



SERVICE BYE-LAWS
of

**THE PUNJAB TOURISM DEVELOPMENT
CORPORATION Ltd.**

183-184, Sector 8-C, Madhya Marg, CHANDIGARH
(Ph. : 44138, 41091 Grams : TOUR CORP)

PUNJAB TOURISM DEVELOPMENT CORPORATION LIMITED
EMPLOYEES SERVICE BYE-LAWS

The Board of Directors of Punjab Tourism Development Corporation Limited hereby make the service Bye-Laws to regulate the recruitment and conditions of service of persons appointed to various posts under the Corporation.

CHAPTER-1

1. Short title, commencement and application (a) These Bye-Laws may be Called Punjab Tourism Development Corporation Ltd. Employees Service Bye-Laws.
(b) These Bye-Laws shall come into force from 1-1-1981
(c) These Bye-Laws shall apply to all the employees of the Corporation.
2. Definitions In these Bye-Laws unless the context otherwise requires:
 - (a) "Board" means the Board of Directors of the Corporation.
 - (b) "Chairman" means the Chairman of the Board of Directors of the Corporation.
 - (c) "Corporation" means the Punjab Tourism Development Corporation Ltd.
 - (d) "Bye-laws" means the Punjab Tourism Development Corporation Ltd Employees Service Bye-Laws.
 - (e) "Managing Director" means the Managing Director of the Corporation.
 - (f) "Secretary" means the Secretary of the Corporation.
 - (g) "Direct Appointment" means the appointment made otherwise than by promotion or by transfer or on deputation.
 - (h) "Government" means the Government of Punjab.
 - (i) "Employee" means a person (whether officer or any other employee) employed on any post under the Corporation but does not include the casual worker or a daily wage earner.

- (j) "Probationer" means an employee who is provisionally employed to fill a vacancy on a permanent post and has not been confirmed as permanent by an order in writing.
- (k) "Appointing Authority" means the competent authority to make appointments.

CHAPTER-II POSTS UNDER THE CORPORATION

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| 3. Creation of posts | The Board/appointing authority shall have the power to create posts with designation, scale of pay, qualification and experience etc.etc. from time to time. |
| 4. Appointing Authority | Appointments to all the posts under the Corporation shall be made by the Board subject to the delegation of powers to the Managing Director or any other subordinate authority. |
| 5. Classification of posts | All the posts under the Corporation will be classified under two categories, namely <ul style="list-style-type: none"> (i) Officers (ii) Other employees |
| 6. Nationality & domicile | No person shall be appointed to the service unless he/she is :- <ul style="list-style-type: none"> (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 settling 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 settling in India, in whose favour a certificate of eligibility has been given by the competent authority. The certificate of eligibility will be valid for a period of one year, after which such a candidate will be retained in service subject to his having acquired Indian |

citizenship.

7. Age

No person shall be recruited to the service by direct appointment if he is less than 18 years and more than 35 years of age on the date of appointment provided that the appointing authority may in special circumstances to be recorded in writing relax the upper age limit.

provided that in the case of condidates belonging to :-

- (a) Scheduled castes;
- (b) Scheduled tribes;
- (c) Bakward Classes;
- (d) Widows;
- (e) Women who are legally separated from their husbands or have been divorced
- (f) Women whose husbands have been ordered by the Civil or criminal Courts to pay maintenance to them.
- (g) Women who have, because of their desertion, been living separately from their husbands for more than two years.
- (h) Women whose husbands have remarried; and
- (i) Wives of serving military personnel or those who are disabled while in military service :

The upper age limit will be relaxable as per Govt. instructions from time to time.

Provided further that in case of Released Army personnel, the upper age limit shall be relaxed to the extent of approved military service.

CHAPTER-III

RECRUITMENT, SENIORITY, PROMOTION AND RETIREMENT

8. Recruitment (a)

Recruitment to various posts under the Corporation shall be made by the appointing authority by any one of the following methods.

- 1) by direct appointment
- 2) by promotion
- 3) by deputation from Govt. or any other Central/State Corporation and other statutory body.

