


PUNJAB STATE SEEDS CORPORATION LTD.



STAFF REGULATIONS

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The Board of Directors of the Punjab State Seeds Corporation Limited hereby make the following bye-laws to regulate the recruitment and conditions of service of persons appointed to various posts of officers and other employees under the corporation namely :-


Punjab State Seeds Corporation Limited
STAFF REGULATION





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RECRUITMENT

1. DEFINITIONS :

- 1.1 These rules shall be referred to as the Punjab State Seeds Corporation Limited Staff Regulations.
- 1.2 These regulations shall take retrospective effect i.e. from the date of incorporation of the company, provided that the cases of the employees who have resigned from the Corporation shall not be re-opened for the purpose of any benefits under these regulations.
- 1.3 These regulations shall apply to every employee of the corporation, wherever he may be posted, except in so far 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.
- 1.4.1 "The Board" means the Board of Directors of Punjab State Seeds Corporation Limited and shall include any committees thereof constituted for the purpose.
- 1.4.2 "Chairman" means the Chairman of the Board.
- 1.4.3 "The Corporation" means the Punjab State Seeds Corporation Limited acting through the Board, the Chairman, the Managing Director or any other duly authorised officer of the Corporation.
- 1.4.4 "Direct appointment" means an appointment made otherwise than by promotions or transfer of a person already in the service of the Corporation or made by taking a person on deputation from the State Government or any other Corporation.
- 1.4.5 "Duty" means the period of service which counts for pay, leave and other emoluments but does not include any period of suspension or extra ordinary leave without pay.
- 1.4.6 "Employee" means a person employed on any post in any category under the Corporation but does not include a casual worker or a daily wage worker or apprentice or a person appointed on adhoc or provisional basis.
- 1.4.7 "Government" means the Punjab State Government.
- 1.4.8 "Head of Office" means the Secretary in the Head Office and the Regional Manager in the Regional Office.

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- 1.4.9 "Honorarium" means the recurring or non-recurring payment granted to any person from the funds of the Corporation.
- 1.4.10 "Managing Director" means the officer appointed by the Government to be the Managing Director of the Corporation.
- 1.4.11 "Regular employee" means an employee appointed on regular basis against a regular post by the competent authority.
- 1.4.12 "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.
- 1.4.13 "Appointing Authority" means the authority empowered by the Board/Managing Director to make appointment.

2. POSTS UNDER THE CORPORATION

- 2.1 For the purpose of these staff regulations, the posts under the Corporation shall be classified under the following two categories namely :-
- i) Officers means the employees who are in the pay scale of Rs. 2000-3500/- and above.
 - ii) Other employees means the employees whose pay scale is lower than Rs. 2000-3500.
- 2.2 There shall be regular & temporary posts under the Corporation.
- 2.3 The Board shall have the right to declare a temporary post as regular.
- 2.4 No person shall be appointed on any post under the Corporation 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.
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Provided that a candidate belonging to category (ii), (iii), (iv), (v) and (vi) a person in whose favour a certificate of eligibility has been given by the authority and if he belong to category (vi) the certificate of eligibility will be valid 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 Corporation shall be made by one or more of the following methods :-

3.1.1 By direct appointment

3.1.2 By deputation from Government or any other Corporation with deputation on usual terms of deputation as may be issued by the Government from time to time.

3.1.3 By promotion of existing personnel or by transfer from one post to another.

3.1.4 Appointment to all posts under the Corporation shall be made by the Managing Director or the officer authorised by him.

3.1.5 The Board shall prescribe the pay scales, qualifications, experience and requirements for the various posts under the Corporation.

3.1.6 The age of a person, at the time of direct recruitment to a post under the Corporation shall not normally exceed 35 years.

Provided that the appointing authority may in specific cases relax this condition having regard to the post, qualifications and experience of a candidate.

3.1.7 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 Board.

3.1.8 Direct appointment of every person to any post under the Corporation shall be subject to production by such person of a medical certificate of fitness from a doctor in a Government/ Municipal Hospital or the Medical Attendant of the Corporation.

3.1.9 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.

The period of probation shall be one year subject to extension for another six months, in 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.

If, at the expiration of the period of probation the work of a probationer is found to be satisfactory, the appointing authority shall confirm him from the date of his appointment to that post.

