

Corporation Officers and other Corporation Employees

71. Posts in Corporation and appointments thereto. –

(1) The Government may, by notification, constitute in the prescribed manner, all or any of the following Corporation Services. Namely:

- (i) Punjab Service of Corporation Engineers and Sectional Officers.
- (ii) Punjab Service of Corporation Health Officers.
- (iii) Punjab Service of Corporation Secretaries.
- (iv) Punjab Service of Corporation Accounts Officers and Accountants; and
- (v) such other Corporation Service as the Government may decide.

(2) The Government may make rules for regulating the recruitment and the conditions of service of members of the Corporation Services referred to in sub-section (1), and the classification of such services and for the duties and functions of the members of such services.

(3) The Government may transfer any member of a Corporation Service from a post in One Corporation to a post carrying the same scale of pay in another Corporation.

(4) The salary, allowances, gratuity, annuity, pension and other payments required to be made to the members of the Corporation Services in accordance with the conditions of their service shall be charged from the Corporation Fund in the prescribed manner.

(5) Creation of posts in a Corporation Service and appointment of members thereto shall be made by the Government or by an authority empowered by the Government in this behalf after taking into consideration the requirements of the Corporation and their financial capacity but no such member shall be deemed to have been appointed to any civil service or post under the State.

(6) Every person who, immediately before the issue of a notification under sub-section [1), is serving in a City on a post in relation to which a Corporation service Is constituted shall on the issue of such notification become a member of the corresponding Corporation Service if he is found fit by an authority appointed by the Government in this behalf for becoming such a member on the basis of his qualifications and service record and if he is not found fit the post on which he is serving shall be deemed to have been abolished:

Provided that the condition regarding determination of fitness for becoming a member of a Corporation Service shall not apply to a person who was found to be fit for becoming a member of the corresponding Municipal Service constituted under section 38 of the Punjab Municipal Act, 1911, or was recruited thereto at any time thereafter: Provided further that the terms and conditions of service of a person who becomes a member of a Corporation Service In the manner referred to above, In so far as they relate to

remuneration, gratuity and provident fund shall not be varied to his disadvantage on his becoming a member of the Corporation Service.

(7) In respect of a post other than those falling under sub-section (1) the power to create the same and to make appointment thereto shall vest, in the Commissioner if the maximum of the grade of that post does not exceed five. Hundred rupees and in the Corporation if it so. Exceeds: Provided that no post the maximum of the grade whereof one thousand rupees exceeds shall be created under this sub-section save with the prior approval of the Government.

(8) Notwithstanding anything contained in any other law for the time being in force in consultation with the Punjab Public Service Commission shall not be necessary in the case of appointment to any post referred to in this section but appointment to any such post in Initial pay whereof exceeds the prescribed limit shall be made on the recommendation of a selection committee constituted by the Government in that behalf and where the appointing authority does not agree with the recommendation of the selection Committee the matter shall be referred to the Government for decision.

(9) In making an appointment to any post referred to In this section, the appointing authority shall follow the instructions issued by the Government from time to time In relation to reservation of appointments or. Posts for Scheduled Castes, Backward Classes and any other special category of persons.

72. Officers and other employees not to undertake any extraneous work. –

No Corporation officer or other Corporation employee shall undertake any work unconnected with duties under this Act except with the permission of the Corporation.

73. Officers and other employees not to be interested in any contract, etc. with Corporation.

(1) A person shall be disqualified for being appointed as a Corporation officer or employee if he has, directly or indirectly, by himself or by a partner or any other person any share or Interest In any contract made with, or any work being done for, the Corporation, other than as such officer or employee.

(2) If any such officer or other employee acquires, directly or Indirectly by himself or by a partner or any other person, any share or interest In any such contract or work as is referred to In sub-section (1), he shall, unless the authority appointing him In any particular case otherwise decides, be liable to be removed from his office by an order of such authority:

Provided that before an order of removal is made, such officer or other employee shall be given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

74. Punishment of Corporation officers and other employees. –

(1) Every Corporation officer or other Corporation employees, other than those referred to in sub-section (1) of section 71, shall be liable to have his increments or promotion withheld or to be censured, reduced in rank, compulsorily retired, removed or dismissed for breach of any departmental regulations or of discipline or for carelessness, unfitness, neglect of duty or other misconduct by such authority as may be prescribed by regulations:

Provided that no such officer or other employee as aforesaid shall be reduced in rank, compulsorily retired, removed or dismissed by authority subordinate to that by which he was appointed:

Provided further that the Corporation may by regulations provide that Corporation employees belonging to such classes or categories as may be specified in the regulations shall be liable also to be fined by such authority as may be specified therein.

(2) No such officer or other employee shall be punished under Sub-section (1) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him:

Provided that this sub-section shall not apply

(a) where an officer or other employee is removed or dismissed on the ground of conduct which has led to his conviction on a criminal charge or

(b) where the authority empowered to remove or dismiss such officer or other employee is satisfied that for some reason to be recorded by that authority, it is not reasonably practicable to give that person an opportunity of showing cause.

(3) If any question arises whether it is reasonably practicable to give to any officer or other employee an opportunity of showing cause under sub-section (2), the decision thereon of the authority empowered to remove or dismiss such officer or other employee shall be final.

(4) An officer or other employee upon whom a punishment has been inflicted under this section may appeal to such officer or authority as may be prescribed by regulations.

75. Power of Corporation to make regulations. –

The Corporation may make regulations to provide for any one or more of the following matters, namely:-

(a) the tenure of office, salaries and allowances, provident funds, pensions, gratuities, leave of absence and other conditions of service of officers and other employees appointed under this Chapter, other than those referred to in sub-section (1) of section 71

(b) the qualifications of candidates for appointment to posts specified in sub-section (7) of section 71;

(c) the procedure to be followed in imposing any penalty under sub-section (1) of section 74, suspension pending departmental inquiry before the imposition of such penalty and the authority by whom such suspension may be ordered; the officer or authority to whom

an appeal shall be under sub- section (4) of that section;

(d) Any other matter which is incidental to, or necessary for the purpose of regulating the appointment and conditions of service of persons appointed to services and posts under the Corporation and any other matter for which in the opinion of the corporation provisions should be made by regulations: