

SERVICE RULES OF THE PUNJAB STATE SEED CERTIFICATION AUTHORITY**1. DEFINATIONS**

1.1 These rules shall be referred to as the Punjab State Seed Certification Authority service Regulations.

1.2 These regulations shall take effect from the date, they are approved by the Governing Board.

1.3 These regulations shall apply to every employee of the Authority, wherever he may be posted except in so far as and to the extent, it is otherwise agreed upon by agreement or letter of appointment or any other statute for the time being in force.

1.4(i) "The Board " means the Governing Board of the Punjab State Seed Certification Authority.

1.4(ii) "Chairman" means the Chairman of the Governing Board of the Punjab State Seed Certification Authority.

1.4(iii) "Authority" means the Punjab State Seed Certification Authority.

1.4(iv) "Director" means the Director of the Punjab State Seed certification Authority.

1.4(v) "Member Secretary" means the Member Secretary of the Governing Board of the Punjab State Seed Certification Authority.

1.4(vi) "Direct appointment" means an appointment made otherwise than by promotion or transfer or by deputation from the State Government or any other Corporation.

1.4(vii) "Duty" means the period of service which counts for pay leave and other emoluments but does not include any period of suspension extraordinary leave without pay.

1.4(viii) "Employee" means a person employed on any post in any category under the Authority but does not include a casual worker or a daily -wage worker or apprentice or a person appointed on adhoc or provisional basis.

1.4(ix) "Government" means the Punjab State Government.

1.4(x) "Honorarium" means the recurring or non-recurring payment granted to any person from the funds of the authority as remuneration for special work.

1.4(xi) "Regular Employee" means an employee appointed on regular basis against a regular post by the competent authority.

1.4(xii) "Temporary Employee" means an employee appointed for a limited period of work which is essentially of temporary nature or appointed against a temporary post or vacancy for a specific or unspecific period by the competent authority.

1.4(xiii) "Appointing Authority" means the authority empowered by the Board to make appointment.

1.4(xiv) "Family" means an a employee's wife or husband , as the case may be, who is residing with the employee and legitimate children and step children residing with and wholly dependent upon the employee, including dependent parents.

POSTS UNDER THE AUTHORITY

2. The service shall comprise of the posts shown in Appendix 1 to these regulations.

2.1 Provided further that nothing in these regulations shall effect the inherent right of the authority to make additions to or deductions in the number and/or character of posts in the service whether permanently or temporarily.

2.2 The Board shall have the right to declare a temporary post as regular.

2.3 No person shall be appointed on any post under the Authority unless he is:-

- i) a citizen of India ; or
- ii) a subject of Sikkim ; or
- iii) a subject of Nepal ; or
- iv) a subject of Bhutan; or
- v) a Tibetan refugee who came to India before 1st January , 1962 with the intention of permanently settling in India ; or
- vi) a Person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India.

Provided that a candidate belonging to category (ii) , (iii) , (v) and (vi) shall be person in whose favour a certificate of eligibility will be issued for a period of one year after which such candidate will be retained in service subject to his having acquired Indian citizenship.

3. RECRUITMENT AND RETRENCHMENT

3.1 Recruitment to the various posts under the Authority shall be made by any one more of the following methods.

3.1(i) By direct appointment.

3.1(ii)(i) By deputation from Punjab Government on standardized terms of deputation as approved by the State Government.

(ii) By deputation from any other organisation of such terms and conditions, as are normally agreed by the lending and borrowing institution.

(iii) Absorption into service of employees taken on deputation.

3.1(iii) By Promotion of existing Personnel's or by transfer from one post to another.

3.1(iv) Appointment to all Posts under the Authority shall be made by the Director or the Selection Committee authorized by the Governing Board.

3.1(v) The Governing Board shall Prescribe the pay scales, qualification, experience and other requirements for the various posts under the Authority.

