

10th March, 1937)

Circle CLERICAL SERVICES

MINISTRY OF AGRICULTURE
PUBLIC WORKS DEPARTMENT
BUILDINGS & ROADS BRANCH



The 30th October, 1934.

No.1456-E. The following rules relating to the Punjab Public Works Subordinate Services, Buildings and Roads Branch (Agriculture) in exercise of the powers conferred by rule 20,44 and 48(2) of the Civil Services (Classification, control and Appeal) Rules, are published for general information :-

Punjab Public Works Subordinate service
Buildings and Roads Branch Rules, 1934.

Short title

1. (1) These rules may be called the Punjab Public Works Subordinate Services (Buildings and Roads Branch) Rules, 1934.

(2) They shall come into force at once.

2. In these rules unless there is anything repugnant in the subject or context :-

(a) 'agriculturist' means any Hereditary proprietor or tenure holder of agricultural and mainly dependent thereon and residing in a rural area as well as an actual cultivator of such land and includes any such person of the son or grandson.

(b) 'Circle' means the area under the control of a Superintending Engineer.

(c) 'Recognised' with reference to any school or Institution except a University, means recognised by the Chief Engineer for the purposes of these rules ;

(d) 'the Chief Engineer' means the Chief Engineer, Punjab, Public Works Department, Buildings and Roads Branch.

(e) 'The department' means the Punjab public Works Deptt., Buildings and Roads Branch.

(f) 'the Recognised University' means any university incorporated by Law in British India or any other University which may be declared by the Punjab Government to be a recognised university for the purposes of these rules.

(g) 'Local Government' means the Punjab Government (Ministry of Agriculture).

(h) 'the service' means the Punjab Public Works Subordinate Services (Buildings and Roads Branch).

* As amended by Punjab Government (Ministry of Agriculture) Notification No.32-F/33-E.S. dated 15th July, 1936.

3. Number and character of posts:-

The service shall comprise eight sections and each,

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section shall comprise such number of posts as is shown under such section in Appendix 'A' :-

(a) the total number of posts of Sub-Engineers Upper subordinates, overseers and Lower Subordinates shall not exceed one hundred and for every permanent vacancy which occurs in the post of Upper Subordinates or lower subordinates after these rules come into force the number of posts of overseers shall be deemed to be increased by one post except when the vacancies is due to the promotion of an Upper Subordinate to the rank of Sub-Engineer.

(b) nothing in this rule shall effect the inherent right of the local govt. to make additions to or reductions in the cadre of the service Subordinate to the rank or temporarily.

4. Authority by whom appointments to be made.

All appointments to posts in the service shall be made -

(a) by the local govt. in the case of SubEngineer ;

(b) by the Chief Engineer in the case of the following posts;

- i) Overseer(S. Es) and Draftsman of any class in Section I,
- ii) all posts in section II ;
- iii) Superintendent in section III or Section IV ;
- iv) Chief Draftsman in section VI ;
- v) Instructor in Section VII

(c) by the Superintending Engineer concerned in the case of the following posts ;

- (i) Tracer in Section I;
- (ii) All posts other than that of Superintendent in Section III or Section IV;

(d) by the Superintending Engineer III Circle in the case of all posts in Section V ;

(e) by the Superintending Architect, Architectural Circle in the case of all posts other than that of the Chief Draftsman in Section VI ;

(f) by the ~~Superintending~~ Principal, Govt. school of Engineering Rasul, in the case of all posts other than those of Instruc

(g) by the Principal, Maclagan Egnineering College, Mogha. pura in the case of all posts in Section VIII.

Nationality, age and other qualifications.

*5. No person shall be appointed to be a member of the service unless he is -

(a) (i) a British subject as defined in section I of the British Nationality and status of Aliens Act, 1914 or

(ii) a subject of a state in India in Political relation with the Governor General through the Resident for the Pb. States; and

The condition requiring a Punjab or Delhi domicile may be waived in the case of a European or an Anglo-Indian Candidate if it is satisfactorily proved that such candidate was born of parents habitually resident in India and not established there for temporary purposes only.

