

The Punjab Municipal Safai Karamchari Service Rules, 1984

*Published vide Punjab Government Legislative Supplement Part III dated, 30.11.1984
at Page 625.*

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The Punjab Municipal Safai Karamchhari Service Rules, 1984

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1. Short title. - These rules may be called the Punjab Municipal Safai Karamchhari Service Rules, 1984.

- (2) They shall come into force at once.
- (3) They shall apply to the posts specified in Appendix 'A'.

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

- (a) 'Act' means the Punjab Municipal Act, 1911;
- (b) 'Appendix' means an Appendix to these rules;
- (c) 'Direct appointment' means an appointment made otherwise than by promotion or by transfer of a person already in the service of a Committee or a notified area Committee;
- (d) 'Government' means the Government of the State of Punjab in the Department of Local Government, Housing and Urban Development;
- (e) 'Executive Officer' means an Executive Officer appointed under Section 38 of the Act;
- (f) 'Member' means a person appointed to the Service under these rules; and
- (g) 'Service' means the service of Safai Karamchharis, Sewerman, Sanitary Mates and Sanitary Jamadars.

3. Number and character of posts. - The Service shall comprise the posts specified in Appendix 'A' and the number of each post shall be such as may be sanctioned in a Committee or a notified area Committee as the case may be from time to time.

4. Appointing authority. - The appointment to the Service shall be made by the concerned Committee or notified area Committee.

5. Nationality, domicile and character of candidates appointed to the Service.

- (1) No candidate 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 come over to India before the first 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 African countries of Kenya, Uganda and the United Republic

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of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawa, Zaire, Ethiopia and Vietnam with the intention of permanently settling 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 given by the Government of India.

(2) No person shall be appointed to the Service unless his antecedents and character are verified by the Police.

Provided that a person may be appointed against temporary vacancy for a period not exceeding six months in anticipation of verification of his antecedents and character by the Police.

6. Age. - No person shall be recruited to the Service by direct appointment if he less than eighteen years or is more than thirty-five years of age at the time of appointment to the Service.

7. Method of appointment and Qualifications. - (1) All appointments to the Service shall be made in the following manner, namely :-

(a) in the case of Safai Karamchari/Sewerman by the direct appointment from amongst the person who are literate:

Provided that preference shall be given to a person who is middle pass; and

(b) in the case of Sanitary Mate/Sanitary Jamadar by promotion from amongst the Safai Karamcharis or Sewerman who have an experience of working on either or both of these posts for a minimum period of five years.

(2) All appointments to service by promotion shall be made on seniority- cum-merit and seniority alone shall not confer any right of appointment to a post in the Service.

8. Probation of persons appointed to Service. -(1) Persons appointed to the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year if recruited 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) any period of officiating appointment to the Service shall be reckoned as period spent on probation but not person who has so officiated shall, on the completion of 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 member during the period of probation is not satisfactory, it may -

(a) if such member is recruited otherwise,

(i) revert him to his former post; or

(ii) deal with him in such other manner as the term and conditions of his previous appointment permit.

(3) On the completion of the period of probation of a member, the appointing authority may, -

- (a) if his work and conduct has, in its opinion been satisfactory,-
 - (i) confirm him from the date of his appointment, if appointed against a permanent vacancy; or
 - (ii) confirm him from the date from which 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) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former posts 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 period of probation as specified in sub-rule (1);

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

9. Seniority of members of Service. - The seniority inter se of the members 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 recruited by direct appointment, who join within the period specified in the order of appointment or within such period as may from time to time be extended by the appointing authority subject to a maximum of one month from the date of order of appointment, the order of merit determined 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 one month, his seniority shall be determined from the date he joins the Service :

Provided further that in case any 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 join within the time specified in the first proviso.

Note - This rule shall not apply to persons appointed on provisional basis and their seniority shall be determined as soon as they are regularly appointed keeping in view the dates of their regular appointment.

10. Resignation from Service. -(1) If a member wishes to resign from service, he may resign at any time after giving regular month's notice.

(2) If a member fails to give the notice as required under sub-rule (1) a gives a notice of a shorter period, the appointing authority shall be entitled to recover salary and allowance for the notice period or for the period by which the notice falls short of, as the case may be, from such member in lieu of the notice period.