4) by Transfer

- (b) The Board/appointing authority may prescribe for various posts under the Corporation, the qualifications whether academic, technical or otherwise, or tests or physical standards or any experience that it may consider necessary and expedient for the efficient discharge of duties or conditions for confirmation.
- (c) No person who has been dismissed from any public or private employment or has otherwise been terminated from the service of the Corporation shall be re-employed except with the express approval of the Board.
- (d) All appointments in the first instance, shall be made on probation of 6 months. The period of probation may be extended up to 2 years in case the work of the probationer is not found to be satisfactory during the first six months or extended probation period.
- (e) The appointing authority may confirm a probationer during probation/ extended probation period or at the expiry of the probation period, if the work of the probationer is found to be satisfactory.

9. Record of Service

The following record of service of every employee shall be maintained :-

- 1) Personal file
- 2) Service Book and
- 3) C.R. file

Note :- Files at Nos. (1) and (2) shall be maintained by the office and the file at Sr. No. (3) shall remain in the personal custody of the Managing Director or any officer authorised by him/her.

10. Seniority

The interse seniority of the employees shall be determined by the length of continuous service on the post :

Provided that when there are two or more different cadres in a service the seniority shall be determined separately for each cadre.

Provided further that in the case of persons recruited by direct appointment, the order of merit determined by the appointing authority or other recruiting authority as the case may be, shall not be disturbed in fixing the seniority.

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

- (a) A person appointed to the post by promotion from the service of Corporation, shall be senior to the direct appointee.
- (b) A person appointed by promotion shall be senior to a person appointed by transfer.
- (c) In the case of persons appointed by promotion or transfer seniority shall be determined according to the seniority of such persons in the appointments from which they were promoted or transferred.
- (d) In the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay; preference being given to a person who was drawing a higher rate of pay. If the pay drawn is also the same then by length of their service in those appointments and if the service is also the same an older person shall be senior to a younger person.

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

11. Promotion

All promotions shall be made on the basis of merit cum seniority and no person shall have a right to be promoted on the basis of seniority alone.

12. SUPERANNUATION AND RETIREMENT

- (i) Every employee shall retire on attaining the age of 58 years. The Board may, however, allow extension upto the age of 60 years where considered necessary.
- (ii) Every employee of the Corporation shall on attaining the age of superannuation be entitled to gratuity for 15 days pay for every completed year of service. The amount of pay shall be subject a maximum of 20 months salary or Rs. 50,000/- which ever is less. However, the Govt. of India has amended the Grauity Act,
- (iii) The Board of Directors of PTDC in its 59th meeting held on 10/2/94 had resolved that the date of retirement as the last date of the month during which an employee retires, is made applicable to the employees of the Corporation.

CHAPTER IV PAY AND ALLOWANCES

13. (i) Definitions
- (a) "Pay" means the monthly pay drawn in a time scale and includes 'Personal', 'Special', 'Dearness' or 'Deputation' pay.
 - (b) "Personal Pay" means the additional pay granted to an employee by the appionting authority in special circumstances.
 - (c) "Special Pay" means additional pay granted in consideration of a specially arduous nature of duties or a specific addition to the work or responsibility.
 - (d) "Award" means a fixed amount awarded in recognition of meritorious work performed by an employee.
 - (e) "Allowance" includes dearness allowance, house rent allowance, travelling allowance, conveyance allowance, city compensatory, sumptuary and overtime allowance, hardship allowance or any other allowance sanctioned from time to time .
- (ii) Fixation of initial pay
- (a) An employee shall on appointment be eligible to the minimum of the scale of the post to which he is appointed.

