension equivalent of death-cum-retirement gratuity.

× × ×

Necessary amendments to the relevant rules will be issued in due course.

(Adopted retrospectively w.e.f. 27-7-77 vide Secretary PSEB Patiala circular memo no. 148957/150057/ENG/G-148/L-168 dated 20-12-77 read with memo no. 61264/62114/ENG/G-148 dated 1-6-78).

Copy of Secretary (Finance Section) PSEB Patiala U.O. No. 47/Fin 63/71-72 dated 17.1.1978 to Under Secretary (General) PSEB Patiala.

Subject : Ex-gratia grants and other facilities for families of Govt. employees who die while in service.

Will the Under Secretary (General) PSEB Patiala kindly refer to his office U.O. No. 1431/EBP 104 dated 16-12-1977 on the subject noted above ?

2. Finance Section observe that certain circulars mentioned in

the Punjab Government circular No. 4806-3GA-75/51207 dated 3-12-75 having already been adopted from the date of decision of Punjab Government, it would be appropriate to apply all the circulars embodied in the consolidated instructions since adopted by the Board, w.e.f. the dates these were made applicable in the case of Punjab Government employees.

3. This issues with the approval of A&FM.

Copy of Chief Accounts Officer (GPF Section) PSEB Patiala Circular memo No. 5373/5788/PF-34 dated 24th January 1978.

Subject : Deposit linked Insurance Scheme for subscribers to the Provident Fund.

The Punjab Government Circular letter No. 4806-3-GA-75/51207 dated 3rd December, 1975, regarding Ex-gratia grants and other facilities for families of Government employees who die while in service was circulated for information, by the PSEB vide Memo No. 41942/42192/GB/M-425 dated 19/25-3-76 and finally adopted by the Board vide Memo No. 225500/860/GB/M-425 dated 10.11.1976.

Item No. 9 of the Punjab Government letter ibid dated 3.12.1975 relates to Deposit Linked Insurance Scheme for subscribers to the Provident Fund, introduced by the Government. The broad outlines of the scheme are reproduced as under :—

- i) On the death of a subscriber in service the person(s) eligible to receive Provident Fund balances in terms of the relevant rules is/are sanctioned an additional amount equal to the average balance in the account of the deceased Board employee in the Fund during the three years immediately preceding the death of the employee subject to the provisions of sub-para (ii) below;
- ii) The above benefit is available subject to the fulfilment of

the following conditions :-

- a) The balances in the account of the Board employee should not have fallen below the following limits at any time during the three years preceding the date of death :-

Class-I	Rs. 3,000/-
Class-II	Rs. 2,500/-
Class-III	Rs. 1,500/-
Class-IV	Rs. 1,000/-

- b) The upper limit upto which the benefit of Insurance cover is available is Rs. 10,000/-. Thus any amount in excess of Rs. 10,000/- in the Fund is disregarded for the purpose of this extra benefit.
- c) The benefit is admissible only if an employee has put in atleast 5 years service at the time of death.

This scheme came into force with effect from 1st March, 1975.

While applying for the final withdrawal of the GPF balances, in case of death of a subscriber, application in the enclosed proforma may also be sent to this office, so that the case is processed simultaneously and consolidated authority letter for payment of final withdrawal and additional amount under the scheme, if admissible, is issued.

The sanction for the grant of additional amount under the scheme is to be accorded by the C.A.O. authority letter issued by the G.P.F. Section, payment released by the Disbursing Officer and amount charged to 'GA-24-Expenditure on Deposit-Linked Insurance Scheme'.

**Form of application for Deposit Linked Insurance Scheme for subscriber to GPF Account who die while in service.**

Application from the family of late Shri/Shrimati.....  
... employed as.....in the office/department of  
..... GPF Account No.....

1. Name and full address of applicant.
2. Relationship to the deceased Board employee.
3. Circumstances and date of death of the employee.
4. Name and ages of surviving relations of the deceased :

Name                      Age

- a) Widow/Husband
  - b) Sons.
  - c) Un-Married daughters.
  - d) Widowed daughters.
  - e) Parents wholly dependent on the deceased Govt. employee.
  - f) Widowed Un-married sisters.
5. The Disbursing Officer from whom Ex-gratia grant is to be drawn.
6. Any other relevant information.

Place.....

Dated.....

(Signature of Applicant)

Endst. No.....

Dated... ..

Forwarded in original to the C.A.O. (GPF Section) PSEB Patiala for further disposal. It is certified :-

- (a) that the particulars given above by the claimant are correct;
- (b) that the deceased has rendered '5' years service at the time of his death;
- (c) that the subscriber belong to Class...../.....  
he belongs to Class ..... from ..... to... ..  
and Class .....from.....to.....

(Disbursing Officer)

Copy of Circular letter No. 3258-2GE-77/6317 dated 24th February, 1978 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

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

I am directed to invite a reference to Punjab Government circu-

lar letter No 4806-3GA-75/51207, dated 3-12-75, on the subject. Instances of delay in allowing ex-gratia grants and other facilities admissible to the families of deceased government employees have come to the notice of the Government. Since delay causes unnecessary hardship, Government are therefore, keen to ensure expeditious disposal of such cases, and with this in view it has been decided that whenever a Government employee dies in harness, the Department of Personnel and Administrative Reforms should be informed immediately and a report on the concessions provided or disallowed sent within a month of the death of the concerned employee.

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

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

(Circulated vide Secretary PSEB Patiala endst. No 55511/56671/GB/M-425 dated 19.4.78/5.78)

**Copy of Circular letter No. 18/6/79-FR(6)/ dated 24th August, 1979 from the Commissioner for Finance and Secretary to Government, Punjab, Finance Department, to all Heads of Deptts., etc.**

**Subject :** Payment of Ex-gratia Grant to the members of the family of a deceased Government employee.

I am directed to refer to the subject noted above and to say that a question has arisen as to whether ex-gratia grant payable under the provisions of Rule 2.7 of the Punjab C.S.R. Volume II can be paid to a judicially separated widow where one exists. It is clarified that the term 'Widow' used in the Annexure to Rule 2.7 of Punjab C.S.R., Volume-II does not include a judicially separated widow and as such, she is not eligible for the payment of any share of ex-gratia grant in terms of the rule *ibid*.

2. Necessary amendment to Rule 2.7 of Punjab C.S.R, Vol-II will be issued in due course.

(Adopted vide Secretary PSEB Patiala circular memo No. 204624/205280/ADP-15 dated 24-12-79.)

**Copy of Secretary PSEB Patiala Circular memo No. 168440/169380/GB/Spl-3 dated 3/9-11-79**

**Subject :** Payment of ex-gratia grant for the purpose of cremation etc. of Board Employees who die as a result of fatal accident.

The Board vide its office order No, 254/GB/Spl-3 dated 7-5-74 granted concession of payment of Rs. 1000/- (Rupees One Thousand only) as ex-gratia grant for the purpose of cremation etc. to the dependents of Board employees, who, in the discharge of their official duties, in obedience to the orders of their superior officers, die as a result of fatal accident.

2. A doubt has arisen as to whether the concession is applicable only in electrical or mechanical fatal accident cases or road accidents are also, covered under these instructions. The matter has been examined & it is clarified that the term "fatal accident" has a wide connotation & covers all the cases of fatal accidents, whether electrical, mechanical or otherwise, which take place during the course of performance of official duties, in obedience to orders of the seniors.

**Copy of Circular letter No. 18/5/79-FR(6)/7266 dated 30th Nov., 1979 from the Chief Secretary to Govt., Punjab, to all Heads of Deptts., etc.**

**Subject :** Raising the limit of ex-gratia grant admissible under Rule 2.7 of Punjab Civil Services Rules, Volume-II.

I am directed to say that in accordance with the existing provisions of rule 2.7 of Punjab Civil Services Rules, Vol-II, the family of a Government employee, who dies while in service, is entitled to the ex-gratia grant equivalent to ten times the emoluments which the deceased employee was receiving immediately before his death subject to a minimum of Rs. 5000/- and a maximum of Rs. 15,000/-. The Governor of Punjab is pleased to decide that the existing limit of ex-gratia grant be raised to twenty times the emoluments which the deceased employee was receiving immediately before his death subject to a minimum of Rs. 10,000/- and a maximum of Rs. 30,000/-

2. As the amount of ex-gratia grant has now been substantially enhanced, no proposal for the grant of financial assistance for marriage of dependent daughters of deceased Government employees shall henceforth be entertained.

3. These orders will take effect from the 1st October, 1979. The formal amendment of relevant rules mentioned above, will be issued in due course.

(Adopted with effect from 1-10-79 vide Secretary PSEB Patiala circular memo No 68433/69016/Reg./Adp. 15 dated 29-4-80).

Copy of Circular letter No. 10792-FD-Loans Cell/SA-III/79/11255 dated 12th Dec., 1979 from the Chief Secretary to Government, Punjab, to all Heads of Deptts. etc.

Subject:—Ex-gratia grant and other facilities for families of Government servants who die while in service—question of waiving off the recovery of House Building Advance

I am directed to invite your attention to the instructions contained in Punjab Government circular letter No. 4295-SII(3)-72/21093 dated 20.8.72 on the above mentioned subject, wherein it was decided that where a Government employee dies while in service, without repaying the loan including interest which has accrued thereon or any part of it obtained by him for the construction/purchase/repair of house, such loan or part thereof including interest accrued which remains unpaid, is to be adjusted towards the Death-cum-Retirement Gratuity admissible and further if the amount due happens to be greater than the amount of Death-cum-Retirement Gratuity, the difference between the two is to be written off.

2. The matter has further been considered and keeping in view the extreme hardship which the sudden demise of the employee causes his bereaved family, it has been decided that the out-standing

balance of loan taken by any such employee before his death for the construction/repair or purchase of plot or house including interest accrued thereon, shall be written off with the sanction of the Competent Authority in consultation with the Department of Finance.

3. These orders will take effect from the 1st October, 1979. The formal amendment of the relevant Rules in P.F.R. Vol-I, Part-I will be issued in due course.

(Adopted with effect from 1-10-79 vide Secretary PSEB Patiala circular memo No 187529/8119/Reg./ADP-63 dated 10-11-80, on the same terms & conditions as laid down therein).

Copy of Secretary PSEB Patiala Circular memo No. 17894/18974/ENG-7 (1)199 dated 3-3-80.

Subject:—Employment to the dependents of Board's work-charged employees who die while in service under the priority scheme.

Reference this office memo No. 30141/30900/ENG/G-197/LC-674 dated 2.4.74 vide which the Board adopted the policy of Punjab Government in the matter of providing employment to certain categories under the priority scheme.

2. The question of providing such benefits to the dependents of work-charged employees has been under consideration of the Board and it has now been decided by the Board that for the purpose of providing employment under the priority scheme, officials having worked for 5 years in a work-charged capacity shall be considered at par with regular establishment for giving the benefit of employment to the dependents in case such an employee dies in the service of the Board.

Copy of Circular letter No. 36/9/78-FR(6)/1923 dated 5th March, 1980 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: - Scheme for providing immediate relief to the families of the Government employees who died while in service.

I am directed to refer to Finance Department letter No. 7697-6FR-71/9663, dated the 24th May, 1972, on the subject noted above and to say that the President of India is pleased to decide that the existing limit on emoluments for becoming eligible for immediate relief should be raised from Rs. 1000/- p.m. to Rs. 1,600/- p.m.

2. This decision is applicable with immediate effect.  
(Adopted vide Secretary PSEB Patiala circular memo No. 126505/126867/Reg/Adp. 63 dated 19-11-81).

Copy of Secretary PSEB Patiala memo No. 71361 dated 2.5.80 to Xn RE Divn. Bhatinda & copy circulated to subordinate offices vide endat. No. 71362/72946/GB/Spl. 3 dated 2-5-80.

Subject: - Payment of Ex-gratia grant for the purpose of cremation etc. of Board Employees who die as a result of fatal accident.

Ref. : Your memo No. 17785 dated 6-9-79.  
It is clarified that the orders for payment of exgratia grant for the purpose of cremation etc. contained in this office order No. 254/GB/Spl-3 dated 7-5-74 are applicable to the work-charged employees as well.

Copy of Circular letter No. 18/15/78 FR(6)/11622 dated 18th Dec. 1980 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: - Ex-gratia payments to the families of Government employees travelling by service Aircrafts or other Government Aircrafts on duty and dying as a result of accident to the aircrafts.

I am directed to refer to the Punjab Government, Finance Depart-

ment letter No. 4975-6FR-73/25821 dated 14th November, 1973 and No. 224(G.O.I)6FR-75/18019 dated 7th August, 1975, on the subject noted above and to say that in partial modifications of the orders contained therein the Governor of Punjab is pleased to decide that the quantum of ex-gratia payment to the families of the Government employees covered by the aforesaid orders shall be enhanced from Rs. 42,000/- to Rs. 1,00,000/- with immediate effect.

(Adopted in toto vide Secretary PSEB Patiala circular Memo No. 145879/146429/ADP.15 dated 21.12.81)

Copy of Circular letter No. 9/39/78-GE(4)/5076 dated 20th April 1982 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Ex-gratia grant to the families of Government employees, who die while in service-Admissibility of Ex-gratia grant to the husband/wife of a deceased Government employee, who has contracted remarriage.

I am directed to invite your attention to Punjab Government letter No. 9/39/78-GE/6979, dated 16-6-81, vide which it was conveyed that ex-gratia grant is not admissible to the husband/wife of deceased Government employee, who contracts re-marriage. The matter has been re-considered by Government and in view of the provisions of Rule 2.7 of C.S.R. Volume II, as also the fact that ex-gratia grant is only one time grant which becomes payable on the death of the spouse of the Government employee to the surviving spouse or other dependent of the deceased Government employee, it has been decided that ex-gratia grant may be paid to the surviving spouse irrespective of his/her having been contracting remarriage before the ex-gratia grant could be paid to him/her.

2. (For Director of Public Instructions, Schools, Punjab and the Department of Excise and Taxation) The earlier advice given by this Department vide Memo No. 4061-2GE-78/1382, dated 28.4.78 and

U.O. No. 9/39/78-GE, dated 16.6.81 respectively may be considered to have been superseded to the said extent.

(Circulated vide Secretary PSEB Patiala endst. No. 81924/82774/Reg/ADP-15 dated 1.6.82 in continuation of T/O circular memo/endst. No. 68433/69271/Adp. 15 dated 29.4.80)

**ORDER NO. 14/PENSION/Z-53**

**DATED : 21.5.82**

In order to ensure that the Pension/Family Pension cases are disposed-of speedily, the Punjab State Electricity Board is pleased to order as under :—

- (1) In the case of our employees who die while in service before the finalisation of the disciplinary proceedings pending against them, the suspension period, if any, should be treated as duty for all intents and purposes even if they died after reinstatement. Formal sanction in this respect should be issued by the office where the official was working at the time of death instead of the appointing authority, in order to avoid delay. Copies of such orders should be endorsed to the Appointing Authority as well as the office by whom he was placed under suspension, in case it is other than the office where he was serving at the time of death.
- (2) In the case of employees who retire before the finalisation of disciplinary proceedings against them, the period of suspension, if any, should not be reckoned as qualifying service for the purpose of pension and increments, pending the finalisation of the disciplinary proceedings. The audit should admit their pay fixation and pension cases on the above principle. Their pay and pension should be revised in the light of the orders passed by the competent authority in disciplinary proceedings including suspension period, in due course.
- (3) The period of absence both in the case of employees who die during service or retire should be treated as leave of the

kind due, if no leave is due as extra-ordinary leave, even if formal leave applications have not been submitted by the employees concerned.