11. Retirement. - A member shall retire on the afternoon of the last day of month in which he attains the age of sixty years;

Provided that -

- (i) the appointing authority shall, if it is of opinion that it is in public interest to do so, have the absolute right by giving a member of the service prior notice, in writing to retire the member on the date on which completes twenty-five years of service or attains fifty years of age or on any date thereafter to be specified in the notice;
- (ii) the period of such notice shall not be less than three months and a in case three month's notice is not given or notice for a period less than three months is given, the member shall be entitled to claim a sum equivalent to the amount of his pay and allowances at the same rate at which he was drawing immediately before the date of retirement for a period of three months or for the period by which such notice falls short of three months as the case may be;
- (iii) any member may after giving three months previous notice in writing to the appointing authority retire from service on the date on which he completes twenty years of service or attains fifty years of age but no member under suspension shall retire from service except with the specific approval in writing of the appointing authority.

12. Procedure for imposing penalties. - Minor or major penalties as specified in Appendix 'B' may be imposed on a member, for reasons to be recorded in writing, in accordance with the procedure given hereunder :-

- (A) Minor penalties. - (i) Whenever it is proposed to impose one of the minor penalties on a member, he shall be served with a charge-sheet indicating the imputations of misconduct or misbehaviour on account of which action is proposed to be taken against him; and he shall be called upon to reply thereto within a period of twenty days from the date of issue of charge sheet.
- (ii) On receipt of reply to the charge-sheet referred to in sub- clause (i), if it is found unsatisfactory or no reply is received within the specified period, a minor penalty shall be imposed on him straightway.
- (b) Major penalties. - (i) Whenever it is proposed to impose a major penalty on a member he shall be served with a charge-sheet indicating (i) statement containing articles of charges; (ii) statement containing imputations of misconduct of misbehaviour; (iii) written statement of witness, if any; and (iv) copies of relevant documents if any, and the member shall be called upon to furnish reply thereto within a period of twenty days from the date of issue of charge-sheet. If no reply to the charge-sheet is received within the specified period or if on its receipt, it is found unsatisfactory, an Inquiry Officer shall be appointed to conduct inquiry into the charges.
- (ii) On receipt of inquiry report, one of the major penalties may be imposed on the member, if it is found that all or any of the charges against him are proved:

Provided that before imposing the punishment, the member shall be afforded an opportunity of personal hearing;

Provided further that the punishing authority may reduce the penalty for which notice was served on the member.

13. Authority competent to impose penalties. - (1) The authority empowered to impose penalties specified in column 3 of Appendix 'B' shall be as specified in column 3 thereof and appellate authority thereunder in respect of the members shall be as specified in column 5 of said Appendix 'B'.

(2) Notwithstanding anything contained in sub-rule (1), an order of placing a member under suspension shall be passed by the Executive Officer of the concerned Committee or notified area Committee, as the case may be.

14. Part time employment. - (1) The appointing authority shall not employ part time Safai Karamcharis unless there are special reasons for doing so.

(2) The Safai Karamcharis employed under sub-rule (1), shall be entitled to such remuneration as may be specified by the Deputy Commissioner of the district concerned.

15. Pay and allowances. - The members, except those appointed under rule 14, shall be entitled to such pay and allowances as may be determined by the concerned Committee or the notified area Committee, as the case may be:

Provided that the pay and allowances determined under this rule shall not be in excess of those specified by the Government.

16. Leave. - Leave shall be admissible to the members in accordance with the provisions of the Punjab Civil Services Rules, Volume I, Par I.

17. Holidays. - (1) Each member shall have -

(a) a paid holiday once a week;

(b) three National Holidays, namely :-

(1) 26th January;

(2) 15th August; and

(3) 2nd October;

(c) four other holidays at the option of the member on any of the festivals specified in Appendix 'C'.

18. Gratuity. - The members shall be entitled to gratuity at such rates as is admissible to such category of employees of the Punjab Government.

19. Appliances. - The Safai Karamcharis shall be paid an allowance of ten rupees per month in lieu of broom and basket. Other appliances as may be necessary for the performance of duties i.e. Bucket, Tasla, Kassi, Scrappers, Wheel-borrows, etc., shall be provided to the members of the Service free of cost by the concerned Committee or notified area Committee:

Provided that the dark glasses and gum boots shall also be provided free of cost by the concerned Committee or notified area Committee to those

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members who are required to work on dumping pits, for carrying night soil on trolleys or for cleaning sewerage.

20. Uniforms. -(1) The members shall be entitled to supply of uniform free of cost.

(2) The members shall also be entitled to washing allowance at the rates as may be fixed by the Government from time to time.