TERMINATION OF SERVICE

The services of an employee of the Corporation may be terminated by the appointing authority.

In case of a regular/ temporary employee, by giving three months notice on either side or in lieu thereof pay for the period by which the notice falls short of three months.

In the case of an employee on deputation from the Government or any other Corporation, by reverting him to his parent Department.

In case of an employee on probation without any notice organising any reasons.

The appointing authority may at its discretion waive the requirement of notice from the employee.

RECORD OF SERVICE

The following record of service of every employee shall be maintained by the Corporation :-

- a) Personal File ;
- b) Service Book ;
- c) C. R. File

Files at (a) & (b) shall be maintained by the office and the file at (c) shall remain in the personal custody of an officer authorised by Managing Director.

SENIORITY & PROMOTION

Seniority interse of the employee shall be determined from rank to rank by the length of continuous service in that rank in the service on regular basis. 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 Corporation shall be senior to the person recruited otherwise. Provided, however, that in the case of promotion of two or more persons, their interse seniority shall be determined according to their seniority in the cadre or posts from which they have been promoted.

4.1.1 A person on deputation shall be senior to a person recruited by direct appointment if he opts the service of the Corporation on the same date provided that in the case of two or more persons on deputation, their interse 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 interse seniority shall be same as in their parent department/ organization.

4.1.2 In the case of persons recruited by direct appointment on the same date and having obtained equal marks in the selection, the older in age shall rank senior to the other.

4.1.3 In any other case, the person in the higher scale of pay shall be considered senior to a person in the lower scale of pay and where the scales of pay are identical, a person drawing higher salary shall be senior to a person drawing a lower salary.

4.2 PROMOTION

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

5. SUPERANNUATION AND RETIREMENT

Every employee of the Corporation shall retire on attaining the age of fifty eight years. *Except class II employees as decided in Band.*

6. GENERAL & CONDUCT REGULATIONS

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

i) maintain absolute integrity ;

ii) maintain devotion to duty ; and

iii) do nothing which is unbecoming of a Corporation employee ; and

iv) Not reveal any information to unauthorised person regarding the affairs of the Corporation.

6.2 The whole time of an employee shall be at the disposal of the Corporation. The working hours shall be the same as observed by the Punjab Government Offices from time to time except in the case of Factories/ Sale Counters where the working hours shall be governed in accordance with the provisions of the Factories Act, 1948/Shops and Commercial Establishment Act respectively.

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

6.4 Every employee shall be liable to be transferred by the competent authority from one post to another or to any place which it may consider necessary in the interest of the Corporation.

6.5 No employee of the Corporation shall take part in politics or in any political demonstration or stand for election as member of any house of the State Legislature or Parliament or of any local authority or indulge in activities that may cause embarasment to the Corporation.

6.6 **SUBSCRIPTION :**

No employee of the Corporation 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 what so ever.

6.7 **Gift :**

Save as otherwise provided in these rules, no employee of the Corporation 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 employees of the Corporation shall speculate in any stock, share or other investment.

Insolvency and habitual indebtedness

An employee of the Corporation shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Corporation employee against whom any legal proceedings 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 proceedings to the Corporation.

Convassing of non-official or other influence

No employee of the Corporation shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Corporation.

Restriction regarding marriage

- 1) No employee of the Corporation shall enter into or contract, a marriage with a person having a spouse living ; and
- 2) No employee of the Corporation having a spouse living shall enter into or contract, marriage with any person;

Provided that Corporation may permit a Corporation employee to enter into, or contract, any such marriage as is referred to in clause

- 1) or clause 2) if it is satisfied that --
 - a) such marriage is permissible under the personal law applicable to such employee of the Corporation and the other party to the marriage ; and
 - b) there are other grounds for so doing.
- 3) A corporation employee who has married or marries a person other than that of Indian Nationality shall forthwith intimate the fact to the Corporation.

CONSUMPTION OF INTOXICATING drinks & drugs :-

A Corporation 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
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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

- c) refrain from consuming any intoxicating drink or drug in a public place ;
- d) not appear in a public place in a state of intoxication.