- (4) The formality of verification of date of birth, if any, involved in the case of employees who die while in service or have retired should not be insisted upon by the Audit.
- (5) The formality of relaxation in maximum age limit for entry into Board's service, if any, involved in the case of employees who die while in service should not be insisted upon by the audit.
- (6) In the case of employees who die before the decision of the competent authority for the crossing of efficiency bar cases, such bar should be allowed to be crossed without reference to their personal record i.e. even if their service record does not justify the same because the required formality of Show Cause Notice for stopping increment at the Efficiency Bar cannot be met with in such cases.
- (7) In the case of employees who retire before the finalisation of their Efficiency Bar cases, their pay in the revised scales and pension should be calculated on the basis of pay which is actually due to them without crossing the Efficiency Bar. Their pay in the revised scales and pension can be revised in the light of the orders passed by the competent authority in due course.
- (8) 'No Demand Certificate' in the case of employees who die while in service should be issued without waiting for the formal sanction to write off the outstanding balances of House Building Advances and interest accrued thereon. The sanction of the competent authority for writing-off such advances should be obtained separately in order to clear the same from the books of the offices concerned.



The above relaxations in the existing relevant Rules/Regulations shall be applicable in all pending and future cases.

(Circulated vide Secretary PSEB Patiala endst. No. 59785/60640/Z-53 dated 21-5-82)

Copy of Circular letter No. 18/6/81-5PP/8014 dated 9th June, 1982 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Priority List for various categories of persons for employment in State Services-Rehabilitation of disabled ex-servicemen and widows/dependents of the deceased government employees and defence services personnel killed or disabled severely in action.

I am directed to refer to Punjab Government instructions contained in their letter No. 80 (GOI)-SII-(3)-73/12092, dated 18.4.73, on the subject noted above, and further amplified through Punjab Government letter No. 13225-6GS-76/12197, dated 31.3.1977 and to say that in the later communication it had been laid down that the date of death of a government employee whose dependent is to be given the benefit under Punjab Government instructions dated 18-4-1973, was immaterial. In other words, the dependents of those government employees who had died earlier than 18-4-1973, were also entitled to the benefits offered in the letter dated 18-4-1973. Cases have come to the notice of the Government whose dependents of deceased Government employees who were recruited before the issue of instructions dated 19-4-1973 were put on ad-hoc basis and their cases are sent to the Personnel Department for regularisation with effect from the date of their ad-hoc appointments. I am directed to make it clear that the benefit under the instructions dated 18-4-1973 shall be granted from the date of issue of these instructions, i.e., 18-4-1973 or thereafter and not before this date.

(Circulated for strict compliance vide Secretary PSEB Patiala memo No. 142656/143081/Reg/Adp. 66 dated 19-8-82).

Copy of Secretary PSEB Patiala Circular Memo No. 193716/194166/Reg./ADP-63 dated 21st October, 1982.

Subject:— Ex-gratia grant and other facilities for families of Government Servants who die while in service—question of waiving off the recovery of House Building Advance.

In partial modification of this office circular memo No. 187529/8119/Reg/ADP-63 dated 10-11-80, on the subject noted above, it has been decided that in future general concurrence of Finance Section may be assumed for writing off the outstanding balance of loan taken by a Board employee before his death for the construction of house/repair/purchase of plot or built house including interest accrued thereon. Such sanctions may now be issued with the approval of the competent authority without referring each individual case to the Finance Section.

## CHAPTER XI

### HOUSE RENT ALLOWANCE

Copy of Circular letter No. 956-FCW-65/1548 dated 20th February, 1965 from the Secretary to Government, Punjab, Finance Department, to all Heads of Depts., etc.

Subject : - Grant of House Rent Allowance to Government Employees.

I am directed to address you on the subject noted above and to say that the question of the grant of House Rent Allowance to the State Government employees, not provided with Government accommodation, has been engaging the attention of Government. To mitigate the hardship of the Government servants in this behalf, the Governor of Punjab is pleased to sanction house rent allowance at the following rates to all the State Government employees stationed in the localities mentioned below :-

(i) **First Class Cities :**

Chandigarh, Amritsar, Ludhiana,  
Jullundur, Patiala and Ambala.

$7\frac{1}{2}\%$  of pay subject to  
minimum of Rs. 5/- p.m.

(ii) **Second Class Cities :**

Bhiwani, Hissar, Rohtak, Karnal,  
Panipat, Hoshiarpur, Yamunanagar,  
Bhatinda, Batala, Hansi, Sirsa,  
Sonapat, Rewari, Faridabad Town-  
ship, Kaithal, Jagadhari, Simla,  
Jagraon, Ferozepore, Moga, Fazilka,  
Abohar, Muktsar, Pathankote.

5% of Pay.

Gurdaspur, Nabha, Malerkotla,  
Phagwara, Nangal Township, Gur-  
gaon, Palwal, Faridkot, Kotkapura  
and Sangrur.

(iii) **Delhi.**

Pay upto Rs. 54/-	: Rs. 7.00 P.M.
Pay exceeding Rs. 54/- but not exceeding Rs. 100/-	: Rs. 10.00 P.M.
Pay exceeding Rs. 100/- but not exceeding Rs. 200/-	: Rs. 15.00 P.M.
Pay exceeding Rs. 200/-	: Rs. 7% of pay.

#### DEFINITIONS.

2. **For the purpose of these orders.**

(a) The term 'pay' shall include :-

(i) In the case of a re-employed pensioner, in addition to the emoluments mentioned in Clause (ii) below; the amount of pension (before commutation) plus the pension equivalent of gratuity as originally sanctioned but excluding such portion of the pension as may be held in abeyance in the course of his re-employment;

(ii) In the case of others, pay as defined in rule 2.44 of the Punjab Civil Services Rules, Volume I, Part I, and dearness pay.

(b) 'Accommodation' for the purposes of claiming house rent allowance means an unfurnished house not provided by the Government.

(c) 'Controlling Officer' means the officer who draws the pay and allowances of the non-gazetted Government servant.

(d) 'Family' means a Government Servant's wife, children and step children residing with him and wholly dependent upon him. If the Government servant is a woman her 'Family' will include her husband also.

(e) "Rent" means rent paid for any unfurnished accommodation and such taxes as a tenant does not normally have to pay, i.e. house tax, ground tax and property tax. The water and electricity charges will, as usual, be the responsibility of the Government servant concerned and will not be taken into consideration.

3. (a) The limits of the locality in which these orders apply shall be those of the names municipality or corporation and include such of the sub-urban municipalities, Notified Areas or Contonments as are contiguous to the named municipality or Corporation and such other areas as the State Government may from time to time notify.

(b) The eligibility for the allowance shall be determined with reference to the place of duty of the individual concerned.

(c) At Chandigarh, the limits of the locality shall be the qualified limits of the City.

4. Further, the grant of the House Rent Allowance will be subject to the following conditions:—

(i) The House Rent Allowance shall not be admissible to a Government servant who is in occupation of accommodation provided by the Government, or who refuses accommodation offered by Government, or who leaves such accommodation without the approval of the competent authority. Government servants who are, at present, sharing accommodation, in the Government built houses will be granted House Rent Allowance at the rate mentioned in para 1 above provided they vacate the said premises, under intimation to the House Allotment Committee through proper channel.

(ii) Those Government servants who are eligible for Government accommodation will cease to get House Rent Allowance when Government accommodation is allotted to them.

(iii) Government servant will give a certificate in the form attached to this letter to indicate that the sum actually spent by

him as house rent is not less than 10% of his pay plus the amount of house rent allowance paid to him in accordance with the scale laid down in para (i) above.

**Example:** A Government servant residing at Chandigarh in receipt of pay at the rate of Rs. 800/- P.M. is paying rent at the rate of Rs. 135/- p.m. for the private accommodation hired by him. He will meet the expenditure on rent to the extent of Rs. 80/- P.M. i.e. 10% of his pay from his own pocket and will be reimbursed the rest of the amount i.e. Rs. 55/- P.M. as it falls short of Rs. 60/- at the rate of 7½% of pay.

The Government servant will also certify that no portion of accommodation for which the rent is assessed and claimed is sublet.

(iv) The allowance is admissible to married as well as unmarried Government servants and the grant during leave, temporary transfer and joining time will be regulated by the relevant provision in the Punjab Civil Services Rules Volume I, Part I. The allowance will also be admissible during absence from headquarters on tour.

(v) If both the husband and his wife are Government servants the house rent allowance will be payable to only one of them. Where more than one member of the family is an employee of the State Government and is occupying the same accommodation only the head of the family will be entitled to draw house rent allowance.

5. In the case of a Government servant living in a house owned by him, the rent of the house shall be the one as assessed in the property tax register of the Excise and Taxation Department or in its absence the one assessed in the relevant municipal records. In the case of Chandigarh, such rent shall however, be assessed by an officer of PWD, B & R Branch or Capital Project Administration, not below the rank of an Executive Engineer. The Controlling Officer, in the case of a non-gazetted employee, the Head of the Department in the case of a Gazetted Officer, or if the officer is himself the Head of Department the concerned Administrative Department of Government will determine the amount to be taken as rent paid in each case on the above basis.

The Head of Department may, however, delegate his powers in this behalf to any officer of the Department concerned. A copy of the delegations order may be endorsed to the Accountant General, Punjab, and the Finance Department.

6. The Controlling officer will be required to record the following certificate on the bills every month :—

**"CERTIFICATE"**

"Certified that House Rent Allowance claimed in this bill is in accordance with the rates and conditions laid down in the Punjab Government Finance Department's letter No..... — dated .....

In the case of gazetted officers similar certificate will be attached to the bills duly signed by themselves.

7. For minimising chances of fraudulent drawal of House Rent Allowance, it has been decided to carry out a periodical check of the rent receipts of all the Government employees (except Class IV employees) at regular intervals. The Controlling Officers will, therefore, have to undertake half yearly checks of the receipts in the months of January and July each year and record certificate in the following form on the bills pertaining to these months after having verified the claims for the preceding six months on the basis of the actual rent receipts :—

"Certified that the certificates as prescribed by the Punjab Government Finance Department's letter No. .... FCW-65/Dated ..... have been obtained and placed in the record of this office".

In case of gazetted officers, the bills for the months of January and July each year in which House Rent Allowance is claimed, should be verified by the Controlling Officers after having verified the claims with reference to the rent receipts.

8. A Government servant entitled to House Rent Allowance in lieu of rent free quarters will not be eligible for any House Rent Allowance under these orders but will continue to draw allowances in accordance with the existing orders.

9. Various certificates proposed to be signed by a Government servant are annexed to this letter.

10. The House Rent Allowance is payable with effect from 1st January, 1965, i.e. in respect of the salary for the month of January, 1965 paid on 1st February, 1965. The expenditure may be debited to a new primary unit of appropriation 'House Rent Allowance', which may be opened for the purpose.

11. The orders issued with the Finance Department letter No. 5827-FCW-64/1251, dated 1-12-1964, read with letter No. 507-FCW-65/525, dated 23-1-1965 and letter No. 8449-5FCW-64/11083, dated 25-11-1964, are hereby cancelled.

**CERTIFICATES**

(1) I certify that I have not been provided with any Government accommodation nor I have refused any such accommodation during the period in respect of which house rent allowance is claimed,

(2) I further certify that I have paid Rs..... as rent for the month (s) of.....196.....for house No..... St..... Sector.....and that no portion of accommodation for which house rent allowance is claimed was sublet and that the rent paid was exclusive of Water and Electricity Charges.

**OR**

I certify that I am residing in a house owned by me/my wife/my husband and that no portion of accommodation for which rent is claimed was sub-let.

(3) I certify that I am not sharing any accommodation for which House Rent Allowance has already been claimed.

(Adopted vide Secretary PSEB Patiala O/O No. 2787/PSEB dated 3.3.65 circulated vide endst. No. 16135/16940/M-120/27, 35, 36 dated 3.3.65)

Copy of Circular letter No. 4501-FCW(6)-65/dated 19th July, 1965 from the Secretary to Government Punjab, to all Heads of Dep'tts., etc.

Subject:—Grant of House Rent Allowance to Government Employees.

I am directed to invite a reference to Punjab Government letter No. 956-FCW-65/1548, dated the 20th February, 1965, on the subject noted above and to say that in the case of the gazetted Government servants an authority is required from the Accountant General Punjab before the house rent allowance is drawn by an officer, vide rule 423 of the Subsidiary Treasury Rules. In order to ensure expeditious payment of the House Rent Allowance to the gazetted Government servants and to enable the audit office to issue the said authority for drawal of this allowance by such employees the following procedure is laid down in consultation with the Accountant General, Punjab:—

- (a) A Gazetted Government servant will apply to the Accountant General, Punjab through his Controlling Officer, giving him the information as per proforma enclosed, for the issue of an authority for the drawal of the house rent allowance. The controlling officer should check the correctness of the same and authenticate it. On the basis of the authority received from the Accountant General, Punjab, the Gazetted Officer, concerned will proceed to claim the amount of house rent allowance, through his monthly bills, which will be accompanied by the certificate prescribed in the Punjab Government, Finance Department letter dated 20-2-65 referred to above. Unless there is a change in the rate of pay or in any other relevant condition necessitating increase or decrease in the amount of allowance the Government servant will continue to draw the allowance from month to month.
- (b) The controlling officer will verify and vouchsafe the correctness of the certificate and the house rent allowance drawn by each officer twice a year once in the month of January and then in July vide para 7 of Finance Department

letter dated 20-2-65. He will intimate changes, if any, to the Accountant General, Punjab requiring a revision in the rate of the allowance/authority issued by him in this behalf.

2. The information required in the proforma (enclosed) will also be furnished by the non-gazetted employees while applying for the grant of the house rent allowance to their controlling officers.

(Adopted vide Secretary PSEB Patiala circular memo No. 58601/59060/1-23/M-127 dated 12-6-68)

#### PROFORMA

Proforma prescribed for the Government employees for drawal of House Rent Allowance:

- (i) Whether you are in occupation of Government accommodation.
- (ii) In case you were occupying Government accommodation it may be certified that you did not leave the accommodation without the approval of the competent authority, Whether you were offered and you refused Government accommodation.
- (iii) Whether you are sharing Government accommodation.
- (iv) Whether the house rented and occupied is situated within the Municipal Corporation limit, etc, as mentioned in para 3(a) of Punjab Government letter No. 956-FCW-65/1548 dated 20th February, 1965.
- (v) Monthly rent paid and whether the said rent is for furnished or unfurnished accommodation. In case the accommodation is furnished, please state the rent of unfurnished accommodation and furniture separately.
- (vi) Whether your wife/husband is Government employee. If so, whether, she/he is drawing house rent allowance.
- (vii) Whether more than one member of the family is an employee of the Government and are occupying the same accommodation. If so, whether you are the Head of the family.
- (viii) Whether the house occupied by you is your own house. If so,

the rent of the same as assessed by the competent authority as mentioned in para 5 of the Punjab Government letter, dated 20th February, 1965, mentioned above may be intimated through the Head of the Department, who has to determine the amount to be taken as rent paid in each case.

(ix) Whether you are entitled to house rent allowance in lieu of the rent free quarters.

Copy of Circular letter No. 6857-FCW(5)-65/18732 dated 14th Oct., 1965 from the Secretary to Government, Punjab, to all Heads of Deptts., etc.  
Subject : Grant of House Rent Allowance to Government Employees,

I am directed to say that according to the instructions contained in Punjab Government, Finance Department, letter No. 956-FCW-65/1548 dated 20th February, 1965, on the subject noted above, the House Rent Allowance admissible for First Class cities is subject to a minimum of Rs. 5/- per mensem. In this connection a question arose whether the benefit of the minimum of Rs. 5/- is admissible in all cases irrespective of the expenditure actually incurred on house rent. The matter has been considered and the following decisions have been taken :—

- a) The minimum of Rs. 5/- p.m. will be admissible to only Class IV employees and claims in respect of this amount need not be supported by production of rent receipts.
- b) In case of Government employees other than Class IV the benefit of the minimum of Rs. 5/- p.m. will not be admissible.

(Circulated vide Secretary PSEB, Patiala endst. No. 87819/88657/M-127/23 dated 27.11.65)

Copy of Circular letter No. 8520-FCW(5)-65/23397 dated 24th December, 1965, from the Secretary Government, Punjab, to all Heads of Deptts., etc.