3.1(vi) No person shall be recruited to the service by direct appointment, if he is less than 18 years and more than 35 years of age on the date of appointment, provided that the appointing authority may in special circumstances to be recorded in writing relax the age limit . provided further that in the case of candidates belonging to scheduled castes, scheduled tribes, backward classes, the upper age limit shall be relaxable by 5 years.

3.1.(vii) No person who has been dismissed from any public undertaking/Government Department/ Semi-Government Organisation shall be re-employed except with the express approval of the Governing Board.

- 3.1(viii) Direct appointment of every person to any post under the Authority shall be subject to production by such person of a medical certificate of fitness from a doctor in a Government/Municipal Hospital or the Authorized Medical Attendant of the Authority .
- 3.1(ix) All appointments shall, in the first instance, except as the appointing authority may stipulate in any particular case, be on probation in respect of regular posts and on temporary basis in respect of temporary posts .
- 3.1(x) The period of probation shall be one year subject to extension for another six months, on the discretion of the appointing authority, in case the work of the probationer is not found to be satisfactory by the appointing authority during the first one year.
- 3.2 TERMINATION OF SERVICES
- The services of an employee of the Authority may be terminated by the appointing authority.
- 3.2(i) In the case of employees appointed on adhoc basis, their services could be terminated without any notice.
- 3.2(ii) In the case of a regular employee, by giving one month's notice on either side or in lieu thereof pay for the period by which the notice falls short of one month .
- 3.2(iii) The appointing authority may at its discretion waive off the requirement of notice from the employee.
- Provided further that an employee on deputation from the Government or any other corporation may be reverted to his parent Department by the appointing authority at any time.
- 3.3 RECORD OF SERVICE
- The following record of service of every employee shall be maintained by the Authority.
- a) Personal file;
 - b) Service Book;
 - c) Confidential Report File
 - d) Accountability Record
- File at (a) and (b) and (d) shall be maintained by the office and the file at (c) shall remain in the personal custody of an officer authorized by the Director.
4. SENIORITY AND PROMOTION
- The seniority of the members of the service shall be maintained at the level of the appointing authority.
- 4.1 Seniority inter se of the employee shall be determined from rank to rank by the length of continuous service on the post in the service on regular basis and extent of accountability. Provided that in the case of employees appointed by direct recruitment , the order of merit determined by the selection Committee shall not be disturbed in fixing the seniority.
- Provided further that in the case of two or more employees appointed by different modes on the same date, their seniority shall be determined as follows:-
- a) An employee recruited by promotion from the service of the Authority shall be senior to the person recruited otherwise. provided, further, that in the case of promotion of two or more persons, their inter se seniority shall be determined according to their seniority in the cadre or posts from which they have been promoted.

4.1(i) A person on deputation shall be senior to a person recruited by direct appointment, if he opts the service of the Authority on the same date provided that in the case of two or more persons on deputation, their inter se seniority shall be determined, according to their seniority in their parent service or cadre. In the case of existing staff on deputation who have opted or likely to opt for absorption, their inter se seniority shall be same as in their parent department/organization.

4.2 PROMOTION

All promotions to posts under the Authority shall be made on the basis of merit-cum-seniority-cum- accountability record and no person shall have a right to be promoted to any post on the basis of seniority alone.

5. SUPERANUATION AND RETIREMENT

Every employee of the Authority shall retire on attaining the age of fifty eight years. Individual cases and re-employment/extension beyond 58 years, may, however, be considered by the Governing Board on the basis of instructions / rules prevailing on the State Government side.

6. GENERAL&CONDUCT REGULATIONS

6.1 Every employee of the Authority shall at all times:-

- i) maintain absolute integrity;
- ii) maintain devotion to duty; and
- iii) do nothing which is unbecoming of an Authority employee ; &
- iv) not reveal any information to unauthorised person regarding the affairs of the Authority.

6.2 The whole time of an employee shall be at the disposal of the Authority. The working hours shall be as fixed by the Director, Punjab State Seed Certification Authority, from time to time.

