

PUNJAB GOVT. GAZ (EXTRA,) MARCH 27, 2008

(CHAITRA 7, 1930 SAKA)

GOVERNMENT OF PUNJAB

DEPARTMENT OF HEALTH AND FAMILY WELFARE

(HEALTH-VII BRANCH_

Notification

The 25th March, 2008

No.G.S.R. 25/Const./Art.309/2008- 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 Government of Punjab is pleased to make the following rules, regulating the recruitment and the conditions of Service of the persons appointed to the Punjab Ayurvedic (Group 'A') Service, namely:-

RULES

1. **Short title, commencement and application-** (1) These rules may be called the Punjab Ayurvedic (Group 'A') Service Rules, 2008.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

(3) They shall apply to the posts specified in Appendix 'A'.

2. **Definitions:-** In these rules, unless the context otherwise requires:-

(a) "Appendix" means an Appendix appended to these rules;

(b) "CCIM" means Central Council of Medicine;

(c) “Government” means Government of the State of Punjab in the Department of Health and Family Welfare; and

(d) “Service” means the Punjab Ayurvedic (Group ‘A’) Service.

3. **Number and character of posts:-** The service shall comprise the posts specified in Appendix ‘A’:

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

4. **Appointing Authority:-** Appointment to the Service shall be made by the Government.

5. **Method of appointment, qualifications and experience- (1)** Appointment to the Service shall be made in the manner specified in Appendix ‘B’.

Provided that, if no suitable candidate is available for appointment by promotion and by direct appointment, then appointment to the Service shall be made by transfer of a person holding a similar or an identical post under a State Government or Government of India.

(2) No person shall be appointed to a post in the Service unless he possesses the qualifications and experience as specified against that post in Appendix ‘B’.

(3) Appointment to the Service by promotion shall be made on the basis of seniority-cum-merit, but no person shall have any right to claim promotion on the basis of seniority alone.

6. **Pay of members of the Service-** The members of the Service shall be entitled to such scales of pay as may be authorized by the Punjab Government from time to time. The scales of pay at present in force are given in Appendix 'A'.

7. **Discipline, punishment and appeal- (1)** In the matters of discipline, punishment and appeal, the members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules 1970, as amended from time to time.

(2) The authority, empowered to impose penalties as specified in rules 5 of the Punjab Civil Services (Punishment and Appeal) Rules 1970, as amended from time to time in respect of the members of the Service, shall be the Government.

8. **Application of the Punjab Civil Services (General and Common Conditions of Service) Rules 1994-** (1) In respect of the matters, which are not specifically provided in the rules, the members of the Service shall be governed by the Punjab Civil Services (General and Common Conditions of Services) Rules, 1994 at amended from time to time.

(2) The Punjab Civil Services (General and Common Conditions of Services) Rules, 1994, as present in force are contained in Appendix 'C'.

9. **Repeal and saving -** The Punjab Ayurvedic Department (Class III Technical) Service Rules, 1963 and the Punjab Ayurvedic Department (Class 1

and II) Service Rules, 1994, insofar as they are applicable to the members of the Service, are hereby repealed.

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

10. **Interpretation--** If any questions arise to the interpretation of these rules, the Government shall decide the same.

Appendix 'A'

[See rules 1(3), 3 and 6]

Serial No	Designation of the Post	Number of Posts			Scale of Pay
		Permanent	Temporary	Total	
1	Director Ayurveda	1	-	1	14300-18600
2	Joint Director Ayurveda	-	1	1	13500-16800
3	District Ayurvedic and Unani Officer	12	2	14	10025-15100
4	Senior Ayurvedic Physician	-	17	17	10025-15100
5	Administrative-cum-Establishment Officer	1	-	1	7880-11660
6	Ayurvedic Medical Officer	428	73	501	7220-11660
7	Unani Medical Officer	36	-	36	7220-11660
8	Superintendent Grade-1	1	-	1	7220-11660

Appendix 'B'

(See rule 5)