(c)* in the case of a person who is not already in Govt. service :-

(i) he produces -

(a) a certificate or certificates of character, from the Principal Academic Officer of his University, College, school or training Institution, if any, and also from two responsible persons, not being his relatives, who are well acquainted with him in private life and unconnected with his University college school or training Institution, if any, and

(b) the certificate required by Chapter 3 of the Punjab Financial Hand Book No. 2 Vol. II, (Subsidiary Rules);

(ii) he is not more than twenty five years of age provided that the local govt., or the Chief Engineer, as the case may be, may in special circumstances appoint a person exceeding twenty five years in age; and

(iii) in the case of appointment to any post specified in column 4 of Appendix 'A' he possesses such qualifications as are specified in col. 6 of the Appendix against such post.

*** As amended by Punjab Govt. (Ministry of Agriculture) Notification No. 32-F/33/275-E-8, dated 15th July, 1936.

%5-A. Every member of the service shall get himself vaccinated and re-vaccinated when the Govt. so directs by a special or general order. This rule shall not, however, be applicable to members of the Service who were in Govt. service on the 1th days of March, 1926 except with their concurrence.

@ as amended by Punjab Government (Ministry of Agriculture) Notification No. 32-F/33/491-E dated the 25th February, 1937).

Method of recruitment.

6. (1) No recruitment shall be made to the Post of Upper subordinate or Lower Subordinate and whenever any vacancy occur by retirement or otherwise of a member holding such a post such vacancy shall be filled by appointment of an Overseer. Promotion from the post of upper subordinate to Sub Engineer will be made by selection and no member shall be entitled to such promotion as of right.

(2) Recruitment to other posts in the Service shall be made by transfer from one section in the Service to another or from any officials employed in any office of the Local Government or by one of the methods indicated below in each case as the appointing authority may determine.

Section III-(Circle and Divisions)

1) In the case of Superintendents, by ~~selection~~ selection from among Assistants in Section III;

- (m) In the case of Assistants -
- (i) by selection from among senior Clerks in Section III belonging to the same circle, or
 - (ii) by direct appointment
- (ni) In the case of stenographers -
- i. by promotion from among stenographers employed in the Department or
 - ii. by promotion from the lower scale; or
 - iii. by direct appointment;
- (2) In the case of Senior Clerks -
- i) by selection from among Junior Clerks in Section II belonging to the same circle; or
 - ii. by direct appointment.

3. Appointment to be filled by selection or by transfer shall be within the discretion of the appointing authority.

Probation of members of the service

7. (1) Members of the Service who are appointed against permanent vacancies shall on appointment to any class of appointments specified in Appendix 'A' remain on probation for a period of two years in the case of members recruited otherwise ;

Provided that the Chief Engineer may direct in the case of any member transferred from one section to another in the Service or from another department, of the Local Govt. that service in such other section of department shall be reckoned as period spent on probation.

Explanation:- Officiating service followed by appointment on probation shall be reckoned as period spent on probation but no member who is officiating in any appointment, shall on the completion of one or two years in the service as the case may be, be entitled to be confirmed unless he is appointed against a permanent vacancy.

(2) If the work or conduct of any member of the Service during the period of probation is, in the opinion of the appointing authority specified in rule 4, not satisfactory the appointing authority concerned may dispense with his services, if he has been recruited by direct appointment or may revert him to his former post if he has been recruited otherwise than by direct appointment.

(3) On the completion of the period of probation of any member the appointing authority concerned prescribed by rule 4 may confirm such member in his appointment, or if his work or conduct has, in the opinion of the Appointing Authority not been satisfactory the appointing Authority may dispense with his services if he has been recruited by direct appointment or may revert him to his former post if he has been recruited otherwise by direct appointment.

EXISTING RULES

or may extend the period of probation, and on the expiry of such extended period of probation may pass such orders as it could have passed on the expiry of the first period of probation.

EXISTING RULESSeniority of members of Service.

8. The seniority of members of the service shall in each class of appointments shown in Appendix 'A' be determined by the date of their confirmation to such class ;

Provided that if two or more members are confirmed in the same class on the same date -

- a. members recruited by selection in the Service shall be senior to all members recruited otherwise ;
- b. members recruited by transfer from other departments of the Local Govt. shall be senior to members recruited by direct appointment ;
- c. in the case of members who are both or all recruited by selection in the service or who are both or all recruited by transfer from other departments of the Local Govt., seniority shall be determined according to pay, preference being given to a member drawing a higher rate of pay and if the pay drawn is the same, according to length of service preference being given to a member having the longer service, and if both the pay drawn and the length of service are the same, an older member shall be senior to a young or member.
- d. in the case of members who are both or all recruited by direct appointment an older member shall be senior to a younger member.