Subject : Grant of House Rent Allowance to Government Employees.

I am directed to invite a reference to paragraph 3 (b) of the instructions contained in Punjab Government Finance Department

Circular letter No. 956-FCW-65/1548 dated 20th February, 1965, on the Subject noted above, and to say that inspite of the clear instructions, with regard to the eligibility of House Rent Allowance to be determined with reference to the place of duty of the individual concerned, a number of references have been received in Finance Department with regard to the grant of house rent allowance: at the old station of the Government employee, for some time after his transfer to another station. The matter has been considered again and it has been decided that no House Rent Allowance is to be allowed to any Government employee, in respect of the house taken on rent by him at his old station of duty, after he is relieved from there in order to join his new post at another station.

2. It may please be brought to the notice of all concerned for information and compliance.

(Circulated vide Secretary PSEB, Patiala endst. No. 49086/586/Meeting/M-127/23 dated 8th June, 1966)

Copy of Circular letter No. 2155-FCW(5)-66/6717 dated 4th April, 1966 from the Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Grant of House Rent Allowance to Government Employees.

I am directed to say that paragraph 7 of the Punjab Government, Finance Department letter No. 956-FCW-65/1548, dated the 20th February, 1965, has been superseded and substituted as follows :—

"For minimising chances of fraudulent drawal of House Rent Allowance, it has been decided to carry out a periodical check of the rent receipts of all the Government employees (except Gazetted Officers and Class IV employees) at regular intervals. The controlling officers will, therefore, have to undertake half yearly checks of the receipts in the month of January and July each year and record certificate in the following form on the bills pertaining to these months after having verified the claims for the preceding six months on the basis of the actual

rent receipts :-

Certified that the certificates as prescribed by the Punjab Government Finance Department's letter No.....FCW-65/..... dated.....196 have been obtained and placed in the record of this office".

(Adopted vide Secretary PSEB Patiala circular memo No. 58601/59060/I-23/M-127 dated 12.6.68).

Copy of Circular letter No. 8901-FCW(5)-65 dated 4th April, 1966 from the Secretary to Government Punjab, Finance Department, to all Heads of Depts., etc.

Subject: Grant of house rent allowance to Government employees.

I am directed to refer to Punjab Government, Finance Department letter No. 7183-FCW(5)-65/17799, dated the 30th September, 1965 read with Finance Department's letter No. 956-FCW(5)-65/1548, dated the 20th February, 1965, on the subject noted above and to say that the question whether production of the rent receipt in the case of a Government employee who resides in a house owned by his parents is necessary was under consideration for some time past and it has now been decided that production of receipt in such a case is not necessary. The claimant will, however, be required to give a certificate to the effect that the accommodation being occupied by him is in excess of the rental value of 10% of his pay.

(Circulated vide Secretary PSEB Patiala endst. 17669/18199/M-127/23 dated 25-2-67).

Copy of Circular letter No. 3959-FICW(5)-67/18381 dated 11st August, 1967 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject:—Grant of house rent allowance to Government employees living in their own houses or in their parents houses.

I am directed to invite a reference to Punjab Govt. Finance

Department letter No. 956-FCW-65/1548, dated the 20th February, 1965 and subsequent clarifications/instructions issued vide letters No. 7183-FCW(5)-65/17799, dated the 30th September, 1965 and No. 8901-FCW(5)-65/dated the 4th April, 1966 on the subject noted above and to say that it has been decided to adopt a uniform procedure for the grant of house rent allowance to Government employees living in the houses owned by themselves and to those who live in their parent's houses. In the latter type of cases too, the rent of the house/accommodation to be taken into account while reckoning the allowance due, shall be the one as assessed in the property tax register of the Excise and Taxation Department or in its absence, the one assessed in the relevant Municipal records. In the case of Chandigarh the rent shall be assessed by the P.W.D. authorities of Chandigarh Administration. On the basis of the above assessment they will be required to give certificate to the effect that the accommodation being occupied by them is in excess of the rental value of 10% of their pay and also indicate by how much it exceeds 10% for, that will regulate the due allowance. In other words the rules and procedures which apply to the Government employees living in their own houses will also apply to those living in their parent's houses.

2. It is understood that in the case of Gazetted Officers, the Accountant General, Punjab has not yet authorised payment to any officer falling in the category, because he has asked for this clarification. In the circumstances these orders will retrospectively take effect from the date from which the payment of the allowance fell due to any officer, under the instructions contained in the circular orders mentioned above.

In the case of non-gazetted officers who may have drawn the allowance on the basis of mere certificate as provided earlier, the assessment now to be made, will have to be taken into account as the amount due from retrospective effect, and suitable adjustments made in the allowance now payable.

3. The assessed rent to be taken into account for the purpose

of determining the entitlement will have to be limited to such proportion of the assessed rental value as the accommodation occupied by the Government servants concerned bears to the total accommodation included in that house. While this function, in the case of Chandigarh, can be performed by the authority assessing the rent, in the case of other places, where the rental is assessed by the local body concerned, the Government should either obtain a certificate from the local body, based on official record, regarding the accommodation in his possession and or the Controlling Officer may satisfy himself on this point through such checks as he may deem necessary.

(Adopted vide Secretary PSEB Patiala circular memo No. 58601/59060/I-23/M-127 dated 12-6-68).

Copy of Circular letter No. 1985-FICW(5)-67/26369 dated 31st Oct., 1967 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :—Grant of House Rent Allowance to Government Employees.

I am directed to invite a reference to Punjab Government Finance Department letter No. 2155-FCW(5)-66/6717, dated the 4th April, 1966 on the subject noted above, and to state that para 7 of letter No. 956-FCW-65/1548, dated 20th February, 1965, as substituted vide letter dated the 4th April, 1966 exclude Gazetted Officers (and Class IV employees) from the purview of the instructions requiring verification of house rent claims by the Controlling Officers. To this extent, therefore, the instructions issued in the letter dated, 4th April, 1966 superseded the instructions contained in sub para 1 (b) of letter No. 4501-FCW(5)-65 dated the 19th July, 1965.

2. These instructions may kindly be brought to the notice of all concerned.

(Adopted vide Secretary PSEB Patiala circular memo No. 58601/59060/I-23/M-127 dated 12-6-68).

Copy of Circular letter No. 4890-FICW(5)-67/23530 dated 31st Oct., 1967 from Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :—Grant of house rent allowance to Government employees living in their own houses or in their parent's houses.

I am directed to invite a reference to Punjab Government Finance Department letter No. 3959-FICW(5)-67/18381, dated the 11th August, 1967, on the subject noted above and to enclose herewith a proforma to be completed by the Government Officers/Officials for claiming house rent allowance in cases where they are living in their parent's houses. In future this proforma will be required to be filled in by the Government servant concerned claiming house rent and information supplied therein will have to be checked and certified as correct by the controlling officer before any claim can be admitted. This may please be brought to the notice of all concerned.

(Adopted vide Secretary PSEB Patiala circular memo No. 58601/59060/I-23/M-127 dated 12-6-68)

Proforma prescribed for the Government employees living in their parent's houses for the drawal of House Rent Allowance.

1. Whether you were offered and you refused Government accommodation.
2. In case you were occupying Government accommodation earlier, it may please be certified that you did not leave the accommodation without the approval of the competent authority.
3. Whether you are entitled to rent free quarters under the rules of service applicable to you or to house rent allowance in lieu thereof.
4. Whether your wife/husband is a Government employee, If so, whether she/he is drawing house rent allowance.



5. Whether more than one member of family is an employee of the State Government and are Occupying the same accommodation. If so, whether you are the Head of the family.
6. Whether the house occupied is situated within the Municipal/ Corporation limit etc. as mentioned in para 3 (a) of Punjab Government letter No. 956-FCW-65/1548 dated 20-2-65.
7. (a) Total accommodation in the House.  
(b) Accommodation occupied by you.
8. (a) Rental value of the whole house as assessed by the competent authority prescribed in para 5 of the Punjab Government letter dated 20-2-65 (please specify the name of the competent authority.)  
(b) Rental value of accommodation occupied by you (Certificate from the Local Body/Municipality etc. or P.W.D. Authorities (in case of Chandigarh) should be attached in support of 7 & 8 above. In case of places other than Chandigarh in the absence of these the controlling officer should sign the certificate below).
9. (a) Whether the rental value of portion of accommodation occupied by you is in excess of 10% of your pay plus dearness pay (please specify pay plus D.P. on the date of occupation).  
(b) If reply to (a) above is in affirmative say by how much.

Signature & Designation of  
the Government servant.

1. I have checked the information given in the proforma above and found it correct.

2. As required by Finance Department letter No. 3956-FICW-67/18381 dated 11-8-67, I have satisfied myself that the information given in column 7 and 8 is correct.

Controlling Officer.

Copy of Circular letter No. 1483-FICW (5)-68/6135, dated 1st April, 1968 from the Commissioner for Finance and Secretary to Government, Punjab, Finance Department, to all Heads of Deptts., etc.

Subject : Grant of House Rent Allowance to Government employees- Scope of the term 'Rent'.

I am directed to invite a reference to para 2 (e) of Punjab Government circular letter No. 956-FICW-65/1548, dated the 20th February, 1965, on the subject noted above and to say that the para 2(e) defining term 'Rent' for the purpose of grant of house rent allowance to Government employees, may be substituted as under :—

"Rent" means rent paid for any unfurnished accommodation and such local service/taxes as a tenant normally has to pay but other than house tax, ground tax and property tax etc. The water and electricity charges will, as usual, be the responsibility of the Government servant concerned and will not be taken into consideration."

(Circulated vide Secretary PSEB Patiala endst. No. 48470/800/M-127/23 dated 18-5-68)

ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਵਿੱਤ ਵਿਭਾਗ ਦੇ ਗਬਤੀ ਪੱਤਰ ਨੰ: 3911 ਵਿ. ਵਿ. ਕ(5)-68/17029 ਮਿਤੀ 27 ਅਗਸਤ 1968 ਦੀ ਨਕਲ।

ਵਿਸ਼ਾ : ਸਰਕਾਰੀ ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਮਕਾਨ ਕਰਾਇਆ ਭੱਤਾ

ਮੈਨੂੰ ਹਦਾਇਤ ਹੋਈ ਹੈ ਕਿ ਆਪਣਾ ਧਿਆਨ ਪੰਜਾਬ ਸਰਕਾਰ ਵਿੱਤ ਵਿਭਾਗ ਦੀ ਗਬਤੀ ਚਿੱਠੀ ਨੰ: 956-ਐਫ.ਸੀ.ਫ.ਕ.ਐਲ.ਯੂ-65/1548, ਮਿਤੀ 20-2-1965, ਵੱਲ ਦਿਵਾਓ ਜਿਸ ਵਿੱਚ ਪੰਜਾਬ ਸਰਕਾਰ ਨੇ ਆਪਣੇ ਕਰਮਚਾਰੀਆਂ ਲਈ ਮਕਾਨ ਕਰਾਇਆ ਭੱਤਾ ਮਨਜ਼ੂਰ ਕੀਤਾ ਸੀ ਅਤੇ ਇਸ ਬਾਰੇ ਡਿਪਟੀ-ਚੀਫ਼ ਹਦਾਇਤਾਂ ਦਿੱਤੀਆਂ ਗਈਆਂ ਸਨ। ਸਰਕਾਰ ਦੇ ਧਿਆਨ ਵਿੱਚ ਆਇਆ ਹੈ ਕਿ ਬਹੁਤ ਸਾਰੇ ਕਰਮਚਾਰੀ (ਵਿਸ਼ੇਸ਼ਕਰ ਮਾਸਟਰ/ਟੀਚਰ ਆਦਿ) ਆਪਣੇ ਮਕਾਨਾਂ ਵਿੱਚ ਇੱਕ ਜਾਂ ਦੋ ਤੋਂ ਜ਼ਿਆਦਾ ਇਕੱਠੇ ਰਹਿੰਦੇ ਹੋਏ ਅਲਗ ਅਲਗ ਮਕਾਨ ਕਰਾਇਆ ਭੱਤਾ ਲੈ ਰਹੇ ਹਨ। ਕਈ ਉਧਾਰਣਾ ਅਜਿਹੀਆਂ ਹਨ ਜਿਥੇ ਕਿ ਪਤੀ ਭੈ ਪਤਨੀ ਦੋਵੇਂ ਸਰਕਾਰੀ ਮੁਲਾਜ਼ਮ ਹੁੰਦੇ ਹੋਏ ਇਕੋ ਮਕਾਨ ਵਿੱਚ ਰਹਿ ਰਹੇ ਹਨ ਪਰ ਮਕਾਨ ਕਰਾਇਆ ਭੱਤਾ ਵੱਖ ਵੱਖ ਲੈ ਰਹੇ ਹਨ। ਇਸ ਤਰ੍ਹਾਂ ਸਰਕਾਰੀ ਖਜਾਨੇ ਉੱਪਰ ਨਾਜਾਇਜ਼ ਖਰਚੇ ਹੋ ਰਿਹਾ ਹੈ।

2. ਇਸ ਸਬੰਧ ਵਿੱਚ ਆਪ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਪਰੋਕਤ ਚਿੱਠੀ ਦੇ ਪੈਰਾ 4 (ਭਾਗ 4)

ਦਿੱਤੇ ਗਏ ਠਿਕਾਣੇ ਦੀ ਸਹਾਇਤਾ ਨਾਲ ਘਰ ਬਣਾ ਕੀਤੀ ਜਾਵੇ। ਜੇ ਕਿਸੇ ਕਰਮਚਾਰੀ ਘਰੋਂ ਬਾਹਰ ਹੋਵੇ ਕਿ ਉਹ ਦਿੱਤੇ ਠਿਕਾਣੇ ਦੀ ਉਲੰਘਣਾ ਕਰਦਾ ਹੈ ਤਾਂ ਚੋਰਸੀ ਵਿਭਾਗ ਦੀ ਸਹਾਇਤਾ ਨਾਲ ਉਸ ਘਰੇ ਪੜਤਾਲ ਕਰਵੇ, ਵਿਭਾਗੀ ਖਰਚੇ ਦੀ ਜ਼ਿੰਮਤ ਕੀਤੀ ਜਾਵੇ।

3. ਇਸ ਢਿੱਡੀ ਦੀ ਪ੍ਰਕ੍ਰਿਤੀ ਰਸੀਦ ਜੇਕਰ ਦੀ ਕਿਰਪਾ ਕੀਤੀ ਜਾਵੇ।

(ਸਕੱਤਰ, ਪੰ.ਫਾ.ਬਿ.ਬੀ. ਪਟਿਆਲਾ ਦੇ ਸਹਾਇਕ ਡਿਪਟੀ ਡਾਇਰੈਕਟਰ ਨੰ: 131881/132431/  
ਐਮ-127/23 ਮਿਤੀ 30-9-68 ਨਾਲ ਜਾਰੀ ਕੀਤੀਆਂ)

Copy of Secretary PSEB Patiala Circular Memo No. 169084/404/M-127/23 dated 6-12-68.

Subject : Grant of House Rent to the Line Staff under Construction Charges.

In terms of Para 3(b) of Punjab Government letter No. 956-FCW-65/1548 dated 20-2-1965, adopted by the Board vide its Order No. 2787/PSEB dated 3-3-1965, the eligibility for the grant of house rent allowance shall be determined with reference to the place of duty of the individual concerned. Since the Line Staff under construction charges has to remain in move, their headquarters could not qualify for the grant of house rent allowance though they have to maintain double establishment and cannot take their families to construction Camp. This matter has been under consideration of the Board for some time past. It has now been decided that in order to enable the Line Staff to avail the facility of grant of house rent and to avoid hardship to them, the headquarters of the Line staff engaged under Construction charges might deem to be the headquarters of the Sub-Division with which they are attached. The other condition, as laid down in the orders *ibid*, that they actually rent out houses at the place in respect of which house rent is claimed, will have to be satisfied.

