

From

The Secretary,
State Agricultural Marketing Board,
U.T. Chandigarh

To

The Director,
Department of Information Technology,
U. T. Chandigarh.

Memo No. DC/AMB/2017/1082

Dated: 14-11-2017

Subject: Uploading of Service Rules of the Marketing Board, Chandigarh.

Enclosed please find herewith a copy of Draft Service Rules of the Marketing Board, Chandigarh for uploading the same on the website of the Chandigarh Administration for 30 days for inviting comments of the stakeholders which may be sent to the Marketing Board, Chandigarh on the email ID:sambboard@gmail.com or in the form of hardcopy to the office of the Board at Bay No. 17,30 Bays Building, Sector-17, Chandigarh. The detail of the Service Rules enclosed is as under:

S.No.	Particulars of Service Rules	Pages
1	State Agricultural Marketing Board, U.T. Chandigarh Group 'A' (Technical posts) Recruitment Rules, 2017	1-15
2	State Agricultural Marketing Board, U.T. Chandigarh Group 'B' (Technical posts) Recruitment Rules, 2017	1-15
3	State Agricultural Marketing Board, U.T. Chandigarh Group 'B' (Technical posts) Recruitment Rules, 2017	1-13
4	State Agricultural Marketing Board, U.T. Chandigarh Group 'A' (Special cadre posts) Recruitment Rules, 2017	1-17
5	State Agricultural Marketing Board, U.T. Chandigarh Group 'B' (Special cadre posts) Recruitment Rules, 2017	1-17
6	State Agricultural Marketing Board, U.T. Chandigarh (Group 'B' post) (Ministerial) Recruitment Rules, 2017	1-16
7	State Agricultural Marketing Board, U.T. Chandigarh (Group 'C' post) (Ministerial) Recruitment Rules, 2017	1-16
8	State Agricultural Marketing Board, U.T. Chandigarh (Group 'D' post) (Ministerial) Recruitment Rules, 2017	1-14

A soft copy of the above mentioned rules has also been e-mailed to you at dit-chdut@nic.in.


For Secretary,
State Agricultural Marketing Board,
U.T. Chandigarh

**GOVERNMENT OF INDIA
CHANDIGARH ADMINISTRATION GAZETTE
EXTRAORDINARY
STATE AGRICULTURAL MARKETING BOARD, U.T. CHANDIGARH
NOTIFICATION**

No.

The _____, 2017

In exercise of the powers conferred by the provision of Section 43 of the Punjab Agricultural Produce Market Act, 1961, the Administrator of Union Territory, Chandigarh, hereby makes the following rules regulating the method of recruitment/promotion to **Group 'C'** posts in the State Agricultural Marketing Board, U.T. Chandigarh, namely:-

1. (i) Short Title, Commencement and Application: - These rules may be called the State Agricultural Marketing Board, U.T. Chandigarh (**Group 'C' post**) (Ministerial) Recruitment Rules, 2017.

(ii) They shall come into force on the date of their publication in the Official Gazette

(iii) These rules shall apply to the posts specified in column No. 1 of the Annexure "A" annexed to these rules.

2. Definitions:-

In these rules unless the context otherwise requires, -

(a) '**ACT**' means the Punjab Agricultural Produce Markets Act 1961 (Punjab Act No. 23 of 1961);

(b) '**Annexure**' means an annexure appended to these rules;

(c) '**Board**' means State Agricultural Marketing Board, U.T. Chandigarh **Chairman** means the Chairman of the Board;

(d) '**Direct Appointment**' means an appointment made otherwise than by promotion or by transfer of a person already in the Service of the Board or Government of India or of a State Government;

(e) '**Education Board**' means the Education Board established by Central Government, State Government or Union Territories

(f) '**Form**' means a form appended to these rules;

(g) '**Government**' means Administrator of the Union Territory Chandigarh

(h) '**Non technical post**' means a post which does not require any technical qualifications.

(i) '**Recognised university or institute means :-**

(1) Any university or institute incorporated by law in India ;

(2) Any other university or institute which is recognized by the Central Government, State Government or Union Territories for the purposes of these rules ;

(j) '**Recruiting Authority**' means a Committee to be constituted by the Secretary of the Board with the prior approval of the Board, having a Chairman and such other members as may be specified by the Board from time to time for the purposes of making direct appointment to the service ;

(k) '**Secretary**' means Secretary of the State Agricultural Marketing Board, U.T. Chandigarh

(l) '**Secretary Agriculture**' means Secretary Agriculture of Chandigarh Administration

(m) '**Service**' means the Chandigarh State Agricultural Marketing Board (**Group C**) Service;

(n) '**Technical Post**' means a post, which requires technical qualifications

3. Number of posts, classification and scales of pay :- The service shall comprise tentatively of the posts specified in Column 2 of Annexure 'A' or as amended by the Secretary Agriculture from time to time.

Provided that nothing in these Rules shall effect the inherent right of the Board to add to or reduce the number of such posts or to create new posts with different categories and designations and scales of pay either permanently or temporarily with the prior approval of the Government. The classification and the scales of pay shall be as specified in Column 2 to 4 of the schedule or as amended by the Secretary Agriculture from time to time.

4. Nationality, Domicile and character of candidates appointed to service -

(1) No candidate shall be appointed to the service unless he is :-

(a) A citizen of India

(b) A citizen of Nepal; or

(c) A subject of Bhutan; or

(d) A Tibetan refugee who came over the 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, Kenya, Uganda and the East African countries of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawai, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India :

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

(2) A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the appointing authority on his furnishing proof that he has applied for the certificate but he shall not be appointed to the Service unless a certificate of eligibility is given to him by the Chandigarh Administration.

(3) No person shall be recruited to the Service by direct appointment unless, he produces :-

(i) A certificate of character from the Principal academic officer of the university college, school of institute last attended if any and similar certificates from two responsible person not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution :

- (ii) An affidavit to the effect that he has never convicted for any criminal offence and that he was never dismissed or removed from service of any State Government, Government of India or any public sector undertaking; and
- (iii) His character and antecedents are found to be satisfactory by the District Magistrate concerned.

5. Age and physical fitness:

(1) No person shall be recruited to the service by direct appointment, if he is less than eighteen years of age or is more than thirty seven years of age on the first day of January of the year next preceding the last day of submission of applications fixed by the appointing authority, or unless he is within such range of minimum and maximum age limits as may be specified by the Chandigarh Administration from time to time :

Provided that the appointing authority may with the prior approval of the Board for reasons to be recorded in writing relax the upper age limit for a category or class of persons :

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

Note :- For age limit in case of recruitment of Ex-Servicemen, the provisions of rule 6 of the Punjab Recruitment of Ex-service Rules, 1982 shall apply.

(2) (i) No person recruited to the Service by direct appointment shall be allowed to join the Service unless he, within the period to be specified by the appointing authority has appeared for medical examination before the concerned Civil Surgeon or the Chief Medical Officer /Principal Medical Officer as the case may be and has been declared by the Civil Surgeon or the Chief Medical Officer as the case may be to be physically fit for the duties which he will have to perform as member of the service :

Provided that a person appointed on purely temporary basis for a period not exceeding three months shall not be required to produce medical certificate before joining the Service.

(ii) The report of the Civil Surgeon or Chief Medical Officer/Principal Medical Officer in terms of Clause (i) shall be final.

6. Appointing Authority -

All appointments to the service shall be made by the Secretary of the Board.

7. Disqualification -

(a) no person who has entered into or contracted a marriage with a person having a spouse ; or

(b) Who having a spouse living has entered into contracted a marriage with any person shall be appointed to the Service ;

Provided that if the Secretary of the board is 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 or so doing, he may exempt any person from the operation of this rule.

8. Method of Recruitment: - The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be specified in **Column 5 to 13** of the said Annexure 'A'.