Sr No	Designation of the Post	Method of appointment Qualifications and Experience for appointment by			
		Promotion	Direct Appointment	Promotion	Direct Appointment
1	2	3	4	5	6
1	Director Ayurveda	Hundred Percent	-	From amongst the Joint Director Ayurveda, who has an experience of working as such for a minimum period of two years.	
2	Joint Director Ayurveda	Hundred Percent	-	From amongst the District Ayurvedic and Unani Officers, who have an experience of working as such for a minimum period of three years	
3	District Ayurvedic and Unani Officer	Hundred Percent	-	All posts except one shall be field up from amongst the Senior Ayurvedic Physician, who has an experience of working as such for a minimum period of one year. If the required number of eligible Senior Ayurvedic Physicians are not available, then the post shall be field up from amongst Ayurvedic Medical Officer: Provided that the incumbent has worked as Ayurvedic Medical Officer for a minimum period of ten year. One post shall be filed up by promotion from amongst the unani Medical Officer; Provided that the incumbent has atleast ten	

				years experience as Unani Medical Officer.	
4	Senior Ayurvedic Physician	Hundred Percent	-	From amongst the Ayurvedic Medical Officer, who have an experience of working as such for a minimum period of ten years.	
5	Administrative-cum-Establishment Officer	Hundred Percent	-	From amongst Superintendent Grade-1 who have an experience of working as such for a minimum period of one year	
6	Ayurvedic Medical Officer	-	Hundred Percent		Should possess a degree of BAMS (Bachelor of Ayurvedic Medicine and Surgery) or its equivalent degree, from a recognized University or other teaching Institution recognized by CCIM
7	Unani Medical Officer	-	Hundred Percent	-	Should possess a degree of BAMS (Bachelor of Ayurvedic Medicine and Surgery) or equivalent degree from a recognized University or other teaching Institution recognized by CCIM
8	Superintendent Grade-1	Hundred Percent		From amongst the Superintendent Grade-II and Personal Assistant,	

PUNJAB GOVT. GAZ (EXTRA,) MARCH 27, 2008

(CHAITRA 7, 1930 SAKA)

GOVERNMENT OF PUNJAB

DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS

Notification

The 4th March, 1994

No.G.S.R.33/Const./Art.309/94- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab, namely:-

1. Short title, commencement and application – (1) These rules may be called the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.

(2) They shall come into force at once.

(3) They shall apply to all the posts in Group 'A' Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab.

2. Definitions:- In these rules, unless the context otherwise requires,-

(a) "appointing authority" means an appointing authority specified as such in the service Rules made under Article 309 of the Constitution of India in respect of any service or post in connection with the affairs of the State of Punjab;

- (b) “Board” means the Sub-ordinate Service Selection Board, Punjab or any other authority constituted to perform its functions;
- (c) “Commission” means the Punjab Public Service Commission;
- (d) “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;
- (e) “Government” means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;
- (f) “recognised university or institution” means, --
 - (i) any university or institution incorporated by law in any of the State of India; or
 - (ii) any other university or institution, which is declared by the Government to be recognized university or institution for the purpose of these rules;
- (g) “Service” means any Group ‘A’ Service, Group ‘B’ Service and Group ‘C’ Service constituted in connection with the affairs of the State of Punjab as per scales given in the Appendix;
- (h) “Service Rules” means the service rules made under Article 309 of Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of person appointment to any service or post in connection with the affairs of the State of Punjab; and-
 - (i) “War Hero” means a defence services personnel or a para-military forces personnel, who is a bona fide resident of Punjab State and has been killed or discharged from service on account of disability suffered by him on or after 1st January 1999, while

fighting in a war declared so by Government of India, in operations in Kargil or any other sector in J and K in the on going conflict with Pakistan or in any other operations which may be notified by the State Government to have been undertaken for preserving the unity and integrity of the Country; or

(ii) a defence services personnel or a para-military forces personnel who was a bona fide resident of Punjab State and was posthumously decorated with Parmvir Chakra, Mahavir Chakra or Vir Chakra: provided that,

(a) In exceptional instances, the cases of such War Heroes may also be covered, with the prior approval of the Department of Personnel who though not bona fide resident of Punjab State are yet closely connected to the State of Punjab;

(b) In the case of War Heroes, falling in the category (ii) above, the benefits to be given by the State Government will be restricted only to first generation dependent members/next of the kin.

Note-- The Government reserves the right to include any other category of Awardees for the purpose of providing employment to the category of War Heroes, as may be notified.

3. Nationality, domicile and character of person appointed to the Service- (1) No person 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 the 1st day of January, 1962 with the intention of permanently settling in India; or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate but he shall not be appointed to the service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the service by direct appointment unless he produces—

- (a) a certificate of character from the principal academic officer of the university; collage, school or institution last attended if any and similar certificate from two responsible persons not being his relatives, who are well acquainted with him in his private life and are unconnected with him in his private life and are unconnected with his university, collage, school or institution and

- (b) an affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India, or of any Public Sector Undertaking or of Government of India, or of any Public Sector Undertaking.