2. This issues with the concurrence of Finance Section's advice in U.O. No. Nil/Fin-14 dt. 2.9.1968.

Copy of Circular letter No. 6398-FICW (5)-68/1074 dated 8th January, 1969 from the Secretary to Government, Punjab, to all Heads of Depts., etc

Subject : Grant of house rent allowance to Government Employees living in their own houses or in their parent's houses.

I am directed to invite a reference to Punjab Govt. Finance Deptt. letter No. 4890-FICW(5)-67/23530, dated the 31st December, 1967, on the subject cited above and to say that the question as to whether class IV Government employees should be exempted from the operation of instructions contained in that letter, was under consideration for some time past, and it has now been decided that the Class IV Govt. employees should be exempted from the operation of the instructions referred to above.

(Adopted vide Secretary PSEB Patiala circular memo No. 49248/845) M-175/5 dated 4-8-69)

Copy of Circular letter No. 1116-5FICW-69/5823 dated 20th March, 1969 from Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of House Rent Allowance to Government Employees.

I am directed to refer to Punjab Government, Finance Department circular letter No. 956-FCW-65/1548 dated the 20th February, 1965, as amended from time to time, on the subject noted above, and to say that a question has arisen as to whether house rent allowance is admissible or not to a Government Servant during leave preparatory to retirement' in which case the question of his reposting on return from leave does not arise. The matter has been considered carefully in the Finance Department and it has been decided that the house rent allowance will be admissible to a Government employee during the leave preparatory to retirement and the certificate required under rule 5.5 of Punjab Civil Services Rules, Vol. I. Part I read with rule 5.3

*ibid.* need not be given by the competent authority in this case.  
2. This order will take effect from the date of the issue of this letter. Necessary amendments in the Rules will be issued in due course.

(Adopted vide Secretary PSEB Patiala circular memo No. 49248/845/M-175/5 dated 4-8-69).

Copy of Circular letter No. 1302-FICW(5)-69/6812 dated 26th March, 1969 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of house rent allowance to Government employees,

I am directed to refer to Punjab Government letter No. 956-FCW-65/1548, dated the 20th February, 1965, on the subject cited above and to say that the question of dispensing with production of rent receipts for claiming the House Rent Allowance has been under consideration with the Government for some time past. In order to fall in line with the Government of India, it has been decided that the half yearly verification of rent receipts as a matter of routine should be dispensed with. The Head of Office in the case of non gazetted Government servant, the Head of Department in the case of a gazetted Government servant or the Administrative Department if the Government servant himself is Head of Department shall, however, have the right to test check the rent receipt and also consider whether the rent claimed is reasonable. The existing instructions as contained in paragraph 7 of the above quoted letter shall be deemed to have been modified to this extent.

2. These orders will come into force from the date of issue of this letter.

(Adopted vide Secretary PSEB Patiala circular memo No. 49248/845/14-175/5 dated 4-8-69).

Copy of Circular letter No. 2200-5FICW-69/9582, dated 19th May, 1969, from the Commissioner for Finance and Secretary to Government, Punjab, Finance Department, to all Heads of Depts., etc.

Subject : Grant of House Rent Allowance to Government employees.

I am directed to refer to Punjab Government, Finance Department circular letter No. 1116-5FICW-69/5823 dated the 20th March, 1969, on the subject cited above and to clarify that the House Rent Allowance during the Leave Preparatory to Retirement will be admissible subject to the production of certificate of actually incurring the expenditure on the maintenance of the house at the station from which the retiring Government servant proceeded on leave.

(Circulated vide Secretary PSEB Patiala endst. No. 69657/70361/M-175/5 dated 6-10-69)

Copy of Circular letter No. 723-RR-70/7371 dated 31st March 1970 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of house rent allowance to the Punjab Government employees posted in the Border Area.

I am directed to address you on the subject noted above and to say that the question of the grant of rent free accommodation or house rent allowance, in lieu thereof to the Punjab State Government employees posted in the areas bordering Pakistan, has been engaging the attention of the Government. In order to provide some incentive to the State Government employees posted in the border area, the Governor of Punjab is pleased to accord sanction to the grant of rent free accommodation (unfurnished) or house rent allowance at the rate of Rs. 7½% of their basic pay, in lieu thereof, to all the employees posted in the cities/towns/villages falling within ten miles belt of International border in the Districts of Ferozepore, Amritsar and Gurdaspur, irrespective of the population of such city/town/village.

2. The Deputy Commissioners of Amritsar, Ferozepore and Gurdaspur, would be competent authorities to determine whether any particular village, in their respective district, falls within the belt of 10 miles, from the International border or not.

3. The house rent is payable with effect from 1-1-1970 i.e. in respect of the salary for the month of January, 1970, paid on 1-2-1970.

4. The expenditure involved would be met by the respective departments of the Government out of their sanctioned budget and would be debited to Primary Unit of Appropriation 'House Rent Allowance'.

5. This letter issues with the concurrence of the Finance Department vide their U.O. No. 291-FICW(5)-70, dated 30-1-1970, and No. 892-FICW (5)-70 dt. 18-3-1970.

(Adopted w.e.f 1-1-70 vide Secretary PSEB Patiala circular memo No. 89038/698/M-187/5 dated 17-8-70)

Copy of Circular letter No. 1313-RR-70/1364 dated 15th June, 1970 from Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Grant of rent free accommodation or house rent allowance in lieu thereof, to the Government employees posted in the Border Area.

I am directed to refer to Punjab Government letter No. 723-RR-70/7371 dated the 31st March, 1970, wherein Government sanction to the grant of rent free accommodation (unfurnished) or, in lieu thereof, house rent allowance @ Rs 7½% of their basic pay, to all the employees posted in the cities/towns/villages falling within 10 miles belt of International border in the Districts of Ferozepore, Amritsar and Gurdaspur, irrespective of the population of such cities/towns/villages, was accorded, and to say that a doubt has arisen (a) whether the portion of the 'Dearness Allowance' which has since been declared as 'Dearness Pay' is to be considered as pay for the grant of

this allowance (b) whether both the husband and wife, who are Government employees are entitled to this allowance.

2. As regards (a) above, attention is invited to Punjab State Government Finance Department's letter No. 7553-(3)FR-69/25550, dated the 18th November, 1969 Para 5(d) which provides that 'Dearness Pay' will be treated as pay for the purpose of house rent allowance granted in lieu of rent free accommodation.

3. As regards (b) above, it is clarified that if both the husband and his wife are Government employees and are posted at the same station, the house rent allowance will be payable to only one of them. Further, where more than one member of the family is an employee of the Government and is occupying the same accommodation only the head of the family will be entitled to draw house rent allowance.

4. This letter issues with the concurrence of the Finance Department vide their U.O. advice No. 2534-FCW2 (5)-70 dated 11.6.1970.

(Adopted w.e.f. 1.1.70 vide Secretary PSEB Patiala circular memo No. 89038/698/M-187/5 dated 17.8.70)

Copy of Circular letter No. 3061-RR-70/25687, dated 22nd October, 1970 from the Financial Commissioner (Taxation) and Secretary to Government, Punjab, Relief and Resettlement Department, to all Heads of Deptts., etc

Subject: Grant of rent free accommodation or house rent allowance in lieu thereof to the Government employees posted in the Border Area.

I am directed to refer to Punjab Government letter No. 723-RR-70/7371, dated the 31st March, 1970, and No. 1313-RR-70/13140, dated the 15th June, 1970, on the subject noted above and to say, that a doubt has arisen as to:

(a) Whether the house rent allowance sanctioned for the Govern-

ment employees posted in the border area is admissible to 'work charged establishment' and the 'staff paid out of contingencies' and.

(b) whether this house rent allowance would be in addition to that sanctioned by the Punjab Government vide their instructions No. 956-FCW-65/1548, dated the 20th February, 1965.

2. As regards(a) above it is clarified that house rent allowance is not admissible to the 'Staff paid out of Contingencies and to the work-charged establishment'.

3. As regards (b) it is stated that the Finance Department's circular letter No. 956-FCW-65/1548, dated the 20th February, 1965 (para 8) clearly lays down that the Government servant entitled to House Rent Allowance in lieu of rent free accommodation would not be eligible for any House Rent Allowance under the rules *ibid*, but will continue to draw allowances in accordance with the orders/instructions allowing them rent-free accommodation or house rent allowance in lieu thereof. Accordingly, the Government employees posted in the border area would not be entitled to the grant of house rent allowance in accordance with the Finance Department's instructions dated 20th February, 1965, cited above. Instead, they would be granted house rent allowance only at the rate of 7½% of their pay in accordance with the State Government orders No. 723-RR-70/7371, dated the 31st March, 1970.

4. I am to add that eligibility for the house rent allowance shall be determined with reference to the place of duty. Any Government servant, whose place of duty falls within the qualifying limit of 10 miles from the international border and resides within the same limit will be eligible for house rent allowance. Persons whose place of duty falls beyond the limit of 10 miles, but reside within 10 miles belt would not be entitled to such allowance.

5. It is further clarified that in accordance with the Finance Department's instructions contained in their letter No. 956-FCW-65/1548, dated the 20th February, 1965, the difference between the 10% of the pay and the house rent actually paid by the Government servant is reimbursed upto a maximum of 5% or 7½%, as the case may be, of his pay, but the employee posted within 10 miles border belt would be granted rent free accommodation (unfurnished) or in lieu thereof paid house rent allowance equal to 7½% of their pay including Dearness Pay.

6. This letter issues with the concurrence of the Finance Deptt. vide their U.O. advice No. 4244-5FCIW-70, dated 7-10-70.

(Circulated vide Secretary PSEB, Patiala endst. No. 146353/147155/M-187/5 dated 14-12-70)

Copy of Secretary PSEB Patiala Circular Memo No. 15319/15479/M-175/5 (loose) dated 25th Feb., 1971.

Subject: - Assessment of monthly rental value of the houses, owned by the employees of the Board for the purpose of claiming House Rent Allowance.

Without prejudice to the cases already assessed prior to 31.3.1971, it is hereby laid down for uniform practice thereafter that in future the Executive Engineers (Civil) of the Punjab State Electricity Board shall carry out the assessment of the houses owned by the Board employees with a view to enabling them the claim of House Rent Allowance.

2. The criteria for assessment shall be same as is adopted by P.W.D. B & R Punjab.

Copy of Circular letter No. 10-5 FR-71/4464, dated 15th March 1971 from the Commissioner for Finance & Secretary to Government, Punjab, Finance Department, to all Heads of Depts., etc.

Subject: - Grant of Compensatory Allowance and House Rent Allowance to a Punjab Government employee who resigns from Government service without joining duty after a spell of leave.

I am directed to invite a reference to rule 5.3 and 5.5 of the Punjab C.S.R. Vol I Part I according to which one of the conditions for the drawal of these allowances during leave is that the authority sanctioning the leave should certify that the Government employee is likely to return to duty at the station from which he proceeds on leave or at another station in which he will be entitled to a similar allowance on the expiry of leave. It has come to the notice of Government that in some cases Government employees, after availing of leave, whether on medical grounds or otherwise resigned from Government service on the expiry of such leave. It has been decided to deal with such cases as follows: -

"In cases, where a Government Employee who is sanctioned leave, whether on medical grounds or otherwise, does not join duty after availing himself of such leave, and resigns, he shall not be eligible for compensatory allowance and house rent allowance for the entire period of such leave. The Administrative Authority concerned shall ensure that the entire amount drawn on this account is recovered before resignation etc. is accepted."

(Circulated vide Secretary PSEB Patiala endst No. 40513/41364/M-187/5 dated 19-5-71).

Copy of Circular letter No. 2481-FICW(5)-71/11600, dated 17th June, 1971, from the Commissioner for Finance and Secretary to Government, Punjab, Finance Department to all Heads of Depts., etc.

Subject: - Grant of House Rent Allowance to Punjab Government employees.

I am directed to refer to Punjab Government circular letter No.

956-FCW-65/1548, dated the 20th February, 1965 (as amended from time to time) on the subject cited above and to say that the question of liberalisation of the conditions for drawal of House Rent Allowance has been under consideration of the State Government for sometime past. In consonance with the instructions laid down by Government of India in the matter of grant of this allowance it has been decided that Government employees drawing pay upto Rs. 620/- (inclusive of Dearness Pay) shall be eligible for House Rent Allowance at the rates already prevalent subject only to the condition that they pay rent or contribute towards rent or house or property tax but without reference to the amount actually paid or contributed. As a result of this decision the provisions of para 4(iii) of circular letter referred to above shall be deemed to have been modified to the extent indicated above.

2. This decision will come into force from the date of issue of this letter.

3. The certificate now to be furnished by an employee drawing pay upto Rs. 620/- P.M. (inclusive of Dearness Pay) who avails of the benefit of the concession mentioned in para 1 above shall be as per annexure 1 attached herewith instead of the form prescribed by Punjab Government letter No. 956-FCW-65/1548, dated 20-2-1965.

#### ANNEXURE-I

"Certificate to be furnished by a Government servant drawing pay upto Rs. 620/- P.M. (inclusive of Dearness Pay) for the grant of House Rent Allowance in terms of paragraph 4(iii) of the Punjab Government circular letter No. 956-FCW-65/1548, dated 20-2-1965.

1. I certify that I have not been provided with any Government accommodation nor I have refused any such accommodation during the period in respect of which house rent allowance is claimed.

2. I certify that I am incurring some expenditure on Rent.  
contributing towards Rent.

3. I certify that I am not sharing accommodation allotted by the State Government, an autonomous public undertaking or Semi-Government Organisation to my parent/child or wife/husband or allotted rent free to another Government servant".

(Adopted w.e.f. 17.6.71 vide Secretary PSEB Patiala circular memo No. 65035/785/M-187/5(Loose) dated 5-8-71).

Copy of Circular letter No. 3023-FICW(5)-71/14416 dated 30th July, 1971 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :— Grant of House Rent Allowance to Government employees.

I am directed to refer to Punjab Government circular letter No. 956-FCW-65/1548 dated the 20th Feb, 1965 (as amended from time to time) on the subject cited above and to say that according to instructions contained in this letter, a Government Servant is not entitled to the grant of House Rent Allowance if he/she resides in an accommodation allotted to his wife/her husband or to his/her parents/child by the Government. Recently a case has come to the notice of Government where a Government servant claimed House Rent Allowance, though his wife had been allotted Government accommodation, on the plea that he was not living with her because of insufficient accommodation and was living separately and was paying separate rent.

2. Government's intention is not granting house rent allowance where one of the spouses is allotted Government accommodation is that when a Government servant is allotted accommodation, he is expected to live in that accommodation with his family. He/She is not expected to live in a separate house.

3. It is, therefore, pointed out that House Rent Allowance should not be allowed to a Government servant in case his wife/her husband has been allotted Government accommodation at the same station by the State Government, Central Government, autonomous Public undertaking or Semi-Government Organisation, whether he/she resides in that accommodation or he/she resides separately in accommodation rented by him/her.

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

(Adopted vide Secretary PSEB Patiala circular memo No. 87196/996/M-187(5) dated 20th Oct, 1971).

Copy of Circular letter No. 3487-FICW(5)-71/15343 dated 30th July, 1971 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : House Rent Allowance to Punjab Government employees.

I am directed to refer to Punjab Government Circular letter No. 956-FCW-65/1548, dated 20th February, 1965 (as amended from time to time) on the subject cited above and to say that a doubt has been expressed as to whether a Government servant should be granted House Rent Allowance in case Government accommodation allotted to him is cancelled, due to unauthorised subletting, or for other breaches of rules. After careful consideration, it has been decided that Government servants debarred from allotment of Government accommodation due to un-authorised subletting, or for other breaches of rules, will be eligible for House Rent Allowance during the period of such debarment, subject to the fulfilment of the usual conditions.

