

PUNJAB GOVERNMENT
WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES
DEPARTMENT

Notification

The 2nd March, 1978

No. G.S.R. 25/Const./Art. 309/78-In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Punjab is pleased to make the following rules, regulating the recruitment and the conditions of Service of the persons appointed, to the Punjab Welfare of Schedules Castes and Backward Classes Department (Class-II) Service, namely :-

1. (i) These rules may be called the Punjab Welfare of Scheduled Castes and Backward Classes Department (Class-II) Service Rules, 1978.
(ii) They shall come into force on the date of their publication in the Official Gazette.
2. (i) In these rules, unless the context otherwise requires:-
 - (a) 'Commission' means the Punjab Public Service Commission.
 - (b) 'Department' means the Punjab Welfare of Scheduled Castes and Backward Classes Department.
 - (c) 'Direct appointment' means an appointment made otherwise than by promotion or by transfer of a person already in the Service of Government of India or of a State Government.
 - (d) 'Government' means the Government of the State of Punjab in the Welfare of Scheduled Castes and Backward Classes Department.
 - (e) 'Recognized University or Institution' means :-
 - (i) any university or institution incorporated by law in any of the States of India ;
 - (ii) the Punjab Sind or Dacca University in case of a degree or diploma obtained as a result of an examination held before the 15th August, 1947, by these universities ;

OR

 - (iii) any other university or institution which is declared by the Government to be a recognized university or institution for the purposes of these rules ;
- (f) 'Service' means the Punjab Welfare of Scheduled Castes and Backward Classes Department (Class-II) Service.
3. The Service shall comprise the posts shown in Appendix 'A' these rules ;

Provided that nothing in these rules shall affect the inherent right of Government to add to or reduce the number of such posts or to create new posts with different designations and scales of pay, whether permanently or temporarily.

4. (i) No candidate shall be appointed to the Service unless he is _____
 - (a) a citizen of India, or
 - (b) a citizen of Nepal, or
 - (c) a subject of Bhutan, or

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

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

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favor a certificate of eligibility has been issued by the Government of India.

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

(iii) No person shall be recruited to any post in the Service by direct appointment, unless he produces a certificate of character from the principal academic officer of the University, College, School or Institution last attended, if any, and similar certificates from two responsible persons, not being his relatives who are well acquainted with him in his private life and are unconnected with his University, College, School or Institution.

5. No person shall be appointed to a post in the Service unless he possesses educational and other qualifications specified against such post in Appendix 'B' to these rules.

6. No person__

(a) Who has entered into or contracted a marriage with a person having a spouse living, or

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

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

7. (i) No person shall be recruited to the Service by direct appointment if he is less than 21 years or more than 35 Years of age on the last date of receiving the applications or unless he is within such range of minimum and maximum age as may be specifically fixed by the Government from time to time :

Provided that the condition of upper age limit may be relaxed up to 45 years in the case of a person already in employment of the Punjab Government or other State Government or the Government of India.

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

- (ii) In the case of Demobilized Armed Forces personnel, his age at the time of joining Military Service or training prior to the Commission, as the case may be, does not exceed the upper age limit prescribed for direct recruitment to such posts in the Service.
8. The appointments to the posts in the Service shall be made by the Government.
9. (i) All appointments to the posts in the Service shall be made in the manner indicated below :-
- (a) In the case of Deputy Director by promotion from amongst Assistant Directors and in case on suitable candidate is available, appointment may be made by Direct appointment or by transfer on deputation from other departments of the Punjab Government.
- (b) In the case of Assistant Directors promotion from amongst District Welfare Officers and Lady Welfare Officer and in the case of no suitable candidate is available appointment may be made by direct appointment or by transfer on deputation from other departments of Punjab Government.
- (c) In the case of District Welfare Officers (i) 50 percent of the posts by promotion from amongst the Tehsil Welfare Officers and (ii) 50 percent of the posts by direct appointment or by transfer on deputation from other departments of the Punjab Government. The first post shall be filled by direct appointment, the next post by promotion and all subsequent posts shall be filled in this rotation.
- (d) In the case of Lady Welfare Officer by direct appointment or by transfer on deputation from other departments.
- (ii) All appointment to the posts in the Service by promotion shall be made on the basis of merit-cum-seniority and no member of the Service shall have any right for promotion merely on the basis of seniority.
10. (i) Persons appointed to any post in the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if recruited otherwise provided that :-
- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation ;
- (b) in the case of an appointment by transfer any period of work in equivalent or higher rank, prior to appointment to the Service may, in the discretion of the appointing authority, be allowed to count towards the period of probation ; and
- (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.
- (ii) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may :-
- (a) if such person is recruited by direct appointment dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment ; and

- (b) if such person is recruited otherwise-
 - (i) revert him to his former post ; or
 - (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit.
 - (iii) On the completion of the period of probation of a person the appointing authority may, -
 - (a) if his work or conduct has, in its opinion, been satisfactory, -
 - (i) confirm such person from the date of his appointment if appointed against a permanent vacancy, or
 - (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy, or
 - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy.
 - (b) if his work or conduct has not been, in its opinion satisfactory, -
 - (i) dispense with his Services, if appointed by direct appointment or if appointed otherwise, revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit ; or
 - (ii) extend his period of probation and thereafter pass such orders as it could have passed on the expiry of the first period of probation:

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

11. The Seniority inter se of members of the Service in each cadre shall be determined by the length of continuous Service on a post in that cadre of the Service :

Provided that in the case of members recruited by direct appointment, the order of merit determined by the Commission, or other recruiting authority, as the case may be, shall not be disturbed in fixing their seniority:

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

- (a) a member recruited by direct appointment shall be senior to a member appointed otherwise ;
- (b) a member appointed by promotion shall be senior to a member appointed by transfer ;
- (c) in the case of members appointed by promotion or transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred ; and
- (d) in the case of members appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a member who was drawing a higher rate of pay in his previous appointments ; and if the rate of pay drawn are also the same, then by their length of service in those appointments ; and if

the length of service is also the same, an older member shall be senior to a younger member.

Note :- Seniority of members appointed on purely provisional basis, shall be determined as and when they are regularly appointed keeping in view the date of such regular appointment.

12. A member of the Service may be transferred by the Government to any post, whether included in any other Service or not on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Service Rules, Vol. I, Part I .

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

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

15. (1) In the matter of discipline, punishment and appeals, members of the Service shall be governed by Punjab Civil Service (punishment and appeals) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties under the Punjab Civil Service (punishment and appeals) Rules, 1970 in respect of the members of the Service shall be the Government.

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

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

18. Where the Government is of opinion that it is necessary or expedient so to do, it may be order for reasons to be recorded, in writing, relax any of the provisions of these rules except the educational qualifications and experience with respect to any class or category of persons.

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

20. The Punjab Welfare Department (Class-III) Service Rules, 1962 in so far as they relate to the posts given in Appendix 'A' to these rules are hereby repealed :

Provided that any order issued or any action taken under the rules so repealed shall be deemed to have been issued or taken under the corresponding provisions of these rules.

APPENDIX 'A'

(See Rule-3)

Sr. No.	Designation of Post	Number of Post			Scale of Post
		Permanent	Temporary	Total	
1	2	3	4	5	6
1	Deputy Director	1	-	1	Rs. 400-30-550-40-750/50-1,250
2	Assistant Director	-	3	3	Rs. 350-25-500/30-600/30-830/35-900
3	District Welfare Officer/Lady Welfare Office	10	3	13	Rs. 300-25-500/30-700

APPENDIX 'B'

(See Rule-5)

Sr. No.	Designation of the post	Academic and other Qualifications and experience	
		For departmental candidates by promotion	For direct appointment
1	2	3	4
1	Deputy Director	Minimum three years experience as Assistant Director	At least M.A. Second Division in the subjects falling under the classification of 'Social Sciences' or Sociology with at least five years experience as Social Worker especially amongst the Scheduled Castes and Backward Classes, with knowledge of Punjabi Language up to Matriculation or equivalent standard.
2	Assistant Director	Minimum five years experience as District Welfare Officer/Lady Welfare Office	(i) At least M.A. in the subjects falling under the classification of 'Social Sciences' or Sociology with at least five years experience as Social Worker especially amongst the Scheduled Castes and Backward Classes. (ii) knowledge of Punjabi Language up to Matriculation or equivalent standard.
3	District Welfare Officer/Lady Welfare Office	(i) Minimum seven years experience as Tehsil Welfare Officer (ii) Graduate of a recognized University.	(i) Graduate of a recognized University with at least 5 years especially amongst the Scheduled Castes and Backward Classes. The candidate having qualification of M.A. in the subject falling under the classification of 'Social Sciences' or Sociology and possessing technical knowledge experience in the field of Social Welfare Department's activities will be given preference. (ii) knowledge of Punjabi Language up to Matriculation or equivalent standard.

B. BALAKRISHAN,

Secretary, Labour, Welfare, Transport and

Health Department.