6.3 No employee shall directly or indirectly be engaged in any other business, occupation or employment nor shall he enter into any partnership or other business relationship, accept any fees, endowment or commission whatsoever, from any party other than the Authority except with the prior permission of the competent authority.

6.4 Every employee shall be liable to be transferred by the Director from one post to another or to any place which it may consider necessary in the interest of the Authority. Normally such transfers shall take place in the beginning of the academic year.

6.5 No employee of the Authority shall take part in politics or in any political demonstration or stand for election as a member of any house of the State legislature or parliament or of any local Authority or indulge in activities that may cause embarrassment to the Authority.

6.6 Subscriptions

NO employee of the Authority shall, except with the previous sanction of the competent authority or of the prescribed authority, ask for or accept contributions to or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any object whatsoever.

6.7 Gifts

Save as otherwise provided in these rules, no employee of the Authority shall accept or permit any member of his family or any other person acting on his behalf to accept any gift.

6.8 Investment, lending and borrowing-no employee of the Authority shall speculate in any stock, share or other investment.

6.9 Insolvency and habitual indebtedness - An employee of the Authority shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An Authority's employee against whom any legal proceeding are instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the Authority.

6.10 Canvassing of non-official or other influence -no employee of the Authority shall bring or attempt to bring any political or any other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Authority.

6.11 Consumption of intoxicating drinks and drugs-

An Authority's employee shall:-

- a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duty at any time is not affected in any way by the influence of such drink or drug; and
- bb) refrain from consuming any intoxicating drink or drug in a public place;
- c) Not appear in a public place in a state of intoxication .

6.12 The Authority shall , in respect of all acts done in good faith and in the interests of the Authority , extend protection to its employees in courts of law or elsewhere.

6.13 Criticism of Government / Authority

NO employee of the Authority shall, in any radio broadcast or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance make any statement of fact or opinion.

- (i) which has the effect of any adverse criticism of any current policy or action of the Government of India , Government of Punjab or any other State Government / Authority.
- (ii) which is capable of embarrassment , the relations between the Government of Punjab and the Government of India or the Government of any other State in India / Authority or
- (iii) which is capable of embarrassment the relations between the Government of India or the Government of Punjab and the Govt. of any foreign State;

Provided that nothing in this rule shall apply to any statements made or views expressed by an Authority's employee in his official capacity or in the due performance of the duties assigned to him.

7. PAY & ALLOWANCES

- 7.1 "pay" means the monthly pay drawn as fixed pay or in a time scale and includes 'personal' , 'special' dearness and deputation pay but does not include any allowance.
- 7.2 "personal pay" means an addition which may be granted to an employee by the appointing authority, in exceptional circumstances or other personal consideration.
- 7.3 "special pay" means additional pay granted in consideration of a especially arduous nature of duties or a specific addition to the work or responsibility.
- 7.4 "Award" means a fixed amount awarded in recognition of meritorious work performed by an employee.
- 7.5 "Allowance" includes dearness allowance, house rent allowance , travelling allowance conveyance allowance , city compensatory , sumptuary , and overtime allowance or any other allowance sanctioned by the Governing Board from time to time.
- 7.6 An employee of the Authority shall on appointment be eligible to the minimum of the scale of the post to which he is appointed; provided that the appointing authority, may, in consideration of the special knowledge, training, experience or expertise allow a higher initial start to any person.
- 7.7 The appointment authority may in recognition of exceptionally good services of an employee of the Authority grant to him -
- a) An award not exceeding one half of the scale of his pay.of such employee:-
 - b) one or two increments in the time scale of his pay . Provided further that the Board may award any amount of money or grant any number of increments.
- If an employee is promoted from a post of a lower category to a post of higher category, his initial pay in the higher post shall be fixed at the stage in the new pay scale next above the stage which works out in the pay scale of the lower post from which he is promoted after adding the amount of one increment to the pay he was actually drawing at the time of promotion.
- 7.8 Government servant or servants from other Corporations on deputation with the Authority shall be governed according to the terms and conditions of their deputation settled with the Government / Corporation.
- 7.9 An increment in a time scale may be drawn as a matter of course by an employee unless it is withheld or deferred by the appointing authority on the ground of suspension , grant of extraordinary leave without pay or punishment.
- 7.10 The increment shall be allowed from the 1st day of the month in which the increment is due.
- 7.11 Specific sanction of the appointing authority shall be required to cross an efficiency bar in any time scale.
- 7.12 Special pay at a rate not exceeding ten percent of basic pay, to be determined by the appointing authority, may be allowed to a person holding charge of an independent post in addition to his own duties, for a period exceeding one month.
- 7.13 when a person in a lower scale of pay is appointed to officiate in a higher