2. These orders will take effect from the date of issue and past cases otherwise decided need not be re-opened.

(Adopted vide Secretary PSEB Patiala circular memo No. 87196/996/M-187(5) dated 20th Oct, 1971)

Copy of Circular letter No 5732-FICW(5)-71/26944 dated 14th Dec., 1971 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of House Rent Allowance to Government employees.

I am directed to refer to Punjab Government letter No. 956-FCW-65/1548, dated the 20th February, 1965, as amended from time to time, on the subject cited above and to say that in view of the substantial increase in the rents of private buildings in Chandigarh and other cities of Punjab and upward increase of population of these cities, the State Government had under consideration the question of enhancement in rates of House Rent Allowance and classification of cities for this purpose. After careful consideration, Government have decided to grant House Rent Allowance at the following enhanced rates to all the State Government employees stationed in the localities mentioned below :-

i) First Class Cities namely Chandigarh, Amritsar, Ludhiana, Jullundur and Patiala. = 12½% of pay.

ii) Second Class Cities namely Hoshiarpur, Bhatinda, Ferozepur, Gurdaspur, Sangrur, Kapurthala, Batala, Jagraon, Moga, Fazilka, Abohar, Muktsar, Pathankot, Nabha, Maferkotla, Phagwara, Nangal Township, Faridkot, Kot Kapura, Khanna, Barnala, Mansa, Sunam, Malout and Rajpura Township. = 7½% of pay.

iii) Delhi :

<u>Pay per mensem</u>	<u>House Rent Allowance.</u>
Below Rs. 100/-	Rs. 15/- p.m.
Rs. 100/- to Rs. 3000/-	15% of pay subject to a minimum of Rs. 20/- and a maximum of Rs. 300/- p.m.
Above Rs. 3000/-	10% of pay.

2. The grant of revised rates of House Rent Allowance at the aforesaid localities shall, however, be subject to the same conditions as have already been laid down for this purpose in the communication referred to above as amended from time to time.

3. These orders will take effect from the 1st of September, 1971, i.e. in respect of the salary for the month of September, 1971 paid on 1st October, 1971.

(Adopted vide Secretary PSEB Patiala circular memo No. 5591/6411/M-187/5 dated 24/25-1-72)

Copy of Circular letter No. 5836-FCW(5)-71/1343 dated 27th Jan., 1972 from the Secretary to Government, Punjab, to all Heads of Depts., etc. Subject : Grant of House Rent Allowance to Government employees.

In continuation of Punjab Government circular letter No. 3023-FCW(5)-71/14416 dated the 30th July, 1971 on the subject noted above, I am directed to say that a question has been raised as to whether organisations like Nationalised Banks and Life Insurance Corporation of India are also covered by instructions of Para 3 of this aforesaid letter. It has been decided that these instructions will also be attracted where a Government servant shares accommodation with person, defined therein, who are employees of Organisations like Nationalized Banks, Life Insurance Corporation of India, as such organisations are treated as autonomous bodies having been brought into existence by an Act of Parliament.

2. These instructions come into effect from the date of issue and all cases are to be regulated accordingly. Cases otherwise decided need not be reopened.

(Circulated vide secretary PSEB Patiala endst. No. 36956/37753 dated 17-4-72 in continuation of T/O memo No. 87196/996/M-187/5 dated 20-10-71)



Copy of Secretary, P.S.E.B Patiala Circular Memo No. 5819/6499/ENG-3  
(29) dated 8th Feb., 1972

Subject: Grant of House Rent Allowance to Apprentice L.M./S.S.A.  
Your attention is invited to this office order No. 195/ENG-3(29) dated 11.1.1972, copy sent vide endst No. 710/1450/ENG-3(29) of even date which laid down that Apprentice L.M./S.S.A.s would be entitled House Rent Allowance and T.A. treating their initial salary at Rs. 110/-. In this connection, it is clarified that House Rent will be charged from the Apprentice L.M./S.S.A.s treating initial salary at Rs. 110/- and the T.A. will also be regulated on this basis but no house rent allowance will be paid to any apprentice L.M./S.S.A. The relevant office order may be treated to have been modified to this extent.

Copy of Circular letter No. 2762-5FR-72/3261 dated the 7th April, 1972 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of Compensatory Allowance and House Rent Allowance to a Punjab Government employee who resigns from P.G. Government service without joining duty after a spell of leave.

I am directed to invite your attention to this Department circular letter No. 10 5FR-71/4464, dated 15.3.1971, on the above subject and to say that under the extant State Govt. rules Compensatory (City) Allowance and House Rent Allowance may be drawn during leave if the competent authority while sanctioning leave certifies that the Government servant is likely, on the expiry of leave, to return to duty at the station from which he proceeds on leave or at another station in which he will be entitled to similar allowances. It has been pointed out by the Accountant General, Punjab, that sometimes intimation about the acceptance of resignations of gazetted officers is sent very late by the competent authorities to his office. In such cases it may not be possible for the audit officer to recover the Compensatory (City) Allowance and House Rent Allowance from the officer who resigns during leave and subsequently does not join his duty after the expiry of leave.

2. To meet with this situation I am, to clarify that in cases where a Government servant needs clearance from Govt. by way of acceptance of his resignation, it should be possible to recover the amount before his resignation, is accepted. In other cases, filing a suit may be the only possible measure for recovering the amount but the desirability of filing a suit will depend on the nature of the individual case and the cost and effort of litigation as compared to the amount of payments to be recovered. The number of such cases is of course expected to be very small.

(Circulated vide Secretary PSEB Patiala endst, No. 72904/73853/M-195/9.8 dated 18-8-72)

Copy of Circular letter No. 1244-FICW(5)-72/7247 dated 10th April, 1972 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of house rent allowance to Government employees.

I am directed to refer to Punjab Government letter No. 2481-FICW(5)-71/11600 dated the 17th June, 1971 on the subject cited above, and to say that a doubt has arisen as to whether Government servants drawing pay upto Rs. 620/- and residing in their own houses or houses owned by their parents/children/wife/husband are eligible for House Rent Allowance in terms of instructions contained in the above quoted circular letter. The matter has been examined and it has been decided that a Government servant drawing pay upto Rs. 620/- p.m. and living in his own house or houses owned by his wife/husband/children/parents shall also be eligible for house rent allowance under these orders and for the purpose of claiming of this allowance he will be required to furnish a certificate appended as Annexure I-B to this letter.

2. A doubt has also arisen as to whether a Government servant who shares private accommodation with another Government servant is entitled to this allowance in the light of revised instructions. It is clarified that instructions on this subject as contained in para 4(v) of Punjab Government circular letter No. 956-FCW-65/1548 dated 20th February, 1965 are still operative. In other words, in a case, where

husband/wife/parent/children, two or more of two are Government servants or in service in autonomous public undertakings or semi-Government Organisations like Municipalities etc., share private accommodation, house rent allowance will be admissible to one of them only.

3. It has further been decided that refusal by a Government servant to accept share accommodation or accommodation of lower category, shall not constitute refusal for the purpose of grant of House Rent Allowance. In other words a Government servant who refuses to accept accommodation of lower Category or shared accommodation when offered to him, will be eligible for House Rent Allowance subject to other usual conditions. Instructions contained in para 4(i) of Punjab Government letter No. 956-FICW 65/1548 dated the 20th Feb., 1965 shall be deemed to have been modified to the extent indicated above.

4. In view of various changes in the procedure of drawal of House Rent Allowance, revision of forms of Certificates to be furnished by Government servants for the grant of House Rent Allowance has become necessary. As such a set of revised forms has been appended to this letter as Annexure I-A, Annexure I-B, Annexure II-A and Annexure II-B. The certificates prescribed with Punjab Government letter No. 956-FCW-65/1548 dated 20-2-65 and 2481-FICW(5)-71/11600 dated 17th June, 1971 shall be deemed to have been superseded from the date of issue of this letter.

5. These instructions will take effect from the month of issue. Cases otherwise decided should not be re-opened.

6. Receipt of this letter may please be acknowledged.

#### ANNEXURE I-A

Certificate to be furnished by a Government servant drawing pay upto Rs. 620/- P.M. (inclusive Dearness Pay) and residing in a rented private accommodation for the grant of House Rent Allowance.

(i) I certify that I have not been provided with Government

accommodation nor have I refused such accommodation during the period in respect of which the allowance is claimed.

- (ii) I certify that I am incurring some expenditure on rent, contributing towards rent.
- (iii) I certify that I am not sharing accommodation allotted to my parent/Child/Wife/Husband by the State Government, Central Government, an autonomous public undertaking (including L.I.C. and Nationalized Banks) or semi-Government Organisation such as Municipality etc. allotted rent free to another Government servant.
- (iv) I also certify that my wife/husband has not been allotted family accommodation at the same station by the State Government, Central Government, an autonomous public undertaking or semi-Government Organisation such as Municipality etc.

#### ANNEXURE I-B

Certificate to be furnished by a Government servant, drawing pay upto Rs 620/- p.m. (inclusive D.P.) and residing in houses owned by them or their relatives for the grant of House Rent Allowance.

- i) I certify that I have not been provided with Government accommodation nor have I refused such accommodation during the period in respect of which the allowance is claimed.
- ii) I certify that I am residing in a house owned by me/my wife/husband/son/daughter/father/mother/Hindu undivided family in which I am a coparcener.
- iii) I certify that I am paying/contributing towards house or property tax.
- iv) I also certify that my wife/husband has not been allotted family accommodation at the same station by the State

Government, Central Government, an autonomous public undertaking (including L.I.C. and Nationalized Banks) or a semi-Government Organisation such as Municipality etc.

Note: In case of Chandigarh and other places where there is exemption from such taxes, the following certificate may be inserted instead of certificate (iii).

"I certify that I am incurring some amount on the maintenance of the house/contributing towards maintenance expenditure."

### ANNEXURE II-A

Certificate to be furnished by a Government servant drawing pay above Rs. 620/- p.m. (inclusive D.P.) and residing in a rented private accommodation for the grant of House Rent Allowance.

- (i) I certify that I have not been provided with Government accommodation nor have I refused such accommodation during the period in respect of which house rent allowance is claimed.
- (ii) I further certify that I am residing in a rented house and have paid Rs. .... as rent for the month(s) of ..... 197 ..... for house No. .... Street ..... Sector ..... and that no portion of accommodation for which house rent allowance is claimed was sublet or occupied normally by others who do not belong to my family and that the rent paid was exclusive of water and electricity charges.
- (iii) I certify that I am not charging any accommodation for which House Rent Allowance has already been claimed.
- (iv) I also certify that my wife/husband has not been allotted family accommodation at the same station by the State Government, Central Government, an autonomous public

undertaking (including L.I.C. and Nationalized Banks) or semi-Government Organisation such as Municipality etc.

### ANNEXURE II-B

Certificate to be furnished by a Government servant drawing pay above Rs. 620/- p.m. (inclusive D.P.) and residing in accommodation owned by them or their relatives for the grant of House Rent Allowance.

- (i) I certify that I have not been provided with Government accommodation nor have I refused such accommodation during the period in respect of which the allowance is claimed.
- (ii) I certify that I am residing in a house owned by myself/wife/my husband/son/daughter/father/mother/ Hindu undivided family in which I am a coparcener ..... (address of the premises) ..... from ..... to the ..... and that the monthly gross rental value thereof as assessed in the property tax register of the Excise and Taxation Deptt. or in its absence the rental value as assessed in the relevant municipal records assessed by P.W.D.'s
- (iii) I certify that accommodation in respect of which the allowance is claimed is not occupied normally by others who do not belong to my family.
- (iv) I also certify that my wife/husband has not been allotted family accommodation at the same station by the State Government, Central Government, an autonomous public undertaking (including L.I.C. & Nationalized Banks) or a semi-Government Organisation such as Municipality etc.

(Adopted vide Secretary PSEB Patiala endst. No. 71954/72903/M-1959.8 dated 18-8-72)

Copy of Circular letter No. 3575-FICW-72/15313 dated 4th August 1972 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : - Grant of House Rent Allowance to Government employees stationed at Ropar.

I am directed to refer to Punjab Government letter No. 956-FICW-65/1548 dated the 20th Feb., 1965, as amended from time to time, on the subject cited above and to say that the question of the grant of House Rent Allowance to the Government employees stationed at Ropar not provided with Government accommodation, has been engaging the attention of Government. Ropar town being a district headquarter, it has been found that the rents of houses at this place are higher irrespective of the population of the town as compared to other mofussil towns. The Governor of Punjab is, therefore, pleased to include Ropar town in the list of Class II towns eligible for House Rent Allowance at the rate of 74% of pay as reclassified in Punjab Government letter No. 5732-FICW(5)-71/26944, dated the 14th Dec., 1971, in relaxation of population criterion.

2. The grant of House Rent Allowance at Ropar town shall however, be subject to the same conditions as have already been laid down for this purpose in the communication referred to above as amended from time to time.

3. These orders will take effect immediately i.e. the employees will be entitled to the House Rent Allowance for the month of August, 1972, onwards

(Adopted in toto vide Secretary PSEB Patiala circular memo No. 104993/5792/M-204/5.3 dated 1-12-72)

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Copy of Circular letter No. 4429-FICW(5)-72/2201<sup>o</sup> dated 7th Nov., 1972 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of House Rent Allowance to Government employees.

I am directed to say that according to the instructions contained

in Punjab Government, Finance Deptt. letter No. 956-FCW-65/1548, dated 20th Feb., 1965 read with letter No. 3959-FCW(5)-67/18381, dated 11th August 1967, on the subject noted above, the function of assessing rent at Chandigarh was stated to be the PWD authorities of Chandigarh Administration, not below the rank of Executive Engineer. As the Chandigarh Administration has now refused to undertake the assessment of the rent of self occupied houses owned by the employees of Punjab Government, it has been decided that the assessment of the private buildings pertaining to Punjab Government employees for claiming house rent allowance will be carried out by the Punjab PWD B&R Branch. The Executive Engineer, Mohali Construction Division, Chandigarh is being nominated the assessing authority for the purpose.

(Adopted vide Secretary PSEB Patiala circular memo No. 69732/70610/M-211/5.1 dated 22-6-73 with the condition that in the case of PSEB employees one of the Xens. Civil Hydel Design Dte., Chandigarh will carry out the assessment of house at Chandigarh).

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Copy of Circular letter No. 5034-FICW(5)-72/21022 dated 7th Nov., 1972 from Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of House Rent Allowance to the Punjab Government employees posted in the border area.

I am directed to refer to the Punjab Government letter No. 723-RR-70/7371 dated the 31st March, 1970 on the subject noted above and to say that after the revision of the rates of house rent allowance for cities/towns classified as Class I and II, the Government employees posted in the border towns have been representing to Government that their house rent allowance should also be treated at par with that of Class I towns. In order to provide full relief of house rent allowance to the employees posted in the border areas upto the limit of 10 miles from the border and to treat them at par with the employees

who are provided rent free accommodation, Government have now decided as under :-

(i) Where the employee has taken a private house on rent upto 10% of his pay, he will be paid House Rent Allowance upto 10% of his pay subject to the limit of actual rent paid. That is to say, that the house rent allowance will be lesser of the two figures viz actual house rent paid or 10% of his pay;

(ii) Where the employee takes a private house on rent exceeding 10% of his pay, he will be paid house rent allowance upto 12½% of his pay subject to the actual rent paid.

2. This decision will be given effect from the month of issue of these orders.

3. Para 2 of letter No. 723-RR-70/7371 dated 31-3-70 remains unchanged.

4. The expenditure involved will be met by the respective Departments of the Government out of their sanctioned budget and would be debited to the primary unit of appropriation "House Rent Allowance."

(Adopted w.e.f. November, 1972 vide Secretary PSEB Patiala circular memo No. 69732/70610/M 211/5 1 dated 22.6.73)

Copy of Circular letter No. 1356-FICW(5)-73/4969 dated 15th March, 1973 from Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Grant of House Rent Allowance to Government Employees posted within 5 miles from the qualifying limits of the cities.