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

CRITICISM OF GOVERNMENT/ CORPORATION

No employee of the Corporation 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 correct recent policy or action of the Government of India, Government of Punjab or any other State Government/ Corporation.
- ii) which is capable of embarrassing the relations between the Government of Punjab and the Government of India or the Government of any other State in India/ Corporation ; or
- iii) which is capable of embarrassing the relations between the Govt. of India or the Government of Punjab and the Government of any foreign State ;

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

PAY & ALLOWANCES

"Pay" means the monthly pay drawn as fixed pay or in a time scale and included 'personal' 'special' dearness and deputation pay but does not include any allowance.

"Personal Pay" means an addition which may be granted to an employee by the appointing authority, in exceptional circumstances or other personal consideration.

"Special Pay" means additional pay granted in consideration of a specially arduous nature of duties or a specific addition to the work or responsibility.

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- 7.4 "Award" means a fixed amount awarded in recognition of meritorious work performed by an employee of the Corporation.
- 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 Board from time to time.
- 7.6 An employee of the Corporation 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 Deleted
- 7.8 Government servant or servants from others Corporations on deputation with the Corporation shall be governed according to the terms and conditions of their deputation with the Corporation.
- 7.9 An increment in a time scale may be drawn as a matter of course by an employee of the Corporation unless it is withheld or deferred by the appointing authority on the ground of suspension, grant of extra-ordinary leave without pay or punishment. Service in a higher scale of pay shall count for increment both in the substantive scale of pay and in the higher scale of pay.
- 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 Deleted.
- 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 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 corporation shall receive such allowances as may be sanctioned by the Punjab Government from time to time to their employees except where the 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 Corporation that may have remained unclaimed may be transferred to and held in the suspense
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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 Corporation.

8. **PENALTIES**

8.1 An officer or other employee of the Corporation may be awarded any one or more of the following penalties :-

MINOR Penalties :

- i) Censure ;
- ii) Withholding of promotion ;
- iii) Recovery from pay of the whole or part of any pecuniary loss caused to the Corporation by negligence or breach of orders ;
- iv) Withholding of increments of pay.

MAJOR Penalties :

- v) reduction to lower stage in the time scale of pay for a specified period, with further directions as to whether or not the Corporation employees will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay.
 - vi) reduction to lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Corporation employee to the time scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the Corporation employee was reduced and his seniority and pay on such restoration to that grade, post or service.
 - vii) Compulsory retirement ;
 - viii) removal from service which shall not be a dis-qualification for future employment.
 - ix) dismissal from service which shall ordinarily be a dis-qualification for future employment.
- 8.2 The Appointing Authority may impose any of the penalties specified in Clause (i) to (iv) of Rule 8.1 without holding domestic enquiry, In case of penalties specified
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in Clause (v) to (iv) of Rule 8.1 the penalty shall be imposed on the employee only after holding a proper domestic enquiry in accordance with the principles of natural justice. Provided that the penalty of reduction to a lower time scale, removal or dismissal of any officer shall be imposed only by the Board of Director.


8.3.1 Any employee in the employment of the Corporation 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 allowances 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 not be refundable to the Corporation 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 document detrimental to the interests or reputation of the Corporation ;
 - f) theft, pilferage, fraud, dishonesty, misappropriation, 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 ;
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- i) insanity ;
 - j) anti-national activities ; or
 - k) any other sufficient ground.

8.5 An appeal against an order of appointing authority imposing penalty shall lie to the Appellate Authority within two months 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 whereas penalty has been imposed 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 Managing Director or any other Officers, of the Corporation all or any of its powers under these Service Regulation. The Managing Director, may with the approval of the Board, in writing confer on any officer of the Corporation all or any of his powers including powers delegated to him by the Board. Delegated powers shall be exercised subject to such restrictions, conditions and limitations as may be prescribed in the resolution or authorisation by the Board, or the Managing Director, as the case may be.

10. **AMENDMENT**

The Corporation 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 Managing Director, at his discretion, keeping in view the rules applicable to State Govt. employees.

11. **LEAVE RULES**

11.1 *Titles* : These rules may be referred to as the Punjab State Seeds Corporation Limited, Leave Rules.

11.2 SCOPE OF APPLICATION

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

12. TYPES OF LEAVE

All employees of the Corporation, except those on deputation, will be entitled to the following kinds of leave.