[Provided that if no suitable candidate is available for appointment by promotion to a post in the Service, such post shall be filled in by transfer or by making a person on deputation as the appointing authority may decide in the this behalf]

Provided that where all the three methods of appointments viz. direct appointment, appointment by promotion or transfer on deputation, for appointment against a post in the service have been specified in Appendix 'B' and no percentage for each mode of appointment has been specified therein, in that case firstly the appointment to that post shall be made by promotion and no suitable person is available for appointment by promotion then the appointment to that post shall be made either by direct appointment or **1**[by transfer or by taking person on deputation] as the appointing authority may decide in this behalf:

Provided that where two methods of appointments viz. promotion or transfer on deputation, for appointment against a post in the service have been specified in Annexure 'A' and no percentage for each mode of appointment has been specified therein, in that case firstly the appointment to that post shall be made by promotion and no suitable person is available for appointment by promotion then the appointment to that post shall be made **2**by transfer or by taking person on deputation as the

appointing authority may decide in this behalf:

- (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 Annexure 'A';
- (3) All appointments by promotion to the service shall be made by selection on the basis of seniority-cum-merit and no person shall be entitled to claim promotion on the basis of seniority alone.
- (4) The reservation in the case of SC,ST,OBC, sportsmen, handicapped persons, freedom fighters or for any other category of persons shall be such percentage as may from time to time, be specified by the Chandigarh Administration for the corresponding service under it.

9. Probation of persons appointed to service -

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

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 the case of appointment by transfer, any period of work in 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 the probation ;
 - (c) 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; and
 - (d) Any period of leave not exceeding six months during or at the end 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 has failed to pass the prescribed departmental examination within a period not exceeding two 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 Service by direct appointment, and

(b) If such person is recruited otherwise –

(i) revert from to his former post ; or

(ii) 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 and 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 or if he has failed to pass the prescribed departmental examination it may dispense with his services, if appointed by direct appointment or if 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.

10. Departmental Examination -

Every member of the service recruited by direct appointment shall pass such departmental examination in such papers comprising such syllabus and of such standard as may be specified by the Board from the time to time.

11. Seniority of member of service -

The seniority inter se of the 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 members appointed 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 seniority based on the order of merit determined by the recruiting authority shall not be disturbed:

Provided further that in case a candidate is permitted to join the Service after the expiry of the said period of four months in consultation with the recruiting authority his seniority shall determined from the date he joins the Service:

Provided further that in case a candidate of the next selection has joined the Service before the candidate referred to in the preceding proviso joins the candidate so referred shall be placed below all the candidates of the next selection who joins within the time specified in the first proviso -

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

- (a) A member recruited by direct appointment shall be senior to a member recruited otherwise ;
- (b) A member appointed by promotion shall be senior to member appointed by transfer;
- (c) In the case of members appointed by promotion or transfer seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred ; and
- (d) In case of members appointed by transfer from different cadres their seniority shall be determined according to pay preference being given to a member who was drawing a higher rate of pay in his previous appointment and if the rates of pay drawn are also the same then by their length of service in those appointments and if the length of such service is also the same and older member shall be senior to a younger member.

Note :- Seniority of members of the Service appointed on purely provisional basis or on daily wages shall be determined as and when they are regularly appointed keeping in view the date of such regular appointment.

12. Liability of Serve -

A member of the Service shall be liable to serve at any place whether within or out of the Chandigarh Administration on being ordered to do so by the appointing authority.

13. Leave, Pay and Other matters etc. -

(1) In respect of pay leave and other matters not expressly provided for in these rules the members of the Service shall be governed by the Punjab Civil Service Rules, as applicable to the employees of the Chandigarh Administration from time to time.

(2) In respect of Provident fund and gratuity, the members of the service shall be governed by the Chandigarh Administration Employees Provident fund and Gratuity Rules and Employees Pension, Provident Fund and Gratuity Rules as amended from time to time. In case of any ambiguity, the Board will take the final decision in these matters which shall be final

14. Pay of Members of Service -

The members of the Service shall be entitled to such scales of pay as may be authorised by the Board from time to time on the pattern of Chandigarh Administration for the common category posts and Punjab Mandi board for the special category posts which do not exist in the Chandigarh Administration. The scales of pay at present in force in respect of the members of the service are given in Annexure 'A'.