scale of pay, he will draw the minimum of the higher scale or if the pay he is already drawing is more than the minimum of the new scale, it shall be fixed in the new scale at the stage next above his basic pay in the lower scale.

- 7.14 Employees of the Authority shall receive such allowances as may be sanctioned by the Punjab Government from time to time to their employees except where the Governing Board decide to allow other allowances or allowances at higher rates.
- 7.15 Any sum of money or pay or allowance due to an employee of the Authority that may have remained unclaimed may be transferred to and held in the suspense account for a period of three years from the date on which the payment is normally due and will thereafter be treated as lapsed to the Authority.

8 PENALTIES

- 8.1 The employees of the Authority may be awarded any one or more of the following penalties:-
- i) censure;
 - ii) Withholding of increment or increments;
 - iii) reduction to a lower time scale;
 - iv) recovery from pay of loss caused to the Authority.
 - v) removal or dismissal from service.
- 8.2 "The penalties provided in rule 8.1 may be imposed by an order in writing of the Director after holding himself or by an inquiry officer to be appointed by him for the purpose a domestic inquiry based on natural justice. an appeal against the order of the Director shall lie to the Chairman, provided it is preferred within 45 days of the communication of orders by the Director."
- 8.3.1 Any employee in the employment of the Authority against whom there are serious charges pending, may be placed under suspension by order in writing of the appointing authority.
- 8.3.2 During the period of suspension such person shall be entitled to receive subsistence allowance equal to one half of his basic pay plus allowance there on .
- Provided that:-
- i) the difference of his pay and subsistence allowance may be given to such a person on his reinstatement if the appointing authority so directs, and
 - ii) the subsistence allowance already paid to the employee shall be refundable in case such a person is ultimately removed/dismissed from the service.
- 8.4 the penalties enumerated in 8.1 above may be imposed on any one or more of the following grounds-
- a) strike or inducing others to strike;
 - b) wilful insubordination or disobedience;
 - c) negligence, inefficiency or indolence;
 - d) irregular attendance;

- e) unauthorised divulgence of any information or documents detrimental to the interests or reputation of the Authority.
- f) theft, pilferage, fraud, dishonesty, mis-appropriation, defalcation or embezzlement;
- g) absence from duty without leave or over -staying leave , except under circumstances beyond control , provided that the appointing authority may order such period to be treated as spent on leave of any kind available to the employee.
- h) arrest or conviction on a criminal charge or for an offence involving moral turpitude or depravity degradation of character
- i) insanity
- (j) anti-national activities ; or
- (k) any other sufficient ground.
- (l) Taking , giving or offering bribes or any other illegal gratification, whatsoever.
- (m) wilful and deliberate slowing down of work and inciting others to slow down.
- (n) wilful tempering with any official record.
- (o) Threatening, intimidating, abusing or assaulting any superior officer.
- (p) Habitual late attendance or duty.
- (q) Gambling while on duty.
- (r) Writing of anonymous letter criticising superiors.
- (s) Taking employment elsewhere while in service.

8.5 An appeal against an order of the appointing authority imposing penalty or suspension shall lie to the Appellate authority within 45 days of the date of service of such order on the employee and the Appellate authority's decision on such appeal shall be final ; provided that a joint appeal shall not be entertained , provided further that where as penalty has been imposed or suspension order passed by the appointing authority with the approval of the appellate authority, the person on whom the penalty has been imposed may apply to the Appellate authority for a review of its decision within two months of the date of service of such order.