I am directed to invite a reference to the instructions contained in Punjab Government, Finance Department letter No. 956-FCW-65/1548 dated 20-2-65 and letter No. 5582-FCW(5)-65/16614, dated the 11th September, 1965, on the subject noted above and to say that the

question as to whether the Government employees should be paid House Rent Allowance only with reference to the place of duty irrespective of whether the employees live within the qualified limits of that city or not has been under consideration and it has been decided that all the Government employees whose place of duty is within five miles (8 kilometers) from the qualifying limits of the cities eligible for House Rent Allowance may be given the benefit of House Rent Allowance without any reference to their place of residence.

2. Accordingly the instructions contained in sub para(b) of para 2 of Punjab Government circular letter No. 5582-FCW(5)-65/16614, dated 11-9-65 and sub-para (b) of para 3 of the Finance Department circular letter No. 956-FCW-65/1548, dated 20-2-65 are substituted as under :-

"b) Eligibility for House Rent Allowance shall be determined with reference to the place of duty. Any Government employee whose place of duty falls within the qualifying limits of any of the cities eligible for House Rent Allowance or within five miles (8 kilometers) from the qualifying limits of such cities, will be eligible for House Rent Allowance for that city irrespective of whether his place of residence is within such limits or outside."

(Adopted vide Secretary PSEB Patiala circular memo No. 140217/1117/M-216/3.2 dated 3-11-73)

Copy of Circular letter No. 1311-1/FICW-73/7864 dated 21st April, 1973 from the Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Grant of House Rent Allowance to Government employees.

I am directed to refer to Punjab Government, Finance Department letter No. 2855-FICW(5)-65/11072, dated the 17th July, 65, read with Finance Department's letter No. 956-FCW(5)-65/1548, dated the 20th Feb., 1965 as amended from time to time on the subject noted above

and to say that the question for allowing the benefit of House Rent Allowance to the workcharged establishment was under consideration for some time past by the Govt. and it has now been decided that the benefit of House Rent Allowance in terms of the aforesaid instructions may also be allowed to the workcharged establishment. This concession will, however, be subject to the requirements/conditions operating generally on the question of House Rent Allowance.

2. These orders will take effect from the month of issue. The orders issued vide Punjab Government, Finance Department letter No. 2855-FCW(5)-65/11072, dated 17-7-65 may be treated accordingly as cancelled.

(Adopted w.e.f. April 73 vide Secretary PSEB Patiala circular memo No. 9011/9661/M-219/5.2 dated 7-1-74)

Copy of Circular letter No. 2307-FICW(5)-73/9856 dated 15th May, 1973 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of House Rent Allowance in lieu of rent free accommodation to the Government employees posted in the border areas.

I am directed to refer to Punjab Government, Finance Department letter No. 5034-FICW(5)-72/22022, dated the 7th Nov., 1972, read with Punjab Government letter No. 723-RR-70/7371, dated the 31st March, 1970 on the subject noted above, and to say that the question of production of the actual rent receipts for purpose of drawing House Rent Allowance in the case of Government employees who reside in the border areas has been reviewed. Taking into consideration the special problems relating to the border areas, it has now been decided to waive the conditions imposed vide Punjab Government letter dated 7-11-72, mentioned above, and allow House Rent Allowance at the rate of 12½% of pay, to all the employees who are not provided with rent free accommodation and who are posted in the cities/towns/villages within 10 miles

from the international border, irrespective of their pay.

(Adopted vide Secretary PSEB Patiala circular memo No. 90525/94300/M-211/5.1 dated 23-7-73 read with No. 38036/956 dated 26-2-74 and 160488/1418/M-211 dated 8-10-74. This benefit of House Rent Allowance has also been extended /admissible to work charged staff as well w.e.f. 26-2-1974)

Copy of Circular letter No. 2786-FICW(5)-73/14373 dated 12th July., 1973 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of House Rent Allowance to Punjab Government employees posted within 5 miles (8 Kilometers) from the qualifying limits of cities-Definition of area in 5 miles from qualifying limits.

I am directed to refer to Punjab Government, Finance Department letter No. 1356-FICW(5)-73/4969, dated 15-3-73 on the subject noted above and to clarify that for the purpose of House Rent Allowance, if a part of a particular village falls within the limit of 5 miles (8 kilometers) from the periphery of the cities eligible for House Rent Allowance, the whole of the village may be treated as included within the limit of 5 miles (8 kilometers) and granted the benefit of House Rent Allowance.

(Adopted vide Secretary PSEB Patiala circular memo No. 140217/1117/M-216/3.2 dated 3-11-73)

Copy of Secretary PSEB, Patiala Circular Memo No. 119505/730/M-159/1.8 dated 17th Sept., 1973.

Subject: Grant of House Rent Allowance on the basis of assessment of rental value of the house owned by the Board's employees.

I am directed to refer to this office No. 15319/15479/M-175/5

(Loose) dated 25.2.71, on the subject noted above and to say that a doubt has been expressed as to whether or not the employees are entitled to draw House Rent Allowance on the basis of assessment carried out by the Govt/Municipal Deptt or Board's own agency (i.e. Xen Civil) prior to 1.4.1971.

2. After careful consideration of this case, the following clarifications are issued :—

- i) The Board employees are entitled to claim House Rent Allowance on the basis of assessment made by either of the authorities i.e. Govt./Municipal authorities or even Board's own agency (Xen Civil) from the date of occupation of the houses owned by them. But where an employee prior to 1.4.1971 has drawn House Rent Allowance on the basis of assessment by the Property Tax/Municipal authorities, the House Rent Allowance on the basis of assessment made by our Xen Civil will be admissible only w.e.f. 1.4.1971.
- ii) The Xen. Civil Works Division, PSEB, Patiala shall carry out the assessment of the houses of Board employees at Patiala to observe uniformity of action.
- iii) The assessment carried out shall remain valid for 5 years except that in case of additions to the buildings, re-assessment may be allowed after a period of three years from the date of original assessment

Copy of Circular letter No. 2534-FICW(5).74/16293 dated 26th August, 1974 from the Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject :—Grant of House Rent Allowance to Government employees.

I am directed to refer to Punjab Government letter No 1244-FICW(5)-72/7247 dated the 10th April, 1972, on the subject noted above and to say that the existing note below Annexure I-B attached therewith may be amended to read as follows, so as to include those who

are not required to pay house or property tax, though they are residing at a place where such a tax is leviable :—

"Note :—In case of Chandigarh and other places where there is exemption from such taxes and in such places where house or property tax is in force but a particular Government servant is not required to pay the tax as the annual rental value of the property assessed is less than the taxable limit, the following certificate may be inserted instead of certificate (ii) :

"I certify that I am incurring some amount on the maintenance of house/contributing towards maintenance expenditure."

2. These instructions will take effect from the month of issue. Cases otherwise decided should not be re-opened.

(Adopted vide Secretary PSEB Patiala endst. No. 175821/6901/M-211/5.1 dated 6-11-74)

Copy of Secretary (Gazetted Section) PSEB Patiala Circular Memo No. 107625/8375/PP-60 dated 21-11-74.

Subject :— Grant of House Rent to Board's Employees.

According to the Punjab Government letter No. 8520-FCW(5)-65/23397 dated 24-12-1965, adopted by the Board vide its endst. No. 49086/586/Meeting/M-127/23 dated 8-6-1966, no house rent allowance is to be allowed to any employee, in respect of the house taken on rent by him at his old station of duty, after he is relieved from there in order to join his new post at another station.

2. The matter in question has been engaging the attention of the Board for sometime past. Keeping in view of certain difficulties being experienced by its employees in the matter of hiring accommodation at the new station of posting, on transfer, it has been decided that the officers/officials may be allowed to draw house rent allowance for a period of three months in case they do not shift

their family to the new station of posting, subject to the condition that the drawal of house rent allowance should be at the rate which should be the lower one vis-a-vis the place of posting and place from which the officer/official has been transferred.

3. The above instructions shall only be applicable in the pending/future cases and the past cases will not be reopened.

Copy of Circular letter No. 5477-FICW(5)-74/25612, dated 31st Dec. 1974, from Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Grant of house rent allowance to Government employees living in their own houses or in their parents' house.

I am directed to invite a reference to Punjab Government letter No. 3959-FICW(5)-67/18381, dated 11-8-67 read with No. 4429-FICW(5)-72/22018, dated 7-11-72 on the subject noted above and to say that a question has been raised as to how the grant of H.R.A. is to be regulated where assessment of rent has been made by the PWD authorities before the issuance of the completion certificate. As it is not regular to assess rent in the absence of completion certificate, assessing authorities should abstain from doing so and no importance should be attached to such assessments for the purpose of H.R.A. It is clarified that the H.R.A. is to be regulated from the date of actual occupation of the accommodation and in case the accommodation has been occupied before the production of completion certificate, the H.R.A. will be regulated from the actual date of completion certificate.

2. Claims to arrears of pay and allowances are regulated under Rule 2.25 of P.F.R. Vol. I wherein it is laid down that no claim against the Government not preferred within six months of their becoming due can be presented without an authority from the A.G. Pb. It has been decided that in future the arrear claims to House Rent Allowance of more than six months old also should not be entertained. Cases otherwise decided need not be reopened. Pending Claims may be finalized on merit.

(Adopted vide Secretary PSEB, Patiala circular memo No. 133510/4460/M-211/5.1 dated 11/26-9-75)

Copy of Circular letter No. 88-FICW(5)-75/3205 dated 10th February 1975 from the Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject: Grant of house rent allowance to Govt. employees living in their own houses or in their parents' house.

In supersession of para 2 of Punjab Govt. letter No. 5477-FICW(5)-74/25612, dated the 31st December, 74 on the subject noted above, I am directed to say that claims to arrears of House Rent Allowance will be regulated under Rule 2.25 of P.F.R. Vol. I as amended from time to time.

(Adopted vide Secretary PSEB Patiala circular memo No. 133510/4460/M-211/5.1 dated 11/26.9.75)

Copy of Circular letter No. 651-FICW(5)-75/5395-96 dated 17th March, 1975 from Secretary to Government, Punjab to all Heads of Deptts., etc.

Subject:—Grant of house rent allowance to Government employees living in their own houses or in their parents' house.

I am directed to invite a reference to the Punjab Government Finance Department letter No. 2509-FICW-(5)-73/11732 dated 28-6-1973, wherein a clarification was made to you in response to your query received with letter No. GADI/Misc. 91/HRA/937, dated 18-4-1973, that the House Rent Allowance was to be regulated from the date of actual occupation of the accommodation and in case the accommodation had been occupied before the production of completion certificate, The house rent allowance was to be regulated from the actual date of completion certificate. The aforesaid letter was not endorsed to all Heads of Departments with the result that a uniform procedure could not be followed as the original instructions issued vide Finance Department letter No. 956-FICW-65/1548 dated 20-2-1965, did not make any such stipulation. However, when this fact subsequently come to notice, a circular letter was issued clarifying the position, vide Finance Department letter No. 5477-



FICW-(5)-74/25612, dated 31-12-1974. It has now been represented to Government that the condition regarding production of completion certificate be relaxed in cases arising before the issue of instructions of 31-12-74. Cases have also come to the notice of the Finance Department wherein the assessment of rent certificate has been issued differently. In some cases, assessment of rent was subject to the production of completion certificate to be issued by the Estate Officer, Chandigarh Administration whereas in others, there was no such condition. Keeping in view the above circumstances, Government have reconsidered the case and have decided that in cases concerning period prior to 31-12-74, the production of completion certificate may not be made condition precedent to the grant of House Rent Allowance except in those cases where the assessment of rent had been made subject to the production of completion certificate. The cases arising after 31-12-1974 may be decided strictly in accordance with instructions of the aforesaid data.

(Adopted vide Secretary PSEB Patiala circular memo No. 133510/4460/M-211/5.1 dated 26-9-75).

Copy of Circular letter No. 1148-FICW(5)-75/4939, dated 17th March, 1975 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :- Grant of house rent allowance to Government employees living in their own houses or in their parents' house.

I am directed to invite a reference to Punjab Government letter No. 1356-FICW(5)-75/4969-70 dated 15-3-1973 on the subject noted above, wherein it is laid down that the Government employees whose place of duty falls within five Miles (8 Kilometers) from the qualifying limits of the cities eligible for house rent allowance may be allowed house rent allowance without any reference to the place of residence, and to say that a doubt has been expressed by certain quarters whether the distance of 5 miles (8 kilometers) is to be taken by road only or the "Crow-flight" distance could also be taken into account. It is

clarified that the established roads/tracks are the only reliable measure to determine the distance from one place to another and only these should be taken into account for the purpose of the grant of house rent allowance,

2. It is also clarified that the instructions contained in Punjab Government letter No. 1356-FICW(5)-73/4969-70 dated 15-3-1973 will take effect from the date of issue.

(Adopted vide Secretary PSEB Patiala circular memo No. 134691/5641/M-211/5.1 dated 11/26.9.75)

Copy of Circular letter No. 1371-FICW(5)-75/7302 dated 11th April, 1975 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :- Grant of House Rent Allowance to Government employees posted within 5 miles from the qualifying limits of the cities.

I am directed to invite a reference to Punjab Government letter No. 1356-FICW(5)-73/4969-70, dated 15.3.73, wherein instructions regarding grant of House Rent Allowance to the Government employees posted within five miles (8 Kilometers) from the qualifying limits of the cities eligible for house rent allowance were issued and to say that a question has arisen as to who is the competent authority to certify that a particular place falls within 5 miles of the qualifying limits for this purpose. It is clarified that only the Deputy Commissioner of the respective district in his capacity as collector in consultation with all concerned quarters will be the competent authority to issue such certificate and a certificate from none else should be entertained

(Circulated vide Secretary PSEB Patiala endst. No. 61571/62662/M-175/5(loose) dated 23-5-75)

Copy of Circular letter No. 2386-FICW(5)-75/9596 dated 30th April, 1975 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of House Rent Allowance to Government Employees without the production of rent receipts for verifications.

I am directed to refer to Punjab Government circular letter No. 2481-FICW-(5)-71/11600, dated 17-6-1971, on the subject noted above, wherein it is laid down that house rent allowance is admissible, without reference to the quantum of rent paid by the employees drawing pay including dearness pay upto Rs. 620/- per month and to say that the Govt. have reconsidered the matter. It has been decided that this facility should now be admissible to employees drawing pay plus dearness pay up to Rs. 750/- p.m. However employees drawing pay plus dearness pay exceeding Rs. 750/- but not exceeding Rs. 900/- shall, unless they produce rent receipts for verification, also draw house rent allowance at the same rate to which an employee drawing pay plus dearness pay of Rs. 750/- and serving at the same station is entitled to house rent allowance at a higher rate can be drawn by them only if they are in a position to produce rent receipts. In the case of employees drawing pay exceeding Rs. 900/- production and verification of rent receipts shall be compulsory.

2. These orders will take effect from 1.4.75. Other terms and conditions in regard to grant of house rent allowance will remain the same. (Adopted w.e.f. 1-4-75 vide Secretary PSEB Patiala circular memo No. 120581/1451/M-211/5.1/Vol. IV dt. 22-8-75 with the provision that past cases shall not be reopened)

Copy of Circular letter No. 3778-FICW(5)-75/14073 dated the 26th June, 1975 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of House Rent Allowance to Government employees posted within 5 miles from the qualifying limits of the cities.

I am directed to invite your attention to Punjab Government Finance Department letter No. 1356-FICW(5)-73/4969 dated 15-3-73 read with letter No. 2786-FICW(5)-73/14373, dated the 12th July, 1973,

on the subject noted above and to say that according to these instructions Government servants posted within 5 miles (8 K.M.s) of qualifying limit of eligible cities are entitled to get House Rent Allowance at the same rates at which the Government servants posted in that city are entitled to and further if a part of a village/town falls within 5 miles of the qualifying limits of the eligible city, whole village/town is treated as included within the limits of 5 miles (8 kms.). As a part of Mohali Urban Estates falls within 5 miles of the limits of Chandigarh City, whole of the Mohali Urban Estate stands included within the limits of 5 miles (8 kms.) of Chandigarh and Punjab Government employees posted anywhere in Mohali Urban Estate are entitled to House Rent Allowance as admissible to Punjab Government employees posted at Chandigarh.