15. Discipline, Penalties and Appeals -

In the matters of discipline, punishment and appeal the members of the service shall be governed by the provisions of the Punjab Civil Service (Punishment and Appeal) Rules, 1970.

(2) The authority empowered to impose penalties as specified in rule 5 of the Punjab Civil Service (Punishment and Appeal) Rules, 1970 and the appellate authority there under in respect of members of the Service shall be as specified in Annexure 'B'.

16. Periodic Medical check up -

- (i) Every member of the service shall be liable to undergo periodical medical examination and preventive or curative treatment as he may be required to undergo.
- (ii) Every member of the Service shall be liable at any stage of his service when directed by the appointing authority, to undergo medical examination by the concerned Civil Surgeon or the Chief Medical Officer/Principal Medical Officer or any other authority specified by the appointing authority, as the case may be and his contribution in service shall be subject to the fitness certificate given by the Civil Surgeon or the Chief Medical Officer to the satisfaction of the appointing authority.
- (iii) In case any member of the service is not found fit to perform his duties, he shall be liable to be retired from service and shall be entitled to the same benefits as are admissible to employees of the Chandigarh Administration holding corresponding posts under the Punjab Civil Services Rules, Volume II on being retired on account of invalidity.

17. Vaccination and re-vaccination -

Every member of the Service shall get himself vaccinated or re-vaccinated when the appointing authority so directs by a general or special order.

18. Oath of allegiance -

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

19. Power to relax -

Where the appointing authority is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and with the prior approval of the State Government, relax any of the provisions of these rules with respect to any class or category of persons :

Provided that provisions relating to qualifications, and experience shall not be relaxed.

20. Interpretation -

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

21. Saving Clause -

Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-servicemen and other special categories of persons in accordance with the orders issued by Chandigarh Administration from time to time in this regard.

Further, notwithstanding anything contained in these rules appointments made to any post under a Board prior to the commencement of these rules shall be deemed to have validity been made under rules and shall not be questioned on any ground, whatsoever.

Chandigarh
Dated,

By order and on behalf of the
the Administrator, U.T. Chandigarh

Sh. Ajoy Kumar Sinha,
SECRETARY AGRICULTURE,
CHANDIGARH ADMINISTRATION

ANNEXURE-A

DRAFT RECRUITMENT RULES OF GROUP “C” MINISTERIAL POSTS IN THE STATE AGRICULTURAL MARKETING BOARD, U.T. CHANDIGARH

Name of the post	No. of Posts	Classification	Scale of Pay	Whether selection post or non – selection	Age for direct recruitment	Educational & other qualifications prescribed for direct recruitment	Whether age & educational qualifications prescribed for direct recruitment will apply in case of promotees	Period of probation, if any	Method of recruitment. Whether by direct recruitment or by promotion or by deputation / absorption & percentage of the posts to be filled by various method	In case of recruitment by promotion /deputation/ absorption, grades from which promotion / deputation/ absorption to be made	If a DPC exists, what is the composition	Circumstances in which UPSC is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13

1. Clerk	04 (four) Subject to variation dependent to work load	General central Services (Group-C) Ministerial	Rs.10300-34800 + GRADE PAY RS.3200	Selection	Between 18 and 37 year (Relaxable for Govt. servants/ Schedule Castes/ Schedule Tribes/other Backward Classes/ categories in accordance with instructions issued by Union Territory of Chd. Admn. from time to time	Bachelor Degree from a recognized university/ Institution and Proficiency in operation of computer (Word processing and Spread Sheets) and a speed of 35 W.P.M. in English Typing on Computer.	Age : No EQ : To the extent indicated in Column 11	Two years	A. For single post Direct Recruitment failing which by promotion B. For more than one post (i) Direct recruitment 90% (ii) By promotion 10% from Group 'D' employees	By Promotion from Group 'D' : From amongst the Group 'D' against 10% vacancies in a year having five years regular service in the cadre and possessing matriculation qualification and a speed of 30 words per minutes in English typewriting and has not crossed the age of 45 years at the time of appointment as Clerk. In case of non-filling of this percentage of vacancies in a year, the same will not be carry forwarded to the next year	Yes, Group 'C' DPC for promotion:- 1. Joint Secretary – Chairman 2. Director Social Welfare-Member 3. Zila Sainik Welfare Officer-Member 4. A.C.F.A., Estate Office, Chandigarh - Member	Not applicable.
2.Driver	02(two) Subject to variation dependent to	General Central Civil Service (Group	RS. 5910-20200+ Grade	Selection	Between 18 and 37 years (Relaxable	i) Matriculate from a	Not applicable	Two Years	Direct Recruitment	Not Applicable	Not Applicable	Not Applicable