Explanation

Appellate authority means the higher authority next to the appointing authority.

9.

DELEGATIONS

The Board may by resolution confer upon the chairman, the director or any other officer of the Authority all or any of its powers under these service regulations. The Director, may confer or any officer of the authority all or any of his powers including power delegated to him by the Governing Board . Delegated powers shall be exercised subject to such restrictions , conditions and limitations as may be prescribed in the resolution or authorisation by the Governing Board, or the Director, as the case may be.

10.

AMENDMENT

The Authority reserves the right to modify , cancel or amend all or any of these regulations and issue supplementary rules or

amendments there to without previous notice and give effect to them from the date of issue or any other date . matters not covered by these regulations would be decided by the Directors, at his discretion , keeping in view the rules applicable to State Government employees.

11. LEAVE RULES

11.1 TITLES

These rules may be referred to as the Punjab State Seed Certification Authority, leave Rules .

11.2 SCOPE OF APPLICATION

These rules shall be applicable to all employees of the authority except those on deputation

12. Type of Leave

All employees of the Authority , except those on deputation , will be entitled to the following kinds of leave . The deputationist , who are finally observed in PSSCA will be given the benefit of past service to determine their entitlement to leave .

12.1 The employees of the Punjab State Seed Certification Authority shall be allowed 12 days casual leave in a calander year. The official on deputation will be entitled to casual leave as admissible to them in their parent Department.

12.2 Half Pay Average Leave

- a) An employee may be allowed half- pay leave at the rate of twenty days for each completed year of service.
- b) The half- pay leave due may be granted on medical certificate or on private affairs;
- c) Commuted leave not exceeding half the amount of half-pay, leave due may be granted to an employee on medical certificate only subject to the following conditions:-
 - i) commuted leave during the entire service shall be limited to a maximum of 240 days.
 - ii) when commuted leave is granted twice the amount of such leave shall be debited against the half- pay leave due;
 - iii) The total duration of Earned leave and commuted leave taken in conjunction shall not exceed 240 days.

Provided that no commuted leave may be granted under this rule unless the authority competent to sanction leave has reasons to believe that the employee will return to duty on the expiry of leave.

12.3 Earned Leave

The employees of the Punjab State Seed Certification Authority shall be entitled to Earned leave in a year as under:-

- | | |
|------------------------------|--------|
| 1) First 10 Years of Service | = 1/24 |
| 2) After 10 years of Service | =1/18 |
| 3) After 20 years of service | =1/12 |

Accummulation of Earned leave shall be permissible to any extent but the maximum Earned leave that may be allowed at a time may be

restricted to 120 days, an employee proceeding on leave may be paid, on his written request of, course, at the discretion of the sanctioning authority, his salary in advance for each completed calendar month. if any employee is discharged or dismissed or retires from service or leaves service, he shall be entitled to pay in lieu of his unavailed leave at his credit at that time subject to a maximum of 6 months.

12.4 STUDY LEAVE

Study leave may be granted to an employee for the purpose of undertaking studies of scientific, technical or similar nature or to undergo special course of instruction or training in or outside.

India on such terms and conditions as may be fixed by the Governing Board.

12.5 The female employee shall be granted maternity leave on full pay for a period not exceeding three months. 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 extend more than six weeks from the date of confinement. this leave may be extended to six months on medical grounds.

13. AUTHORITY TO SANCTION LEAVE

leave of all kinds will be sanctioned either by the Director or by any officer of the Authority so authorised by him to the extent of such authority.

14. General

Every application for any kind of leave under the above Rules must be made in writing for obtaining the prior permission of the sanctioning authority.

14.1 The sanctioning authority will issue orders on such applications in writing indication whether such leave has been granted, refused or modified in duration or timing.

