

Chapter 9

PUNJAB EDUCATIONAL (COLLEGE CADRE) CLASS II SERVICE RULES

Notification No. G.S.R. 57/Const./Art/309/76, dated 21st May, 1976-In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India & all other powers enabling him in this behalf and in consultation with the Government of India, where such a consultation is necessary in terms of section 115 of the State Reorganisation Act, 1956, and section 82 of the Punjab Reorganisation Act, 1966, the Governor of Punjab is pleased to make the following rules regulating the recruitment and conditions of service of persons appointed to the Punjab Educational Service (College cadre) Class II, namely :-

PART I

GENERAL

Short title, commencement and application.

- (1) These rules may be called the Punjab Educational Service (College Cadre) (Class II) Rules, 1976.
- (2) They shall be deemed to have come into force with effect from 1st day of April, 1975.
- (3) They shall apply to all persons holding posts specified in Appendix "A" to these rules.

Definitions

2. In these rules, unless the context otherwise requires, -
 - (a) "Commission" means the Punjab Public Service Commission;
 - (b) "Direct recruitment" means an appointment made otherwise than by promotion;
 - (c) "Government" means the Punjab Government in the Education Department;
 - (d) "Recognised university" means -
 - (i) any university incorporated by law in India;
 - (ii) the Punjab, Sind or Dacca University in the case of degree, diploma or certificate obtained as a result of examination held by any of these Universities before the 15th August, 1947, or
 - (iii) any outer university which is declared by the Government to be recognised university for the purpose of these rules; and
 - (e) "Service" means the Punjab Educational Service (College Cadre Class I).

PART II

CONDITIONS OF RECRUITMENT

Number and character of posts.

3. The Service shall comprise the posts shown in Appendix "A" to these rules :

Provided that nothing in these rules shall effect the inherent right of the Government to make additions to or reductions in the member of such posts or create new posts with different designations and scales of pay, whether permanently or temporarily.

Pay.

4. Members of the Service shall be entitled to such scales of pay including special pay, if any, as may be authorised by Government from time to time. The scales of pay at present in force in respect of specified posts are given in Appendix "A" to these rules.

Appointing authority.

5. All appointments to the Service shall be made by the Government.

Nationality, domicile and character of candidates appointed to Service.

6. (1) No person shall be appointed to the Service, unless he is,
- (a) a citizen of India, or
 - (b) a subject of Nepal, or
 - (c) a subject of Bhutan, or
 - (d) A Tibetan refugee, who came over to India before the 1st January 1962, with the intention of permanently setting in India; or
 - (e) a person of India origin, who has migrated from Pakistan, Burma, Sri Lanka and East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently setting in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India, and if he belongs to category (e) the certificate of eligibility shall be valid only for a period of one year after which such a candidate will be retained in service subject to his having acquired Indian citizenship.

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

(3) No person shall be appointed by directed recruitment to the Service unless he produces a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any and similar certificates from two responsible persons, not being his relatives who are well acquainted with him in his private life and are unconnected with his university, college, school or institution;

Provided that such a certificate will not be required in respect of a person already in the service of the Government of India or the Government of any State or Union Territory.

Disqualifications

7. No person –

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

shall be eligible for appointment to the Service.

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

Age

8. No person, who is more than thirty-five years of age, shall be appointed to a post in the Service by direct recruitment,

Provided that in the case of a candidate belonging to Scheduled Castes or Backward Classes, the upper age limit for direct recruitment shall be such as may be fixed by Government, from time to time.

Qualifications .

9. (1) No person shall be appointed to the service by direct recruitment unless he possesses the educational qualifications, professional training and other qualifications specified in Appendix "B" for various posts.

- (2) A person appointed to a post in the Service by direct recruitment should possess knowledge of Punjab of Matriculation or its equivalent standard failing which he shall have to acquire the requisite knowledge within a period of six months of his appointment after which he shall be required to pass a test of the aforesaid standard as may be specified by the Government otherwise his services shall be liable to termination.

Method of recruitment.

10. All posts in the Service shall be filled by direct recruitment.

PART III

CONDITIONS OF SERVICE

Probation of members of service.

11. (1) Persons appointed to a post in the Service shall remain on probation for a period of two years :

Provided that -

- (i) the period of probation of a person appointed to the service shall start from the date of his joining the appointment,
 - (ii) any period, after appointment to the Service, spent on deputation on a corresponding or a higher post shall count towards the period of probation fixed under this rule.
 - (iii) any period of officiating appointment to the Service shall be reckoned as a period spent on probation, but no person, who has so officiated shall, on completion of the prescribed period of probation be entitled to be confirmed, unless he is appointed against a permanent vacancy.
- (2) If, in the opinion of appointing authority, the work and conduct of a person during the period of probation is not found to be satisfactory, it may dispense with his services.
 - (3) On the completion of the period of probation of a person, the appointing authority may, -
 - (a) if the work and conduct of a person 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 the period of his probation satisfactorily, if there is no permanent vacancy;
- (b) if his work or conduct has not been, in its opinion, satisfactory, -
- (i) dispense with his service; or
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the first period of probation :

Provided that the period of extension shall not exceed one year in any case.