12.1) CASUAL LEAVE

- i) The women employees of the Corporation should be entitled to 20 days Casual Leave as recommended by the Punjab Pay Commission.
- ii) "Twelve days casual leave in one calendar year (of service) shall be admissible to all employees".

BE AND ARE HEREBY SUBSTITUTED WITH THE FOLLOWING :-

- iii) "Casual leave shall be allowed to the employees of the Corporation as per Punjab Government Rules".

Casual leave shall not be asked or allowed for more than ten days at a time.

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.

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- iv) Commuted leave shall be granted if it is applied for minimum of 30 days at a time on medical grounds with the support of Medical Certificate.

12.3 EARNED LEAVE

Item No. 148.05

"RESOLVED THAT approval of the Board be and is hereby accorded to amend accumulation of earned leave maximum to the extend of 450 days with immediate effect to the employees of the Corporation on Punjab Government pattern."

- a) Deleted.
- b) An employee proceeding on leave may be paid, on his written request, in the discretion of the sanctioning authority, his salary in advance for each completed calendar month if his leave extends beyond such calendar month.
- c) If any employee is discharged or dismissed from service or leave service, he shall be entitled to pay in lieu of unavailed leave at his credit at that time or the same may be adjusted against the notice period in case of resignation.

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 under go special course of instruction or training in or outside India on such terms and conditions as may be fixed by the Board.

12.5 MATERNITY LEAVE

The female employees shall be granted maternity leave as per Maternity Benefit Act, 1961.

13. AUTHORITY

Leave of all kinds will be sanctioned either by the Managing Director or by any officer of the Corporation 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 indicating whether such leave has been granted, refused or modified in duration or timing.
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14.2 If an employee while on leave desires 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 on his post unless he returns to duty within a reasonable short period and gives explanation of his overstay to the satisfaction of the Corporation.

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 Corporation will observe public holiday as observed by the office of the Punjab Government except in the case of Factories/Sale Counters where the provisions of the Factories Act/Shops and Commercial Establishment Act respectively shall be applicable.

16. **AMENDMENT OF RULES**

The Corporation reserves the right to modify/cancel or amend all or any of these rules and leave supplementary rules or amendments there to. The Corporation 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 Corporation reserves the power to interpret these rules and/or the supplementary rules. The decision of the Corporation 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.

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 hire | 150 Kms. |
| c) By any other means | 25 Kms. |

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

A Sunday does not count as a day for the purpose of the calculation of the duration of joining time. 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, much be included in the leave, On the expiry of the leave the employee may be allowed normal joining time if due under rule 18 (b).

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.

LEAVE TRAVEL CONCESSION RULES

Employees of the Corporation be and are hereby allowed the LTC on the pattern of Punjab Government as made available to them vide letter on 6/10/88-6GE/3299 dt. 9/3/1989 and subsequent instructions issued from time to time. This concession

would be available from the date of the meeting of the Board of Directors (87th BOD meeting held on 27.9.94.)

22. **GRATUITY RULES**

Every employee of the Corporation, 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 Corporation shall be entitled to grant of advance for the purchase of conveyance as per rules applicable to the Government employees.

24. **RULES FOR HOUSE BUILDING ADVANCE**

All employees of the Corporation shall be entitled to grant of house building loan as per rules given below :-

GENERAL

In these rules :-

- i) Corporation means Punjab State Seeds Corporation Limited.
- ii) Employee means direct recruitment of the Corporation.


24.1 Following types of advance shall be admissible to the regular employees of the Corporation.

Advance for :-

- i) the construction of a house ;
- ii) the purchase of a house ;
- iii) repairs to a house; and
- iv) the purchase of residential plot ;

Provided :-

- i) They furnish adequate surety of regular employee/Government Servants any other person to the satisfaction of the Managing Director in addition to mortgaging their house/ land to the Corporation ; and