14.2 If an employee while on leave desired an extension thereof, he must make an application to that effect in writing to the sanctioning authority, sufficiently in advance to enable him to consider such application and pass necessary orders to be communicated to the applicant before the expiry of the leave originally sanctioned. No leave or extension of leave can be deemed to have been granted unless an order to that effect has been passed and communicated to the employee concerned.

14.3 If an employee remains absent beyond the period of leave originally granted or subsequently extended, he loses his lien of his post unless he returns to duty within a reasonable short period and gives explanation of his overstay to the satisfaction of the Authority.

14.4 Where exigencies of service so require, discretion to refuse, curtail or revoke leave of any description is reserved to the sanctioning authority and the employee already on leave may, therefore be recalled to resume duty by that authority.

15. PUBLIC HOLIDAYS

The Authority will observe public holidays as observed by the officers of the Punjab Government, provided that the Regional Offices will not observe Saturdays (excepting second Saturday) as a holiday. Provided further

that the Director or any other officer authorized by him in this behalf, may require any employee or class of employees to attend to their duties on public holidays also. The working hours for Regional offices shall, however, be from 10.00 A.M to 5.00 P.M with half an hour's lunch break from 1.30 p.m to 2.00 p.m

16 AMENDMENT OF RULES

The Authority reserves the right to modify/cancel or amend all or any of these rules and issue supplementary rules or amendments there to. The Authority also reserves the right to give effect to the modifications/ cancellations or amendments of the rules and/ or supplementary rules from the date of issue or from any other period.

17 INTERPRETATION OF RULES

The Authority reserves the power to interpret these rules and/or the supplementary rules. The decision of the Authority shall be final.

18. JOINING TIME IN CASE OF TRANSFERS

Joining time may be granted to an employee to enable him:

- a) to join a new post at a new station on relinquishing charge of his old post;
- b) to join a new post in a new station on return from leave.

19. DURATION OF JOINING TIME

The duration of joining time admissible to an employee shall be calculated as follows:-

i) for preparation six days

ii) for the portion of journey

which he travels or might travel :-

a) By Railway one day for each
500 kms.

b) By motor-lorry or horse
drawn conveyance for the public 150 kms.

c) By any other means 25kms.

- NOTE
- i) A day is allowed for any fractional portion of an distance prescribed in the rules;
 - ii) Travel by road not exceeding 8 kms . to or from a railway station at the beginning or end of a journey does not count for joining time.

A Sunday does not as a day for the purpose of the calculation of the duration of joining time. When holiday(s) follow (s) joining time, the normal joining time may be deemed to have been extended to cover such holiday (s).

The authority sanctioning the transfer may in special circumstances reduce the period of joining time admissible under rules referred to above, where the transfers have been made at their own request, no joining time will be allowed except the joining day.

If an employee takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post, must be included in the leave. On the expiry of the leave the employee may be allowed normal joining time.

20. PAY DURING JOINING TIME

An employee on joining time shall be regarded as on duty and shall be entitled to be paid at the rate of the pay which he would have drawn if he had continued on duty in the old post, or the pay which he will draw on taking over charge of the new post, whichever is less.

21. LEAVE TRAVEL CONCESSION RULES

All employees of the Authority, on completion of one year's service in the Authority, shall be entitled to the following leave travel concessions-

- i) Reimbursement of the actual fare, to and fro by Rail/Bus of the class entitled under the Travelling Allowance Rules for self, wife/husband, dependent children and dependent parents once in two years for visiting the permanent place of residence in India/home town to be declared by the employee or any other place in India. Any change in home town may be permitted once in three years.

22. Gratuity Rules

Every employee of the Authority, irrespective of the post held and pay drawn by him, shall be entitled to payment of gratuity under the payment of Gratuity Act, 1972 and any amendment or re-enactment thereof for the time being in force.

23. Advance for Purchase of conveyance

All employees of the Authority shall be entitled to grant of advance for purchase of conveyance as per rules applicable to the Government employees subject to the availability of funds.

The rate of interest shall be the same as charged by the Government from its employees.