Seniority of members of service.

12. (1) The seniority *inter-se* of the members of the service holding the same class of posts or posts in the same or identical scales of pay shall be determined by the length of continuous service on such posts which shall be counted from the date of appointment as specified in the appointment order or if, no such date is specified in the said order, from the date of the order:

Provided that the order of merit determined by the Commission or other recruiting authority shall not be disturbed in fixing the seniority, and persons appointed as a result of an earlier selection shall be senior to those appointed as a result of subsequent selection :

Provided further that in case of members recruited through the Commission or any other recruiting authority for the posts of lecturers in different subjects in various groups on the same date, first of all the candidates who have been ranked at No. 1 by the recommending authority in various subjects shall be grouped together and the older member shall be senior to a younger member. Similarly, the candidates ranking at Nos 2, 3, 4 and so on, shall be taken from the different groups to form one single group and an elder member shall be senior to a younger member. In case, two or more candidates have

the same date of birth in the same group, the candidates who join first shall be senior to others.

- (2) On amalgamation of the men and women branches, the seniority of the members of the Service holding the same class of posts and in the same or identical grades of pay shall be determined by the length of their continuous service in the post.

Provided that their *interse* seniority in their respective branches shall not be changed;

Provided further that in case two or more members have the same actual or notional date of confirmation, as the case may be, the elder member shall be senior to a younger member and if their age is also the same, the member drawing higher rate of pay shall be senior to the other.

Leave, pension and other matters.

13. In respect of pay, leave, pension and other cognate matters, not expressly provided for in these rules, the members of the Service shall be governed by the Punjab Civil Services Rules or such other rules and regulations as may have been or may hereafter be adopted or framed by the competent authority under Article 309 of the Constitution of India or under any law for the time being in force made by the State Legislature or the rules made thereunder.

Discipline, penalties and appeals.

14. (1) In matters relating the discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Service (Punishment and Appeal) Rules, 1970, as amended from time to time :

Provided that the authority competent to impose penalties shall be the Government.

Liability for vaccination ro revaccination.

15. Every member of the Service shall get himself vaccinated or revaccinated when Government so desires by a special or general

Oath of allegiance.

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

Liability of transfer.

17. Every member of the Service shall be liable to transfer under the orders of Government of 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.

Liability to serve.

18. A member of the Service shall be liable to serve at any place whether within or outside the State of Punjab on being ordered so to do by the Government.

Power to relax.

19. 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 in respect of any class or category of persons.

Examination work.

20. All lecturers shall, as part of their duty, do any examination work including invigilation, setting of papers, examination of papers that may be assigned to them by the College authorities or by an University within the State of Punjab or the Punjab University, Chandigarh.

Repeal and Saving

21. The Punjab Educational Service (Class II) Rules, 1934, and the Punjab Subordinate Education Service, Class III, Rules, 1937, in so far as they related to the posts included in the service, are hereby repealed :

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

APPENDIX 'A'

Not printed

APPENDIX 'B'

[Rule 9(2)]

Punjab Government Order No. 5148.3EDI-85/13233, dated 4 - 9-1985 :

Not printed due to following relaxation :

In exercise of powers conferred under Rule 19 of Punjab Education Service (College Cadre) Class I Rules, 1976 the President of India is pleased to relax the educational qualifications prescribed under Rule 9 of these Rules for recruitment to posts of Lecturers in the service namely Punjab Education Service (College Cadre) Class II to the extent the qualifications prescribed by the University Grants Commission vide their circular letter No. F-I-93/74(CP), dated 4-2-1982; No. F-I-34/82(CP), dated 15-5-1982, Do letter No. FI-93/74(CP), dated 24-8-1982 and as modified from time to time which have been adopted by all the three Universities of the State the same are adopted from all future recruitment of Lecturers in Government Colleges as well as Lecturers in private Colleges affiliated to the three Universities in Punjab.

Qualification prescribed by letter No. F-I-93/74(CP), dated 4 -2- 1982.

MINIMUM QUALIFICATIONS PRESCRIBED FOR RECRUITMENT TO THE POST OF LECTURERS;

1. Lecturers other than lecturers in Education, English, Music, and Fine Arts, Physical Education and Foreign Languages : -

- a) Good academic record with at least second class (C in the Seven Point Scale) Master's degree in a relevant subject from an Indian University of equivalent degree from a foreign University.
- b) An M.Phil degree or a recognised degree beyond the Master's level or published work indicating the capacity of a candidate for Independent research work.

Provided that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis is or from his published work is of a very high standard, it may relax any of the qualifications prescribed in (a) above.

Provided further that if a candidate possessing the qualifications as at (b) above is not available or not considered suitable, the college on the recommendation of the Selection Committee may appoint a person possessing a [••] good academic record on the condition that he will have to obtain an M.Phil degree or a recognised degree beyond the Master's level within eight years of his appointment failing which he will not be able to earn future increments till he obtain that degree or gives evidence of equivalent published work of high standard;

2. Lecturer in Education :

- a) Good academic record with at least Second Class (C in the seven point scale) Master's degree in Education and also Master's degree in a relevant subject (10+2 Level) from an Indian University or equivalent degrees from the foreign University and
- b) An M.Phil degree or a recognised degree beyond the Master's level or published work indicating the capacity of a candidate for independent research work.

