

GOVERNMENT OF PUNJAB
DEPARTMENT OF ELECTIONS

Notification

The 12th July, 1979

No. G.S.R.101/Const./Art. 309/79.— In exercise of the powers 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 Elections Department (Class I) Service, namely :—

1. (1) These rules may be called the Punjab Elections Department Short title, (State Service Class I) Rules, 1979. commencement and application.

(2) They shall come into force on the date of their publication in the official Gazette.

(3) They shall apply to the post specified in the Appendix to these rules.

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

(a) 'Commission' means the Punjab Public Service Commission ;

(b) 'Government' means the Government of the State of Punjab in the Department of Elections ;

(c) 'Recognised University' means,—

(i) any University incorporated by law in any of the States of India ;

(ii) the Punjab, Sind or Dacca University in the case of degree or diploma obtained as a result of examination held by these Universities before the 15th August, 1947 ; or

(iii) any other University which is recognised by the Government for the purpose of these rules ;

(d) 'Service' means the Punjab Elections Department (Class I) Service.

3. The Service shall comprise the post shown in the Appendix to these rules : to Number and character of posts.

Provided that nothing in these rules shall affect the inherent right of Government to add to or abolish the post or to create new posts with different designations and scales of pay, whether permanently or temporarily.

4. (1) Appointment to the post of Joint Chief Electoral Officer shall be made by the Government in consultation with the Commission, Method of appointment in the following manner :—

(a) By promotion of a Deputy Chief Electoral Officer having not less than three years experience as such ; or

(b) By promotion of Electoral Officer having not less than seven years experience as such ;

- (c) By transfer of an officer already in the services of Government of India or of a State Government who is a graduate of a recognised university and has experience of working on a gazetted post for a minimum period of 15 years, preferably with adequate background of election work :

Provided that appointment by transfer will be made only if a suitable person is not available for appointment by promotion under clause (a) or clause (b).

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

Probation.

5. (1) The person appointed as Joint Chief Electoral Officer 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 work in equivalent or higher rank, prior to appointment as Joint Chief Electoral Officer may, in the discretion of the appointing authority, be allowed to count towards the period of probation ; and

(c) any period of officiating appointment as Joint Chief Electoral Officer 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.

(2) 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.

(3) 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 satisfactorily 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 permit ; or

(ii) extend his period of probation and thereafter pass such orders as it could have passed on the expiry of the first period of probation :

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