(Circulated vide Secretary PSEB Patiala endst. No. 108701/109784/M-175/5 dated 31-7-75)

Copy of Circular letter No. 3525-FICW-(5)-75/15005 dated 16th July, 1975 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject: Grant of house rent allowance to Government employees posted within 5 miles from the qualifying limits of the cities.

I am directed to invite a reference to the Punjab Government letter No. 1371-FICW-(5)-75/7802, dated 11-4-75 on the subject noted above and to say that it has been brought to the notice of the Finance Department that the clarification issued therein being differently interpreted all those persons who had been issued certificate by the Office of P.W.D., B & R or authorities other than D.C. are being asked to produce certificate in respect of distance for the qualifying limits of the cities from the Deputy Commissioners. In some cases house rent allowance is reported to have been stopped till that certificate was obtained. In this connection, it is clarified that it was intended to stop the payment of house rent allowance in cases where it was being drawn

on the basis of a certificate issued by the P.W.D officers/other competent authorities. The object of the clarification was to limit the number of officer's competent to issue such certificate and it was to apply to cases arising after the issue of the clarification. Even in those cases, the D.C. is not to certify on each application but he is merely to certify in general that a particular place is within 5 miles (8 Kilometers) from the qualifying limits of the cities eligible for house rent allowance. However, if in any case the Head of the Department/the office feel that the certificate previously issued by P.W.D. officers/any other competent authority is wrong, they may get a fresh certificate in respect of that locality from the Deputy Commissioner concerned but till that certificate is received and accepted by the competent authority, the payment of house rent allowance may continue to be made on the basis of previous certificate.

(Circulated vide Secretary, PSEB Patiala endst. No. 132459/3509/M-175/5 dated 11.9.75)

Copy of Circular letter No. 4588-FICW-(5)-75/18734, dated 13th August, 1975 from Secretary to Government, Punjab, to all Heads of Deptts, etc.

Subject : Grant of house rent allowance to Government employees who refuse/vacate Government accommodation.

I am directed to say that according to the existing instructions contained in para 4(i) of Finance Department's letter No. 956-FCW-65/1543, dated the 20th February, 1965, house rent allowance is not admissible to a Government servant who is in occupation of accommodation provided by the Government or who refuses accommodation offered by the Government or who leaves such accommodation without the approval of the competent authority. On reconsideration, it has been decided that the Government employee who refuses or leaves unearmarked Government accommodation with the prior approval of the competent authority, viz the concerned House Allotment Committee through proper channel or pays rent of the refused/vacated Government

accommodation for the period it remains vacant, may be allowed if otherwise admissible, house rent allowance from the date he leaves it. In case, where an employee fails to pay rent of the refused/vacated accommodation for the period it remains vacant, house rent allowance, if otherwise admissible, may be allowed from the date when it is re-occupied by his successor.

2. The Government employee who vacates Government accommodation on account of his transfer from one station to another should be deemed to have left it with the approval of the competent authority.

3. These orders will have effect from the date of issue of this letter. In old cases, where Government accommodation was refused/vacated without the prior approval of the competent authority may also be allowed House Rent Allowance, if otherwise admissible, from the date of the issuance of these orders.

(Adopted vide Secretary, PSEB Patiala circular memo No. 198438/9437/M-211/5.1/Vol. IV dated 19.12.75)

Copy of Circular letter No, 2688-FICW(5)-76/11746 dated 22nd April, 1976 from Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Grant of House Rent Allowance to Government employees residing in their own houses without the production of the rental value.

I am directed to refer to Punjab Government circular letter No. 2386-FICW(5)-75/9596, dated 30th April, 1975, on the subject noted above, wherein it is laid down that house rent allowance is admissible, without reference to the quantum of rent paid by the employees drawing pay including dearness pay upto Rs. 750/- per month. The employees drawing pay plus D.P. exceeding Rs. 750/- per month but not exceeding Rs. 900/- shall, unless they produce rent receipts for verification, also draw house rent allowance at the same rate to which an employee

drawing pay plus dearness pay of Rs. 750/- is entitled to. As the grant of house rent allowance to persons residing in private rented accommodation, whose pay does not exceed Rs. 750/- is without reference to the quantum of the rent actually paid by them, the grant of H.R.A. to persons living in their own houses or houses owned by his Wife/Husband/Children/Parents, whose pay does not exceed Rs. 750/- will also be without reference to the amount of the gross rental value as assessed by the competent authorities. Thus, in case of such persons, it will not be necessary to insist on the production of the assessment of the rental value by the competent authorities for purposes of claiming H.R.A. This position equally applies to a person whose pay is upto Rs. 900/- and who claims H.R.A. as for a person drawing pay of Rs. 750/-.

2. These orders will take effect from 1-1-76. Other terms & conditions in regard to the grant of H.R.A. will remain the same.

(Adopted vide Secretary, PSEB Patiala circular memo No. 111564/2564/Bd-638 dated 25-6-76).

Copy of Circular letter No. 3434-FICW(5)-77/29638 dated 21st Nov., 1977 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :—Grant of House Rent Allowance to Government Employees.

I am directed to refer to Punjab Government letter No. 4807-FICW(5)-65/14301, dated the 11th August, 1965 on the subject noted above and to say that Government have had under consideration the question of grant of house rent allowance to those employees who are transferred from one station to another and are not provided with the accommodation at the new station. Now it has been decided that employees who are in occupation of Government accommodation at the old station and who on transfer leave their family behind at the old station because they have not been allotted Government accommodation at the new station, will be eligible for House Rent Allowance for a period of six months or till the date on which Government accommo-

ation has been made available at the new station which ever is earlier. The House Rent Allowance shall not at all be admissible in those cases in which the Government employee is to rent out private accommodation at the place of new station of posting and Government accommodation is not to be made available to him.

2. These orders will take effect from 1.2.1977. Other terms and conditions in regard to the grant of House Rent Allowance will remain the same.

(Adopted vide Secretary PSEB Patiala circular memo No. 53961/59961/Reg. 40 Vol. II dated 24-4-78)

Copy of Circular letter No. 3684-FICW(5)-77/29636 dated 21st Nov., 1977 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of House Rent Allowance to Government employees without the production of rent-receipt/rental value of owned houses etc.

I am directed to refer to Punjab Government letter No. 2688-FICW(5)-76/11746, dated the 22nd April, 1976 on the subject noted above, wherein it was clarified that :—

- i) Employees drawing pay up to Rs. 750/- p.m. including dearness pay but not exceeding Rs. 900/- p.m. were entitled to draw House Rent Allowance at the same rate at which an employee drawing pay plus dearness pay of Rs. 750/- p.m. was entitled unless they produce rent receipt.
  - ii) The employees who were drawing pay plus dearness pay exceeding Rs. 900/- p.m. were required to produce rent receipt/rental value of own house for claiming the House Rent Allowance.
2. Now it has been decided that the employees who are drawing

pay plus dearness pay exceeding 750/- p.m. without any upper limit may be allowed to draw House Rent Allowance at the same rate to which an employee drawing pay plus dearness pay of Rs. 750/- p.m. is entitled, unless they produce rent receipt/rent assessment certificate for own house for claiming house rent allowance at higher rate.

3. These orders will take effect from 1-2-1977. Other terms and conditions in regard to the grant of House Rent Allowance will remain the same.

(Adopted vide Secretary PSEB Patiala circular memo No. 58961/59961/Reg. 40 dated 24-4-78)

Copy of Circular letter No. 7048-5FICW-77/248 dated 5th Jan., 1978 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of House Rent Allowance to Government Employees- Assessment of rental value of houses of Chandigarh.

I am directed to invite your attention to para 5 of Punjab Government letter No. 956-FICW-65/1548 dated the 20th Feb., 1965 which is reproduced below :-

"5—In the case of a Government servant living in a house owned by him, the rent of the house shall be the one as assessed in the property tax register of the Excise and Taxation Department or in its absence, the one assessed in the relevant municipal records. In the case of Chandigarh, such rent shall, however, be assessed by an Officer of P.W.D. Buildings and Roads Branch or Capital Project Administration, not below the rank of an Executive Engineer. The Controlling Officer, in the case of a non-gazetted employee, the Head of the Department in the case of a Gazetted Officer or if the Officer is himself the Head of Department, the concerned Administrative Department of Government will determine the amount to be taken as rent paid in each case on the above basis."

2. With the introduction of property tax by the Chandigarh Administration (U.T.) under Section 61(1)(a) of the Punjab Municipal Act, 1911 (as applicable to Union Territory of Chandigarh), the matter has been reconsidered and it has been decided that para 5 of above mentioned letter may be substituted as under :-

"5—In the case of a Government servant living in a house owned by him, the rent of the house shall be one as assessed in the property tax register of the Excise and Taxation Department or in its absence, the one assessed in the relevant municipal records. In the case of Chandigarh, the assessment of the rental value of the house shall be one as has been assessed by the Chandigarh Administration (U.T.) in their property tax register. However, in the cases which are not covered under the property tax, the rent will continue to be assessed by an Officer of Chandigarh Administration, P.W.D. Buildings & Roads Branch, not below the rank of Executive Engineer. The Controlling Officer viz. in the case of non-gazetted employee, the Head of Department in the case of a Gazetted Officer or if the Officer is himself the Head of Department the concerned Administrative Department of Government will determine the amount to be taken as rent paid in each case on the above basis."

3. This amendment will take effect from the date of issue of this letter.

(Adopted vide Secretary, PSEB Patiala circular endst. No. 44700/915/Bd-637 dated 3-4-78).

Copy of Circular letter No. 1441-8FR-78/15224 dated 5th May, 1978 from the Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject : Grant of Compensatory Allowance and House Rent Allowance to the Punjab Government employees posted in Border Areas.

I am directed to invite a reference to Punjab Government Circular letter No. 5034-FICW(5)-72/22022 dated 7-11-1972 and No.

2149-5FR-77/7919 dated 25th March, 1977 on the subject cited above whereby it was decided that the House Rent Allowance/Compensatory Allowance may be granted to Punjab Government employees serving in the border areas at the rates mentioned therein. The question of grant of those facilities to the Punjab Government employees posted at Patti Town in Amritsar District bordering Pakistan has been engaging the attention of the Government for sometime past. It has been decided that Compensatory Allowance/rent free accommodation or House Rent Allowance in lieu thereof may also be granted to the Punjab Government employees posted at Patti Town subject to the conditions laid down in Punjab Government letter No. 13556-3FR-64/797 dated 27-1-1964 and letter No. 5034-FICW(5)-72/22022 dated 7-11-72.

2. These orders will have effect from the date of issue of these instructions.

(Adopted w.e.f. 5.5.78 vide Secretary PSEB Patiala circular memo No. 44669/45779/GB/P-I(C) dated 29-3-79)

Copy of Circular letter No. 7138-FICW(5)77/21624 dated 13th June, 1978 from the Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Grant of House Rent Allowance to Government Employees.

I am directed to refer to Punjab Government letter No. 3434-FICW-5-77/29638, dated the 21st November 1977 on the subject noted above and to inform you that the Government have decided that the quantum of House Rent Allowance in such cases shall be regulated as under :-

- |  |  |
|--|--|
| 1. During the first two months of the date of assumption of charge at the new station. | At the rates at which it was drawn at the old station. |
| 2. For the next four months.   | At the rates at which it was being drawn by him at the |

old station or the maximum amount that would have been admissible to him at the new station had he taken a residence on rent there, whichever is less.

(Adopted vide Secretary PSEB Patiala circular memo No. 28086/29196/GB/M-502 dated 20-2-79)

Office Order No. 1366/GB/M-499

Dated 13-12-78

The Punjab State Electricity Board is pleased to sanction the increase in House Rent Allowance by 5% for all places and for all categories of employees, subject to a minimum of Rs. 10/-. The employees, who are not getting any House Rent Allowance will get 5% or a minimum amount of Rs. 10/- and those who are getting 7½% will get 12½% and those who are getting 12½% will get 17½%.

2. This will be applicable with effect from 1-11-1978.

(Circulated vide Secretary PSEB Patiala endst. No. 275011/276111/GB/M-499 dated 13-12-78)

Office Order No. 3/PRC/FIN.

Dated 21-2-1980

Consequent upon the Revision of Pay Scales, the Punjab State Electricity Board, in supersession of all previous orders in this behalf, is pleased to grant the House Rent Allowance to its employees on the revised rates w.e.f. 1st February, 1980 without the payment of any arrears for the period prior to the aforementioned date. The House Rent Allowance for the period prior to 1-2-1980 shall be paid at the

existing rate of un-revised pay scales. The revised rates of House Rent Allowance shall be as under :-

Pay Range.	The revised rates of House Rent	
	In Towns with population over One Lakh (in lieu of present 17½%)	In Towns with population over 25,000 & upto One Lakh (in lieu of present 12½%)
	(Rs.)	(Rs.)
i) Upto Rs. 400	40.00	20.00
ii) Pay exceeding Rs. 400 but not exceeding Rs. 600	50.00	25.00
iii) Pay exceeding Rs. 600 but not exceeding Rs. 800	100.00	50.00
iv) Pay exceeding Rs. 800 but not exceeding Rs. 1,000	150.00	75.00
v) Pay exceeding Rs. 1,000 but not exceeding Rs. 1300	250.00	125.00
vi) Pay exceeding Rs. 1300 but not exceeding Rs. 1800	350.00	175.00
vii) Pay exceeding Rs. 1800 but not exceeding Rs. 2,250	400.00	200.00
viii) Pay exceeding Rs. 2,250	500.00	250.00

2. The Board is further pleased to freeze the amount of the House Rent Allowance being drawn by Board's employees @ 5% at places with the population of less than 25,000 and to allow such employees to continue to draw the same equal to the amount as it was being drawn by them on 31-1-1980 till the Board takes a final decision on this matter.

3. It has also been decided that on account of revision of pay scales, the present limit of Rs. 750/- per mensem including dearness pay for purpose of rent receipt/assessment certificate shall henceforth

be Rs. 1160/- per mensem. The other instructions in the matter issued from time to time shall remain the same.

4. In the case of employees whose pay scales have not been revised or who opt for un-revised scales for a specific period, dearness pay, dearness allowance, additional/adhoc relief and additional dearness allowance, granted upto CPI-320 (1960=100) i.e. admissible upto and including the instalment sanctioned w.e.f. 1-1-1978, shall be treated as emoluments for purpose of grant of House Rent Allowance at the revised rates.

(Circulated vide Secretary PSEB Patiala endst. No. 27493/28117/PRC/FIN. 3 dated 21-2-80)

Copy of Circular letter No. 14/151/79-3GE/3866 dated 11th April, 1980 from the Chief Secretary to Government, Punjab, to all Heads of Depts., etc.

subject: Retention of Government residential accommodation or payment of House Rent Allowance in lieu thereof to the blind Government employees after their retirement.

I am directed to address you on the subject and to state that at present Government employees are required to vacate the Government residential accommodation after one month from the date of their retirement under rule 5.51-A of Punjab Civil Services Rules, Volume-I, Part-I. In the case of deceased Government employee, where the deceased employee was in possession of Government residential accommodation, his family is allowed as per Punjab Government letter No. 3906-SII(3)-71/17723, dated 9-7-71 to retain the accommodation for one year after his death, the rate of rent being the same as was applicable to him at the time of his death and in case where the deceased Government employee was not in possession of Government residential accommodation but was drawing House Rent Allowance in lieu thereof, his family is allowed to continue to be paid the House Rent Allowance admissible to the deceased employee for one year after his/her death. In the case of Chandigarh based families of deceased Government employees, who are in possession of Government accommodation,

House Rent Allowance at the rate admissible to the deceased Government employee on his last pay drawn is continued to be paid to the family of the deceased Government employee for a period of eight months from the date they are required to pay the increased rent vide Punjab Govt., Instructions No. 2358-SII (6)-75/20274, dated 19.6.75.

