

GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR AND EMPLOYMENT
Notification

The 2nd May,1983

No.G.I.S.R.51/Const./Art. 309/83.- In exercise 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 persons appointed, to the Punjab Labour(Class-1) Service, namely:-

1. Short title, commencement and application.- (1) These rules may be called the Punjab Labour (Class-1) Service Rules, 1983.
 2. They shall come into force at once.
 3. They shall apply to the posts specified in Appendix 'A' to these Rules.

2. Definitions.- In those rules, unless the context otherwise requires:
 - (a) 'Commission' means the Punjab Public Service Commission:
 - (b) 'Government' means the Government of the State of Punjab in the Department of Labour and Employment:
 - (c) 'Service' means the Punjab Labour (Class-1) Service:
 - (d) recognised University means:-
 - (i) any university incorporated by law in any of the State of India;
 - (ii) in the case of degrees or diplomas obtained as a result of examination held before the 15th August, 1947, the Punjab, Sind or Dacca University;or
 - (iii) Any other university which is recognised by the Government for the purpose of these rules.

3. **Number and Character of posts.-** The Service shall comprise the posts specified in the Appendix to 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 designation and scales of pay, whether prominently or temporarily.

4. **Disqualifications.- 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 persons,

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 persons 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.

5. **Appointing Authority.-** All appointment to the Service shall be made by the Government.

6. **Method of appointment and qualification.-** Appointment to the Service shall be made in the following manner, namely:-

(1) (a) In the case of Additional Labour Commissioner.- By promotion from amongst the Joint Labour Commissioners who have an experience of working as such for a minimum period of three years:

(b) In the case of Joint Labour Commissioner:- By promotion from amongst the Deputy Labour Commissioner, who have an experience of working as such for a minimum period of five years.

(c) In the case of Deputy Labour Commissioner.- (i) by promotion from amongst the Assistant Labour Commissioner and Labour-cum-Conciliation Officer of Labour Commissioner, Punjab who have an experience of working on either or both of these posts for a minimum period of ten years:or

(ii) by promotion of the Statistical Officer of the office of the Labour Commissioner, Punjab who has an experience of working as such for a minimum period of ten years.

Note.- The Statistical Officer will be considered for promotion to the post of Deputy Labour Commissioner on the second vacancy out of a group of ten vacancies.

(d) In the case of Deputy Chief Inspector of Factories.- By promotion from amongst the Inspector of Factories working under the control of the Labour Commissioner, Punjab who have an experience of working as such for a minimum period of ten years.

(2) All appointments to the Service shall be made by selection on seniority-cum-merit basis and no person shall be entitled to claim promotion on the basis of seniority alone.

7. **Probation of persons appointed to Service.-** (1) Persons appointed to the Service shall remain on probation for a period of one year:

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) 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.

(c) 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 revert him to his former post or deal with him in such other manner as the terms and conditions of his previous appointment permit;

(d) 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 satisfactory if there is no permanent vacancy; or

(b) If his work or conduct has not been, in its opinion satisfactory.-

(i) 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 there after pass such orders as it could have passed on the expiry of the period of probation specified under sub-rule(1)

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

8. Seniority of members of Service.- 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 two or more members appointed on the service date their seniority shall be determined according to the seniority of members in the appointment from which they were promoted.

9. Liability to transfer.- A member of the Service may be transferred to any post whether included in the Service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Services Rules, Volume 1, Part I.

10) Liability to serve.- A member of the Service shall be liable to any place whether within or out of the State of Punjab on being so directed by the appointing authority.

(11) Pay Leave, Pension and other matters.- In respect of pay, leave and all other matters not expressly provided for in these rules, the conditions of the Service shall be governed by such law, rules and regulations which may have been or may hereafter be adopted or made by the competent authority.

(12) Discipline, Penalties and Appeals .- (1) In the matter of discipline and appeals, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970 as amended from time to time.

(13) The authority competent to impose penalties as specified in rule 15 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 in the case of the members of the Service shall be the Government.

(14) The authority competent to hear an appeal against the orders filed in rule 15 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, other than an order imposing any of the penalties as specified in rule (1), shall be the Government.

(15) Liability for vaccination and Revaccination- Every member of the Service shall get himself vaccinated and revaccinated, when so directed by the Government by special or general order.

(16) Oath of allegiance.- Every member of the Service, unless he has done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law.

(17) Power to relax.- Where the Government is of opinion that it is expedient so to do, it may by order for reasons to be recorded relax any of the provisions of these rules with respect to any or category of persons:

Provided that the provision relating to qualifications and experience shall not be relaxed.

(18) Interpretation.- If any question arises as to the interpretation of any provision of these rules the Government shall decide the same.

(19) Repeal and Savings.- The Punjab Labour Service (Class I and II) Rules, 1955, in so far as these are applicable to the members of the Service, 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
(See rule 1(3) and 3)
Number of posts

Sr. No.	Designation of post	Permanent	Temporary	Total	Scale of pay
1.	Additional Labour Commissioner	...	1	1	Rs.2,000-100 2500
2.	Joint Labour Commissioner	1	1	2	Rs.1,775-75- 2000
3.	Deputy Labour Commissioner	1	..	1	Rs.1,200-50- 1,400/60- 1,700/75- 1,850
4.	Deputy Chief Inspector of Factories	1	..	1	Rs.1,200-50 1,400/60- 1,700/ 75- 1,850

K.S. JANJUA
Secretary to Government, Punjab,
Department of Labour and Employment.

**GOVERNEMENT OF PUNJAB
DEPARTMENT OF LABOUR AND EMPLOYMENT**

Notification

The 3rd May,1990

No. G.S.R. 24/Conts./Art.309/Amd.(1)90.- In exercise of the powers conferred by the proviso to article 309 of the constitution of India and all other powers enabling him in this behalf, the President of India is pleased to make the following rules further to amend the Punjab Labour (Class 1) Service Rules, 1983, namely:-

RULES

1. These rules may be called the Punjab Labour (Class 1) Service (First amendment) Rules, 1990.
2. In the Punjab Labour (Class 1) Service Rules, 1983, in rule 6, in sub-rule(1),-
 - (i) In clause (a), for the words, “three years”, the words “two years”, shall be substituted; and
 - (ii) in clause (b), for the words “five years”, the words “three years”, shall be substituted.

GURBINDER CHAHAL,

Secretary to Government, Punjab,
Department of Labour and Employment.