	work load	' C') Non- Ministerial	Pay RS.2400 /-		for Govt. servants/ Schedule Castes/ Schedule Tribes/oth er Backward Classes/ categories in accordanc e with instructio n s issued by Union Territory of Chd. Admn. from time to time	recognize d Board/ Institution . ii) Driving Licence of Light Transport Vehicles (LTV) atleast for 5 years who has not been convicted of any offence indicating that he is not capable of performing efficiently the duties of the post of Driver Preference shall be given to those who possess knowledge of Motor Mechanism and able to execute minor repairs.							
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						Desirable Knowledge of Hindi or Punjabi						
						iii) one year's experience of driving a Transport Vehicles						

ANNEXURE-B

AUTHORITY EMPOWERED TO IMPOSE PENALTIES AS SPECIFIED IN RULE 6 OF THE PUNJAB CIVIL SERVICE (PUNISHMENT AND APPEAL) RULES, 1970 AND THE APPELLATE AUTHORITY THERE UNDER FOR GROUP "C" MINISTERIAL POSTS IN THE MARKETING BOARD, CHANDIGARH

(See Rule 15)

S.No	Designation of the post	Nature of penalty	Authority empowered impose penalty	Appellate Authority
1	2	3	4	5
1	Clerk	<p style="text-align: center;">Minor Penalties</p> <p>(i) Censure;</p> <p>(ii) Withholding of his promotions;</p> <p>(iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to Board by negligence or breach of orders;</p> <p>(iv) Withholding of increments of pay;</p>	Secretary of the Board	Government
		<p style="text-align: center;">Major Penalties</p> <p>v) Reduction to a lower stage in the time scale of pay for a specified period with further directions as to whether or not the Board employee will earn increments of pay during the period of such reduction</p>	Secretary of the Board	Government

		<p>and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments on his pay;</p> <p>(vi) Reduction to a lower time scale of pay grade, post or service which shall ordinarily be a bar to the promotion of the Board employee to the time scale of pay, grade post of 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 Board employee was reduced and his seniority and pay such restoration to that grade; post or service;</p> <p>(vii) Compulsory retirement</p> <p>(viii) Removal from service which shall not be a disqualification for future employment under the Board, Government semi- Government Departments;</p> <p>(ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Board, Government, Semi Government Departments.</p>		
2	Driver	<p style="text-align: center;">Minor Penalties</p> <p>(i) Censure;</p> <p>(ii) Withholding of his promotions;</p> <p>(iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to Board by negligence or breach of orders;</p> <p>(iv) Withholding of increments of pay;</p>	Secretary of the Board	Government
		<p style="text-align: center;">Major Penalties</p> <p>v) Reduction to a lower stage in the time scale of pay for a specified period with further directions as to whether or not the Board employee 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 on his pay;</p> <p>(vi) Reduction to a lower time scale of pay grade, post or service which shall ordinarily be a bar to the promotion of the Board employee to the time scale of pay, grade post of service from which he was</p>	Secretary of the Board	Government

	<p>reduced with or without further directions regarding conditions of restoration to the grade or post or service from which the Board employee was reduced and his seniority and pay such restoration to that grade; post or service;</p> <p>(vii) Compulsory retirement</p> <p>(viii) Removal from service which shall not be a disqualification for future employment under the Board, Government semi- Government Departments;</p> <p>(ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Board, Government, Semi Government Departments.</p>		
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