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- ii) It is certified by the Managing Director that the concerned employee is likely to continue in service for a sufficiently long period to enable full recovery of the advance together with interest accrued being effected before termination of his service.
- 24.2 The last pay certificate granted to an employee under transfer must specify the original amount of such advance, the amount repaid and the balance together, with interest, if any, accrued in accordance with rule 24.3 remaining due.
- 24.3 Simple interest at the rates fixed by the Punjab Government from time to time, for the purpose of granting similar advances to the employee should be charged on advances granted to Corporation employees for house building (including advances for the purchase and repair of house and purchase of residential plots).
- 24.4 The interest should be calculated on balances outstanding on the last day of each month.
- 24.5 As pay bills for a month are disbursed before the end of the month, an instalment in repayment of an advance received through the pay bill will be taken as having been refunded on the last day of the month, the normal date for disbursement of pay.
- 24.6 If, in any particular case, an advance is drawn in more than one instalment, the rate of interest recoverable should be determined with reference to the date on which the first instalment is drawn.

25 **HOUSE BUILDING ADVANCE**

- 25.1 Advance to Corporation employees for the construction of house shall be regulated by the following rules.
- 25.2 Advance may be made under proper sanction to the Corporation employee who desire to build houses for occupation by themselves in or outside Punjab where they intend to settle down. No advance is ordinarily permissible to an employee who is likely to retire before complete recovery can be effected.
- 25.3 All such advances must be bonafide required for the purpose of building suitable houses for the personal residence of the employees concerned and if the amount of advance is more than what shall be actually expended for the purpose, the surplus shall be refunded to the Corporation.
- 25.4 The advance shall be drawn by instalments, the amount of each instalment being

such as is likely to be required for expenditure in the next three months. Satisfactory evidence should be produced to show that the amount of the instalment has been actually utilized for the purpose for which it was drawn before the next instalment is paid.

- 25.5 A certificate furnished by the employee concerned certifying that the amount drawn has been utilized by him will be a sufficient proof of the amount having been actually utilized.
- 25.6 The repayment shall commence from the sixth issue of pay after the first instalment is taken and be completed in 150 equal monthly instalments in case of employees drawing pay of Rs. 500/- per month and above in 180 equal monthly instalments in case of drawing pay below Rs. 500/- per month.
- 25.7 No advance shall exceed the following limits :-
- a) For employees drawing pay below Rs. 500/- per month 100 months pay subject to a maximum of Rs. 45,000/-
 - b) For employees drawing pay of Rs. 500/- and above.
Sixty months pay or Rs. 45,000/- whichever is more subject to a maximum of Rs. 70,000/-
- 25.8 Not more than the advance shall be made for the same house and no employee may receive a second advance while any portion of previous advance with interest accrued there on is outstanding against him.
- 25.9 A second house-building advance should not be granted for building a second house at the same station.
- 25.10 "Dearness Pay", "Personal Pay", and "Officiating Pay" shall be treated as part of pay for the purpose of grant of advance for building etc. of houses but not "Special Pay".
- 25.11 Recovery will be made by deducting monthly instalments from the pay bill of the employee concerned as prescribed above. The authority sanctioning an advance may, however, permit recovery to be made in a smaller number of instalments, if the employee receiving the advance so desires. The amount of interest calculated under rule 24.4 above will be recovered in one or more instalments each such instalment being not appreciably greater than the instalment by which the principal was recovered. The recovery of the interest will commence from the month following that in which the repayment of the principal had been completed.

NOTE : The amount of the advance to be recovered monthly should be fixed in whole Rupees, except in the case of the last instalment, when the remaining balance including, any fraction of a Rupee should be recovered.

25.12 In order to secure the Corporation from loss consequent on an employee dying or quitting the service before complete repayment of the advance, with interest accrued there on, the house so build, together with the land it stands upon must be mortgaged to Corporation by whom the mortgage will be released on liquidation of the full amount due.

25.13 The mortgage bond will be prepared in the form prescribed by the Corporation.

25.14 The mortgage bond is subject to stamp duty chargeable under the stamp Act. It should also be duly registered.

25.15 Employee must satisfy the sanctioning authority regarding his title to the land upon which the house is or is proposed to be built.

NOTE : This rules does not preclude the grant of an advance to person who does not possess full proprietary right in the land upon which he intends to build, provided the sanctioning authority is satisfied that the applicant has a lease of which the unexpired portion is of a term and value sufficient to justify the grant of the advance and that there is no danger of the lease lapsing or of Corporation being unable to dispose of it, should it become necessary to foreclose the mortgage. In examining the mortgage's title care should be taken to see that the lease does not prevent any subdemise by the lease (mortgager). The mortgage bond in such cases will be prepared in from prescribed specially for this purpose by the Corporation.