21. Duties. - The members shall perform the following duties, namely :-

- (a) sweeping of public roads, streets and other public places;
- (b) removing of night soil;
- (c) removing of house-hold refuse;
- (d) incineration or disposal of night soil and other refuse;
- (e) cleaning of public latrines and urinal and other public places;
- (f) removing of carcasses of animals;
- (g) washing of drains, streets, latrines, sewers and other public places;
- (h) other duties as may be assigned by the Executive Officer.

22. Area to be served daily. -(1) No member shall be allotted to clean daily more than one thousand metres of length of pacca roads, pacca streets or pacca bazar, or eight hundred metres length of kacha road, kacha street or kacha bazar. If appointed on cleaning drainage, his beat shall not exceed one thousand metres length of drain, intramural drain or intercepting drain. If employed for removal of rubbish, the load to be carried in one trip shall ordinarily be fifteen kilograms and the total beat shall not exceed two and a half kilometers. In case the rubbish is carried through Wheel-borrows, the load shall be as per the capacity of the Wheel-borrow.

(2) The beat fixed in sub-rule(1) shall be subject to the condition that the width of the road, street or bazar to be cleaned does not exceed six metres;

Provided that if the width of the road, street or bazar exceeds or is less six metres, the length of the beat shall be enhanced or reduced proportionately.

23. Weekly working hours. - (1) No member shall be required to work for more than eight hours on any day.

(2) The work shall be taken in two sessions, namely, in the morning and in the evening. The working hours shall be fixed by the Executive officer for summer and winter.

24. Contributory Provident Fund. - The member shall be entitled to contribute to the Provident Fund of the Committee or notified area, Committee, as the case may be, and shall be governed by the rules contained in Chapter XVI of the Municipal Account Code, 1930.

25. Creche. - The Committee or notified area Committee may set up a Creche for

the benefit of children of the female members of the service, on such terms and conditions as may be determined by it. -

26. Residential accommodation. - A member may be allotted a residential house, if available, on monthly rent of ten per cent of his emoluments or in lieu thereof House Rent Allowance shall be paid to him as per norms fixed by the Punjab Government for its employees.

27. Over-riding effect. - The provisions of these rules in respect of all the matters enumerated therein in so far as the members are concerned shall have effect notwithstanding anything contained in other rules with respect to such matter.

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

APPENDIX 'A'

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

| Serial No | Designation of post |
|-----------|--------------------------------|
| 1. | Safai Karamchhari/Sewerman |
| 2. | Sanitary Mate/Sanitary Jamadar |

APPENDIX 'B'

(See rules 12 and 13)

| Se- rial No. | Designation of the employee | Nature of penalty | Punishing authority | Appellate authority |
|--------------------|--------------------------------------|---|---------------------|--|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Safai Karamchhari/Sewerm an | (i) Censure; | Executing Officer | Regional Deputy Director, Local Government |
| 2. | Sanitary Mate/Sanitary Jamadar | (ii) withholding of his promotion; (iii) recovery from his pay of the whole or part of any pecuniary loss caused by him by negligence or breach of order; (iv) withholding of increment of pay; | | |

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| | | |
|---|--------------------------------------|--|
| (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 employee will earn increments of pay during the period of such reduction and whether on the expiry of such period the reduction will not have the effect of postponing future increments of his pay; | Committee or Notified Area Committee | Regional Deputy Director, Local Government |
| (vi) reduction to a lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Municipal employees to the time scale of pay, grade, post or service from which he was reduced, with or without further direction regarding conditions of restoration to the grade or post or service from which the employee was reduced and his seniority and pay on such restoration to that grade, post or service; | | |
| (vii) Compulsory retirement; | | |
| (viii) removal from service which shall not be a disqualification for future employment under a Committee or notified area Committee; | | |
| (ix) Dismissal from service which shall ordinarily be a disqualification for future employment under a Committee or notified area Committee. | | |

APPENDIX 'C'

(See rule 17)

New year's day, Basant Panchami, Guru Ravi Dass Birthday, Shivratri, Holi, Hola, Id-ul-fitr, Ram Naumi, Lord Mahavira's Birthday, Good Friday, Baishakhi, Id-ul-Zuha, Guru Arjan Dev's Martyrdom Day, Muharram, Milad-ul-Nabi, Janam Ashtami, Dussehra, Maharishi Balmiki's Birthday, Diwali, Lala Lajpat Rai's Death Anniversary, Guru Nanak's Birth Day, Guru Teg Bahadur's, Martyrdom Day, Christman Day, Jore Mela Fatehgarh Sahib, Guru Gobind Sing's Birthday, Vishwa Karma Jainti, May Day.