4. Disqualification—No person—

- (a) who has entered into or contracted a marriage with a person having spouse with any person,

Shall be eligible for appointment to the Service:

Provided that the Government, 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.

5. Age—(1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty years of age in the case of non-technical posts and thirty-three years in the case of technical posts on the 1st day of January of the year immediately preceding the last date fixed for submission of applications by the Commission or the Board, as the case may be, or unless he is within such range of minimum and maximum age limits as may be specifically fixed by the Government from time to time;

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts;

Provided further that the upper age limit may be relaxed up to forty-five years in the case of persons already in the employment of the Punjab Government, other State Government or the Government of India;

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

(2) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982, as amended from time to time.

(3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

(4) In the case of appointment of a War-hero, who has been discharged from defence service or para-military forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall as may be specifically fixed by the Government from time to time.

6. Qualification etc.—Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualification and experience for appointment to a posts in a Service and the department examination, if any, shall be such as may be specified in the Services Rules made for that Service:

Provided that where appointment of Group 'A' or Group 'B' non-technical post is offered to a war-hero, who has been discharged from defence services or para-military on account of disability suffered by him or his widow or

dependent member of his family under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognized university. Such person who is offered Group 'A' or Group 'B' or Group 'C' non-technical post, shall not, however, be required to possess experience of technical or non-technical post at the time of his initial appointment.

7. Probation—(1) A person 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 appointed 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 any case of an appointment by transfer, any period of work on an 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;
- (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
- (d) any kind of leave not exceeding six months, during or at the end of period of probation, shall be counted towards the period of probation.

(2) if, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or if he has failed to pass the department examination, if any, prescribed in Service Rules

within a period not exceeding two and a half years from the date of appointment, 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 services by direct appointment; and

(b) If such person is appointed otherwise—

(i) revert him to his former post; or

(ii) deal with him in such other manner as the terms and conditions of the previous permit

(3) On the completion of the period of probation of a person, the appointing authority may,—

(a) if his work and conduct has in its opinion been satisfactory—

(i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily, if he is not already confirmed; or

(ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or

(b) if his work or conduct has not been in its opinion, satisfactory or if he has failed to pass the department examination, if any, specified in the Service Rules—

(i) dispense with his services, if appointed by direct appointment or 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;

- (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1):

(8) Seniority—The seniority inter se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service:

Provided that in the case of person recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended from time to time by the appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined-by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in the case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection who join within the time specified in the first proviso:

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

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer;
- (c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointments from which they were promoted or transferred; and
- (d) in the case of person appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in the previous appointment; then by their length of service in these appointment and if the length of service is also the same, an older person shall be senior to a younger person.

Note—Seniority of persons appointed on purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

9. Liability of members of Service to transfer—A member of a Service may be transferred 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 Services Rules, Volume-I, Part-I.

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

18. Promotion to Group ‘A’ and Group ‘B’ Services—(1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum benchmark for promotion for such post would be ‘Very Good’. The officer who is graded as ‘Outstanding’ would supersede the officer graded as ‘Very Good’.

(b) For promotion to post falling in Group ‘A’ other than Head of Department, the minimum benchmark will be ‘Very Good’ as per the instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.

(c) For promotion to post falling in Group ‘B’ the minimum benchmark will be ‘Good’ and there shall be no supersession on the basis of merit.

(2) Debarring for consideration for Promotion of a Government employee who refuses to accept promotion.—In the event of refusal to accept promotion by a member of a service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion:

Provided that in a case where the appointing authority is satisfied that a member of a service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded, therefore in writing from the operation of this rule.

19. Power to relax—Where the Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in

writing, relax any of the provisions of these rules with respect to educational qualifications and experience, if any, shall not be relaxed.

20. Over-riding effect—The provisions of these rules shall have effect notwithstanding anything contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.

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

PUNJAB GOVT. GAZ. (EXTRA,) MARCH 27, 2008

(CHAITRA 7, 1930 SAKA)

{“APPENDIX”

(See Rule 2)

Group ‘A’ Posts in initial entry revised scales of pay having a maximum of Rs. 11,660 or more;

Provided that all existing Class I post irrespective of the monetary limits of the pay scales shall be placed in Group ‘A’.

Group ‘B’ Posts in initial entry revised scales of pay with maximum ranging between Rs. 10,640 to 11,659;

Group ‘C’ Posts in initial entry revised scales of pay with maximum ranging between Rs. 5160 to 10639}

A.S.CHATTHA,

Chief Secretary to Government of Punjab

VIJAY KAIN

**Principal Secretary to Government Punjab,
Department of Health and Family Welfare,**