In case in which ground rent, municipal taxes and similar dues are payable to local authorities on account of land taken on lease the sanctioning authority may at its discretion ask the employee taking the advance to produce for inspection receipts for these payments within fifteen days of their falling due. If the sanctioning authority finds that such dues have not been paid by the borrower steps may be taken to recover the said dues including interest there on, if any, from the pay of the employee concerned for payment to the parties concerned.

NOTE-2 The applicant's titles to the property should be examined by the sanctioning authority before the advance is actually paid, and in cases where there is any doubt as to the validity of that title, the Revenue and Registration authorities or if technical legal advice is necessary, the Legal Adviser should be consulted. It should

be seen that in the case of a house building advance, he has undisputed title to the land on which it is proposed to build and that in the case of an advance for the purchase of a house, he will obtain such title as soon as the purchase price is paid. That there will be no legal obstacle in either case to the property being mortgaged to the Corporation and that Corporation will have the right of foreclosing on the conditions mentioned in the mortgage bond.

NOTE-3 This rule does not also preclude the grant of advance for the purposes of building houses on plots of lands taken on lease from Government in New Delhi and elsewhere, even though in such cases the employee concerned becomes entitled to a perpetual lease only in the production of a certificate from the competent authority that the building on the plot leased have been completed in accordance with agreed conditions. The grant of an advance in such case, is however, subject to the condition that the applicant executes an Agreement in the prescribed form undertaking to repay the advance and to execute a mortgage of the land and building immediately he obtains a lease. Advances sanctioned under this note will be made in instalments, the first instalment not exceeding the amount of the premium paid for the site and subsequent instalments being based on the progress of work.

NOTE-4 Managing Director shall before sanctioning payment certify that the mortgage bond in the prescribed form has been executed by the employee taking the advance and that it has been duly registered.

25.16 An employee quitting or removed from the station where he has built a house, before the whole amount due has been liquidated will continue to be liable to the deduction of his monthly instalments until the advance with interest accrued there on has been repaid, but with the special sanction of the Managing Director he may be allowed to dispose of the house, provided he is thereby enabled to clear off at once the whole amount due or to transfer it to any employee of his own or higher rank, the future deductions being made from the pay of such employee.

25.17 Applications for advances must be made through the applicant's departmental superior, who will record his opinion as to the necessity for the assistance solicited. The applicant must certify that the sum is to be expended in building only, and pledge himself that, should there be any surplus funds after the house is completed, they will be at once refunded to the Corporation.

NOTE Advance may also be given, where considered necessary, for the purchase of land on which to construct a house, if the other conditions laid down in this rule are

satisfied and the total amount of the advance for the purchase of the land and the construction of the house does not exceed the limits. Prescribed above. This is further subject to the condition that the advance sanctioned for the purchase of land should not be more than one fourth of the total advance admissible under these rules.

The employees should sign an agreement in the prescribed form at the time of taking an advance for the purchase of land and the amount should not exceed what is required for the purpose. A mortgage deed in the form prescribed should be executed before any further advance is drawn for the purpose of constructing the house.

The mortgage deed must be registered within four months of its execution.

The mortgage bond should be kept in the safe custody of the Company Secretary and should not be released without having been satisfied that the advance has been fully repaid.

In order to save the Corporation from loss, the applicant's title to the property should be carefully examined by the sanctioning authority.

The intention of the terms of agreement mentioned in the note will be met if the Managing Director satisfies himself that the construction of house is actually begun within five months of the advance being drawn. The departmental superior or the guarantee of the advance should also satisfy themselves that the building operations are completed without any avoidable delay.

26. ADVANCE FOR PURCHASE OF A HOUSE

- 26.1 An advance may be made to an employee for the purchase of a house; the general principles of rule 25 being applicable and the employee being required to in addition to a mortgage deed to deposit with Corporation satisfactory evidence of a clear title to the house.

NOTE-1 An advance drawn under this rule may include provision not only for the cost of the house purchased but also for the cost of any repairs or improvement which the purchaser of the house may desire to made.