Provided that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published work is of a very high standard, it may relax any of the prescribed qualifications prescribed in (a) above.

Provided further that if a candidate possessing the qualifications as at (b) above is not available or not considered suitable the college on the recommendation of the Selection Committee may appoint a person possessing a good academic record on the condition that he will have to obtain M.Phil. degree or a recognised degree beyond the Master's level within eight years of his appointment failing which he will not be able to earn future increments till he obtains that degree or gives evidence of equivalent published work of high standard.

3. Lecturer in Music & Fine Arts :

- a) •Good academic record with at least second class (C in the seven point scale), Master's degree in a relevant subject/or an equivalent degree or diploma recognised by the University; and
- b) Two years research or professional experience or evidence of creative

work and achievement in his field of specialization or a combined research & professional experience of three years in the field as an artist of outstanding talent; or

A traditional or a professional artist with highly commendable professional achievement in the subject concerned.

4. Lecturers in Physical Education.

- a) An M.Phil degree or a recognised degree beyond Master's level or published work indicating the capacity of the candidate for independent/research work; and
- b) •Good academic record with at least second class (c) in the seven point scale) master's degree in Physical Education from an Indian University or an equivalent degree from a foreign University.

Provided that if the Selection Committee is of the view that the research work of the candidate as evident either from his thesis or from his published work is of very high standard, it may relax any of qualifications prescribed in (b) above.

Provided further that if a lecturer in discipline other than Physical Education is required to be appointed in the faculty of Physical Education, the qualifications prescribed for recruitment to the post of lecturers in the parent discipline may be insisted upon.

Provided further that if a candidate possessing as at (a) above is not available or is not considered suitable, the college on the recommendation of the Selection Committee may appoint a person possessing a good academic record on the condition that he will have to obtain an M.Phil degree or recognised degree beyond the Master's degree within eight years of his appointment, failing which he will not be able to earn future increments till he obtains that degree or gives evidence of equivalent published work of high standard.

5. Lecturer in English :

- a) •Good academic record with atleast second class (C in the seven point scale) Master's degree from an Indian University or an equivalent degree from a foreign University, and
- b) An M. Phil degree or a recognised degree or diploma in the teaching

of English/English studies beyond the Master's level or published work indicating, the capacity of a candidate for independent research work:

Provided that if the selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published work is of a very high standard, it may relax any of the qualifications prescribed in (a) above.

Provided further that if a candidate possessing the qualifications as at (b) above is not available or not considered suitable the college on the recommendations of the Selection Committee may appoint a person possessing a ••Good academic record on the condition that he will have to obtain an M. Phil degree or a recognised degree/diploma of one year duration beyond the Master's Level within eight year of his appointment, failing which he will not able to earn future increments till he obtains that degree or gives evidence of equivalent published work of high standard.

6. Lecturer in Foreign Language :

- (a) * Good academic record with atleast second class (C in the seven point scale) Master's degree from an Indian University or an equivalent degree from a foreign University; and
- (b) An M. Phil degree or a recognised degree/diploma of one year duration in the teaching of the language concerned beyond the Master's level or published work indicating the capacity of a candidate for independent research work.

Provided that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published work is of a very high standard, it may relax any of the qualifications prescribed in (a) above.

Provided further that if a candidate possessing the qualifications as at (b) above is not available or not considered suitable the college on the recommendation of the Selection Committee may appoint a person possessing a ***Good academic record on the condition that he will have to obtain in M.Phil degree or a recognised degree/diploma of one year duration beyond the Masters' Level within eight years of his appointment, failing which he will not able to earn future increments till he obtains that degree or gives evidence of equivalent published work of high standard.

•The Commission at its meting held on the 2nd August, 1982, considered the question of defining the term "good academic record" as laid down by it in the qualifications for recruitment to the posts of lecturers in the Universities and Colleges and has agreed that of determining "good academic record" the following criteria may be adopted :-

College Lecturers :

- (i) A candidate holding and M. Phil degree should possess at least a Second Class Master's degree; or
- (ii) A candidate not holding an M. Phil degree should possess a high Second Class Master's degree and a Second Class in first degree (B.A./B. Sc./B. Com). examination; or
- (iii) A candidate not holding an M. Phil but possessing a Second Class Master's degree should have obtained a first class in the first degree (B.A/B.Sc/B.Com) examination.

High Second Class may be determined at the mid point of the starting of the second class and starting of the first class of the University from where he has obtained the degree. The Commission also stressed that the qualifications now being prescribed by it for different categories of teachers are the minimum qualifications only to determine the eligibility for applying for the post

••The word 'consistently' deleted vide U.G.C. letter No. FI-34/82(CP), dated 15.5.1982.

•••Added vide U.G.C. letter No. FI-34/82(CP), dated 15.5.1982.