EXISTING RULES.Pay of members of the service.

9. A member of the Service holding any of the posts specified in column 4 of Appendix 'A' shall, from the date of joining his appointment, be entitled to pay at the rate shown in column 5 of that Appendix against such post :

Provided that -

*(a) the Punjab Govt. may at any time make variations in scales of pay of members of the Service subject in the case of those who were in the service on or before 8th March, 1926 to the sanction of the Secretary of State :

(b) members of the service who are recruited by selection in the service or by transfer from among officials employed in departments of the Local Govt. other than the Department, shall be entitled to pay in accordance with the provisions of the Fundamental Rules :

(c) any member of the service holding any of the following posts shall in addition to the pay to which he is entitled under this rule be entitled to special pay as prescribed below for such posts -----

* As amended by Punjab Govt. (Ministry of Agriculture) Notification dated 15th July, 1934.

EXISTING RULES

Pension

*10. (1) Members of the Service holding posts in sections IV, V or VI shall not be entitled to pension but shall subscribe to the Punjab Contributory Provident Fund in accordance with such rules and conditions as amended from time to time provided that no member or official who is transferred to a post in Sections IV, V or VI from a post where his service qualified for pension in any other Section shall be allowed to subscribe the Provident Fund, persons thus transferred will conduct their service towards pension.

(2) The service of members of the Service holding posts in Section IV, V or VI other than permanent Govt. Servants transferred from any other section to the service may be dispensed with at any time after giving them one month's notice in writing of the appointing authority's intention to do so.

* As amended by Punjab Government (Ministry of Agriculture) Notification No.32-M/33/275-E dated 15.7.1934.

EXISTING RULES

Authorities empowered to impose penalties

11. Subject to the provisions of the Punjab Subordinate Services Punishment and Appeal Rules, 1930, the authorities specified in Col. 4 of Appendix B are hereby empowered to impose upon any member of the service mentioned in each case in col. I of the said Appendix the penalties shown in col. 3 of that Appendix.

*12. Authorities empowered to entertain appeal and revision application.

Members of the Service upon whom any penalties have been imposed by any authority specified in col. 4 of Appendix B shall be entitled to appeal in the manner prescribed by the Punjab Subordinate Services, Punishment and Appeal Rules, 1930 to the corresponding superior authority specified in each case in col. 5 of that Appendix and the disposal of the appeal shall in all respects be governed by the procedure laid down in the said rules ;

Provided that, if an appellate authority specified in column 5 of the Appendix increases the penalty imposed by a subordinate authority, the member of the service upon whom the increased penalty is imposed may submit a further appeal to the authority if any specified in each case in column 6 of the Appendix.

* As amended by Punjab Government (Ministry of Agriculture) Notification No.32-E/33/275 -E dated 15th July, 1934.

EXISTING RULE

Right of revision

*13 After an appeal or the second appeal provided in rule 12 has been rejected, the member of the service may be apply for revision to the authority specified in column 7 of appendix B if such an application is allowed by Rule 8 of the Punjab Subordinate Services Punishment and Appeal Rules, 1930.

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* As amended by Punjab Govt. (Ministry of Agriculture) Notification No. 32-E/33/275-E dated 15th July, 1936.

EXISTING RULES

Area of liabilities of transfer.

*14 Members employed in section III of the service are liable to transfer anywhere within the Punjab.

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* As amended by Punjab Government (Ministry of Agriculture) Notification No. 32-E/3022-E dated 30th October, 1936.

EXISTING RULES

*15 If a member of the service is dismissed by the Local Govt. for any misconduct in respect of which there has been Departmental inquiry under the Public Servants has been a departmental inquiry under the Public Servants (Inquiries) Act, 1860 for a conviction in a criminal court, the local Govt. may punish the reason for such dismissal if, it is a opinion that such publication is required in the public interest.

* As amended by the Punjab Government (Ministry of Agriculture) Notification No. 32-E/33/2022 -E dated 30th October, 1936.

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