NOTE-2 The advance may be drawn in full at once, but satisfactory evidence should be produced to show that the amount advanced for the purchase has been spent within three months of its drawal and the amount advanced for repairs or improvements (see Note 1 above) within a further period of two months. A certificate to this effect from the head of the office will ordinarily suffice.

The re-payment in this case shall commence with the first issue of pay after the advance is taken and be completed in the manner prescribed above. Interest will be calculated in accordance with these rules and the recovery thereof will be made as laid down there in.

NOTE-3 Before making payment of the advance the controlling officer should record on the bills a certificate to the effect that he has secured and retained with him an agreement in prescribed form, signed by the applicant pending execution of final mortgage bond after the house is actually purchased.

NOTE-4 "Dearness Pay", "Personal Pay" and "Officiating Pay" shall be treated as part of pay for grant of advance for this purpose but not "Special Pay"

27. ADVANCE FOR REPAIRS TO A HOUSE

An advance may be made under the following conditions to an employee to enable him to effect repairs to his house :-

i) An advance may be made only if (1) the repair are to make the house habitable (2) they are not in the nature of ordinary repairs and (3) they involve an outlay large in comparison with the value of the house.

ii) Not more than one advance is admissible in respect of the same house.

iii) No advance shall exceed ten months' pay of the employee to whom it is made, and it will be drawn as laid down under Rule 25.3

iv) An advance may be made to an employee to repair a house which he has built or purchased with a previous advance under these rules but unless the competent authority permits otherwise, atleast 5 years must elapse since the previous advance was drawn.

v) Subject to the above the general principles of rules contained in Rule 24 and 25 as the case may be, shall apply, the maximum period for repayment of such advances, being eight years. Interest will be calculated and recovered in accordance with Rule 24.4 and Rule 25.7

NOTE-1 See also Rule 28

NOTE-2 "Dearness Pay", "Personal Pay" and "Officiating Pay" shall be treated as part of pay for grant of such advances for this purpose but not "Special Pay."

28. **INSTRUCTION FOR DEALING WITH APPLICATIONS FOR ADVANCES FOR CONSTRUCTIONS, PURCHASE OR REPAIR OF HOUSE ETC.**

The following instructions should be carefully observed in dealing with applications for the grant of advances :-

- 1) The 'gross' amount of advance granted under these rules should not exceed the amount sanctioned by the Board of Directors.

If the advance (or the first instalment of a house building advance) in respect of which funds are available is not drawn within three months from the date of sanction, it will be treated as cancelled. To avoid inconvenience and lapse of funds it is important that the Managing Director will satisfy himself that the amount applied for if made available, will be drawn before the end of the financial year. Similarly when he comes to know that any advance will not be drawn within the financial year, it should not be sanctioned and funds available should be utilized for granting advances to other applicants, if any.

- 2) In all cases the authority empowered to sanction must definitely record whether.

- a) the applicant resides permanently in the station while in active service ; or
b) is liable to transfer in the ordinary course of things before complete recovery can be effected. Cases in category (a) will be granted precedence in all circumstances. Cases in category (b) will not be considered unless there is reasonable certainty that transfer will not be made for atleast 48 months.

- 3) For the purpose of instruction above applications will be dealt within the order or receipt in the office of the authority receiving the applications.

- 4) In case of those employees, who are nearing retirement the amount of the instalment payable monthly may be so fixed as to ensure the recovery of the entire amount before the date of retirement.

29. **EX-GRATIA GRANTS & OTHER FACILITIES FOR FAMILIES OF CORPORATION EMPLOYEES WHO DIE WHILE IN SERVICE.**

The families of the employees of the corporation who die while in service shall be entitled to the same ex-gratia grants and other facilities as available to the families of the Punjab Government employees from time to time.

30. **AMENDMENTS OF RULES**

The corporation reserves the right to modify/cancel or amend all or any of these regulations/ rules and issue supplementary regulation/ rules or amendments thereto. The corporation 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.

31. **TO SEND THE OFFICERS/OFFICIAL ON DEPUTATION**

The Board authorised the chairman/ M.D. to send officers/officials on deputation to other departments/organisation, when ever required for period upto 5 years as per Punjab Govt. rules on the subject ended from time to time.