2. The question of granting the facility of further retention of the Government accommodation beyond the period of one month after retirement to those retiring blind Government employees who own no houses, has been under consideration of Government. Keeping in view the hardship which these employees have to face after retirement, it has been decided by Govt. that the retiring blind Government employees may be allowed to retain the Government accommodation, where they are in possession of Government accommodation at the time of their retirement or they may be paid House Rent Allowance in lieu thereof, wherever admissible, for a period of one year from the date of retirement on the same lines, as it is presently admissible to the families of the deceased Punjab Government employees.

3. This issues with the concurrence of the Finance Department conveyed vide U.O. No. 1/25/80-FICW (5), dated 1/3-4-80.

4. These instructions may please be brought to the notice of all concerned.

(Adopted vide Secretary PSEB Patiala circular memo No. 17448/180022/Reg/ADP-70 dated 29-7-81)

Copy of Secretary PSEB Patiala Circular Memo No. 215619/215919/GB/M-499/Vol V dated 1-12-80.

Subject : Grant of house rent allowance at the revised rates.

In continuation of this office endst. No. 27493/28117/PRC/FIN. dated 21-2-80, it is clarified that the house rent allowance in lieu of rent free accommodation shall be allowed to the eligible employees equal to the same amount as was being paid to them on 31-1-1980 till the Board takes a final decision in the matter.

Copy of Secretary PSEB Patiala Circular Memo No. 238189/238779/Reg/ADP-58 dated 31-12-80 read with No. 127070/127656/ADP-58 dated 19-11-81.

Subject : Grant of House Rent Allowance to Board employees posted at Delhi.

Please refer to the instructions circulated vide this office Memo No. 5591/6411/M-187/5 dated 24th/25th January, 1972, on the subject cited above vide which House Rent Allowance to the Board employees posted at Delhi was granted at the following rates : -

Pay	
Below Rs. 100/-	Rs. 15/- p.m.
Rs. 100/- to Rs. 3000/-	Rs 15% of pay subject to a minimum of Rs. 20/- and maximum of Rs. 300/- p.m.
Above Rs. 3000/-	Rs. 10% of pay.

2. In supersession of the aforesaid instructions, it has been decided that the instructions regarding the grant of House Rent Allowance to Board employees on the revised rates which have been circulated vide Secretary/Finance Office Order No- 3/PRC/Fin. dated 21-2-80 endorsed vide No. 27493/28117/PRC/FIN. 3 dated 21-2-80 mutatis-mutandis, shall apply to the grant of House Rent Allowance to the Board employees posted at Delhi.

Copy of Circular letter No. 10/23/80-FICW(5)/4708 dated 22nd May, 1981 from Secretary to Government, Punjab, to all Heads of Depts., etc.

Subject :—Grant of House Rent Allowance to the Government employees without the production of rent receipts/rental value of own houses, etc.

I am directed to invite a reference to the Government of Punjab,



Department of Finance letter No. 3684-FICW(5)-77/29636 dated 21-11-1977, wherein it had been clarified that "the employees who are drawing pay plus Dearness Pay exceeding Rs. 750/- P.M. without any upper limit may be allowed to draw House Rent Allowance at the same rate at which an employee drawing pay plus Dearness Pay of Rs. 750/- p.m. is entitled unless they produce rent receipts/rent assessment certificate for own house for claiming House Rent Allowance at higher rate." Later, vide Government of Punjab, Department of Finance letter No. 10/12/79-FICW(5)/351 dated 14-1-80, it was decided that on account of revision of pay scales, the limit of pay of Rs. 750/- p.m. including Dearness Pay for purposes of rent receipt/assessment certificate shall be Rs. 1160/- p.m.

2. Keeping in view the difficulties experienced by Government employees in obtaining assessment certificates in respect of their own houses and the prevailing high rates of the privately rented houses, it has now been decided, in supersession of the instructions contained in para 5 of the Government of Punjab, Department of Finance letter dated 14th January, 1980, referred to in paragraph 1 above, that the State Government employees residing in their own/rented houses shall henceforth be paid house rent allowance on the slab system as admissible to them without having to produce assessment certificate/rent receipt.

3. The other instructions regarding admissibility and grant of House Rent Allowance issued from time to time shall remain the same.

4. The above decision shall be effective from 1-5-1981.

(Adopted w.e.f. 1-5-81 vide Secretary PSEB Patiala circular memo No. 149495/150498/GB/M-502 dated 12-6-81. The instructions contained in Punjab Government letter No. 10/12/79-FICW(5)/351 dated 14-1-80 were followed by PSEB vide O/O No. 3/PRC/FIN. dated 21.2.80)

Office Order No. 978/GB/M-499/Vol. V/L-1 dated 3rd Dec., 1981

The Punjab State Electricity Board vide its office order No. 3/PRC/Finance dated 21-2-1980 had freezeed the amount of the House Rent Allowance being drawn by Board employees @ 5% at places with population of less than 25000 and allowed such employees to continue to draw the same equal to the amount as it was being drawn by them on 31-1-1980 till further orders. The Board is now pleased to order that with effect from 1-2-1980, the rates of house rent allowance at such places in the revised pay scales shall be as under :—

Pay Range	Amount of H.R.A. sanctioned for towns with population of 25000 or less.
Upto Rs. 400/-	Rs. 10/- P.M.
Pay exceeding Rs. 400/- but not exceeding Rs. 600/-	Rs. 15/- P.M.
Pay exceeding Rs. 600/- but not exceeding Rs. 700/-	Rs. 20/- P.M.
Pay exceeding Rs. 700/- but not exceeding Rs. 900/-	Rs. 25/- P.M.
Pay exceeding Rs. 900/- but not exceeding Rs. 1000/-	Rs. 30/- P.M.
Pay exceeding Rs. 1000/- but not exceeding Rs. 1100/-	Rs. 35/- P.M.
Pay exceeding Rs. 1100/- but not exceeding Rs. 1200/-	Rs. 40/- P.M.
Pay exceeding Rs. 1200/- but not exceeding Rs. 1300/-	Rs. 45/- P.M.
Pay exceeding Rs. 1300/- but not exceeding Rs. 1400/-	Rs. 50/- P.M.

Pay exceeding Rs. 1400/- but not exceeding Rs. 1700/-	Rs. 60/- P.M.
Pay exceeding Rs. 1700/- but not exceeding Rs. 1800/-	Rs. 65/- P.M.
Pay exceeding Rs. 1800/- but not exceeding Rs. 2000/-	Rs. 75/- P.M.
Pay exceeding Rs. 2000/- but not exceeding Rs. 2250/-	Rs. 95/- P.M.
Pay exceeding Rs. 2550/-	Rs. 115/- P.M.

(Circulated vide Secretary PSEB Patiala endst. No 261139/1817/GB/M-499/Vol-V/L-1 dated 3-12-81)

Copy of Circular letter No. 39/7/81-8FR/10189 dated 8th Dec., 1981 from the Secretary to Government, Punjab, to all Heads of Depts., etc.  
 Subject :—Grant of House Rent Allowance to Government employees-upgradation of Cities.

I am directed to refer to the Government of Punjab Circular letter No. 956-FICW-65/1543, dated the 20th February, 1965, and No. 5732-FICW(5)-71/26944, dated the 14th December, 1971, as amended from time to time, on the subject cited above, and to say that the question of upgrading of certain cities as First Class and Second Class Cities for the purpose of grant of House Rent Allowance to the employees of Government of Punjab posted there on increase in population to one lakh and more & 25000 and more respectively, on the basis of Census of India, 1981 has been considered by the State Government and it has been decided to include the following cities in the categories of First Class Cities and Second Class Cities as already circulated vide Government of Punjab letter No. 5732-FICW-71/26944 dated 14th December 1971 :—

- |                           |                            |
|---------------------------|----------------------------|
| <b>First Class Cities</b> | <b>Second Class Cities</b> |
| 1. Bhatinda               | 1. Tarn Taran              |

- |  |                 |
|--|-----------------|
| 2. Pathankot                                 | 2. Rampura Phul |
| 3. Batala                                    | 3. Samana       |
| 4. Ferozepur<br>(including Ferozepur Cantt.) | 4. Sirhind      |
|  | 5. Dhuri        |
|  | 6. Gidderbaha   |
|  | 7. Nawansahar   |
|  | 8. Gobindgarh   |
|  | 9. Nakodar      |
|  | 10. Jaito.      |

The House Rent Allowance in the case of the newly upgraded four First Class Cities and ten Second Class cities will be effective from the 1st October, 1981.

2. The House Rent Allowance to the State Government employees posted in these cities will be admissible at the following rates as prescribed vide the Government of Punjab letter No. 10/12/79-FICW (5)/351 dated 14th, January, 1980 :—

Rate of House Rent Allowance

Pay Ranges	First Class Cities	Second Class Cities
i) Upto Rs. 400/-	40.00	20.00
ii) Pay exceeding Rs. 400 but not exceeding Rs. 600/-	50.00	25.00
iii) Pay exceeding Rs. 600 but not exceeding Rs. 800/-	100.00	50.00
iv) Pay exceeding Rs. 800 but not exceeding Rs. 1000/-	150.00	75.00
v) Pay exceeding Rs. 1000 but not exceeding Rs. 1300/-	250.00	125.00
vi) Pay exceeding Rs. 1300 but not exceeding Rs. 1800/-	350.00	175.00
vii) Pay exceeding Rs. 1800 but not exceeding Rs. 2250/-	400.00	200.00
viii) Pay exceeding Rs. 2250/-	500.00	250.00

The House Rent Allowance at the above rates shall be subject to the terms and conditions as have already been laid down for this purpose in the circular letter of the 20th February, 1965, as amended from time to time. In terms of the Government of Punjab Circular letter No. 10/23/80-FICW(5)/4708, dated the 22nd May 1981, the payment of House Rent Allowance at the above mentioned rates shall be allowed without requiring the employees concerned to produce rent receipts/assessment certificates.

(Adopted vide Secretary PSEB Patiala memo No. 26811/27814/GB/M-499/Vol. 5 dated 23.2.82)

### SUPPLEMENT TO CHAPTER III

Copy of Secretary PSEB Patiala Circular Memo No. 196210/197160/Reg. 20 dated 23.10.82.

Subject :— Instructions regarding Annual Confidential Reports.

Instructions regarding writing of Annual Confidential Reports of Board's employees were issued vide this office circular memo No 142376/3426/Reg 20 dated 4-8-76. These instructions interalia lay down that the reporting officers should record their remarks against various entries appearing in the forms with great care and in an impartial and honest manner and that no un-fortunate tendency should develop in regard to recording remarks against each entry. It has further been laid down that the reporting officers while recording their remarks regarding Integrity, must be very careful and conscious while commenting on this matter as any ill-considered or hasty remarks in this respect based only on hear-say, may do a lot of mischief and harm and that the reporting officer must be quite honest and frank and discuss an officer's/official's worth from the point of view of his Integrity/honesty quite frankly.

2. It has, however, been observed that some reporting officers, do not record remarks in the Annual Confidential Reports, in an objective & unbiased manner which causes un-necessary harassment & difficulties to the concerned employees. It is, therefore, once again reiterated that while recording the Confidential Reports of officers /officials, the guidelines given in circular letter referred to above may please be kept in view.

Copy of Secretary PSEB Patiala Circular Memo No. 218308/219384/ENG/S-39/Vol. II dated 22-11-82.

Subject : Instructions regarding Confidential Reports.

A reference is invited to this office detailed instructions contained in circular Memo No. 142376/3426/Reg. 20/Vol. II dated 4-8-76 read with No. 55368/56483/ENG/S-39 dated 16-5-79.

2. From the past experience, it has been observed that a very little attention is paid towards writing up and onward transmission/maintenance of Annual Qualification Reports of the employees immediately after the close of the financial year. These documents are important record of the employees and invariably referred to while assessing the suitability of the employees in the matter of promotion, crossing of E.B. as well as retirement cases etc. As such, the record of A.Q. Rs. of employees needs to be maintained regularly and kept up-to-date. The object behind it could only be achieved, if the reporting officers pay their personal attention and ensure that these reports are submitted to the concerned authority promptly, and within the prescribed period so that the service matters of the employees are not delayed.

3. I have been again directed to re-iterate the instructions *ibid* and request you to bring the same to the notice of all officers/officials concerned to follow the instructions on the subject meticulously and ensure that no undue delay takes place in writing up Q. Rs.

4. Please acknowledge the receipt of this letter.

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### SUPPLEMENT TO CHAPTER VII

Copy of Circular letter No. 4/3/81-1 PP/10884 dated 4th August, 1982 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc

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

I am directed to invite a reference to Punjab Government circular letter No. 4/3/81-IPP/3500 dated 15.4.1981, on the subject, wherein it was

emphasised that the promotion of an employee on the due date should be withheld only if actionable material under the relevant punishment and appeal rules had been brought out and it was intended to take action against him under the said rules. The matter has been considered further and it has now been decided by the Government that preliminary enquiries will not affect promotion/pension, etc. and only regular enquiries where charge-sheets have been served or challans have been put up in a Court of Law should be taken into consideration for withholding the promotion/pension of the concerned employee.

2. The above instructions may please be brought to the notice of all concerned.

3. Please acknowledge the receipt of this letter.

(Adopted vide Secretary PSEB Patiala circular memo No. 204588/205088/Reg/ADP 88 dated 29.10.82)

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### SUPPLEMENT TO CHAPTER VIII

Copy of Circular letter No. 7/7/78-4GE/9026 dated 25th June, 1982 from the Chief Secretary to Government, Punjab, to all Heads of Deptts., etc.

Subject : Grant of over-time allowance to Class IV employees.

I am directed to invite a reference to Punjab Government letters No. 12160-6GS-76/47907, dated 1-12-76 and No. 489-4GS-II-77/17867, dated 2-5-1977, on the above subject and to say that the rates of over-time allowance to Class IV employees (i.e. Peons and Jamadars) have been reviewed by the State Government and after careful consideration, it has been 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 at the following revised rates from the date of issue of this letter:—

i) On working days:

Re. 1/- per hour for the period put in extra-duty in excess of one hour before and/or after the office hours subject to a maximum of Rs. 5/- per day.

ii) For holidays :

Re. 1/- per hour with a maximum of Rs. 5/- on a single holiday.

2. The total hours put in as over-time by an employee should be counted for each month as a whole instead of each day and in the aggregate of the month, the fraction of an hour if any to be calculated as full hour subject to a maximum of 5 hours per working day/per holiday. The over-time allowance drawn by an individual employee in a month should not exceed Rs. 100/-.

3. This issues with the concurrence of the Finance Department as contained in their U.O. No. 30/28/78-5FR, dated 23-6-1982.

(Adopted & Circulated vide Secretary PSEB Patiala office order No. 460/Adp. 88 dated 29-10-82, reproduced below)

OFFICE ORDER No. 460/ADP-88

Dated 29-10-1982

The PSEB is pleased to enhance the overtime allowance of Jamadars/Peons attached with Chairman/Members/Secretary sanctioned vide this office O/O No. 712/ENG/LC-G-149 dated 11-10-73, from Rs. 20/- p.m. to Rs. 50/- p.m. with effect from 1-11-82.

2. The PSEB is further pleased to adopt Punjab Government, Department of Personnel & Administrative Reforms letter No. 7/7/78-4GE/9026 dated 25-6-82 (Copy enclosed), enhancing the rates of overtime allowance of Jamadars and Peons working in Secretariat offices and offices of the Heads of Departments at their headquarters. (Excepting those attached with Chairman/Members/Secretary) with immediate effect. It will be in modification of the decision contained in this Office Order No. 451/ENG/G-149 Dated 28-4-1977.

(Circulated vide Secretary PSEB Patiala endst. No. 2005/201398/Reg/ADP-88 dated 29-10-82.)

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