- Provided that the appointing authority may in consideration of special knowledge, training or experience, allow a higher initial start to any person.
- (b) When an employee in a lower pay scale is appointed to officiate in a higher scale post, the appointing authority may allow him to draw the minimum of the higher scale or his pay may be fixed in the new scale at a stage next above his basic pay in the lower scale.
- (iii) Grant of awards and advance increments
- The appointing authority may in recognition of exceptionally good service of an employee grant to him:-
- (a) an award not exceeding the amount of the pay for two months of such employee.
- (b) up to two increments in the time scale of his post.
- Provided that the Board may award any amount of money or grant any number of increments.
- (iv) Conditions of deputation
- (a) Government servant on deputation to the Corporation shall continue to enjoy his pay scale in his parent department. He shall also be entitled to deputation allowance and other allowance as may be determined by his parent department.
- (b) When an employee of any Central/State Corporation or statutory body is appointed to any post under the Corporation, his conditions of service shall be such as may be determined by the appointing authority.
- (v) Increment
- An increment in a time scale may be drawn as a matter of course by any employee unless it is withheld or deferred by the appointing authority on the ground of suspension, grant of extra-ordinary leave without pay or punishment.
- (vi) Crossing of efficiency bar
- Special sanction of the appointing authority shall be required to cross an efficiency bar in a time scale
- (vii) Combination of appointments
- Special pay at a rate not exceeding 10% of basic pay to be determined by the appointing authority may be allowed to a person holding charge of an independent post in addition to his own duties for a period exceeding one month.

CHAPTER-V LEAVE AND HOLIDAYS

14. Leave

The employees of the Corporation shall be entitled to leave as are admissible under the Punjab Shops & Commercial Establishments Act or any other law applicable for the time being.

15. ACCUMULATION OF LEAVE

The Board of Directors of PTDC in its 53rd meeting held on 19/8/92 had resolved that the accumulation of earned leave upto 360 days and encashment of leave upto 240 days in accordance with the instructions of the State Govt. vide No. 10/17/88 FPI/ 10304 dated 24.11.88 be and is hereby approved. Further the Board of Directors had approved in its 77th meeting held on 22. 9. 1998 the encashment of earned leaves upto 300 days as per Punjab Govt. Letter No. 1/10/96-3FPII/7219 dated 13th May, 1998.

16. Holidays

The employees of Corporation working at tourist complexes/bunglows/hotels/restaurants etc. shall be entitled to holidays as admissible under the Punjab Shops & Commercial Establishments Act or any other law applicable for the time being.

However, the employees at the Head Office shall be entitled to the holidays as are admissible to the Punjab Government employees.

CHAPTER VI PENALTIES, MISCONDUCTS AND APPEALS

17. Penalties

Any employee of the Corporation may be awarded any one or more of the following penalties.

- a) Warning or reprimand or censure.
- b) Forfeiture of the amount of difference between the admissible emoluments and subsistence allowance paid during the suspension period.
- c) With-holding of increment or increments including stoppage at the efficiency bar.
- d) Reduction to a lower time scale.
- e) Recovery from pay for loss caused to the Corporation.
- f) Removal or dismissal from service.

18. Misconducts

The penalties enumerated in bye-law 17 above may be

imposed on any one or more of the following grounds namely :

- (a) participation in illegal strike or inducing others to participate in illegal strike.
- (b) Wilful insubordination or disobedience.
- (c) Negligence, inefficiency, carelessness or indolence.
- (d) Irregular attendance.
- (e) Unauthorised divulgence of any information or document detrimental to the interest or reputation of the Corporation.
- (f) Theft, pilferage, fraud, dishonesty, misappropriation, defalcation or embezzlement.
- (g) Absence from duty without leave or over-staying except under circumstances beyond control provided that the appointing authority may order such period to be treated as period spent on leave of any kind.
- (h) Arrest or conviction on a criminal charge or for an offence involving moral turpitude or depravity or degradation of character.
- (i) Insanity
- (j) Anti-national activities.
- (k) Discourteous, insolent, brazen, riotous and contemptuous behaviour with the visitors/ customers/ tourists.
- (l) Accepting or giving any illegal gratification.
- (m) Gambling, drunkenness or intoxicating or disorderly behaviour during working hours.
- (n) Endangering the life or safety of any other person, intimidation, physical duress, or any act subversive of discipline.
- (o) Engaging in personal trade or business within the premises of the Corporation.
- (p) Inciting or instigating other employees to take part or otherwise act in furtherance of a strike of the employees

of the Corporation in contravention of the provisions of law.

- (q) Organising or Participating in acts resulting in wrongful confinement or restraint of any person within the premises of the Corporation or outside.
- (r) Wilful slowing down performance of duty or instigation thereof.
- (s) Wilful damage or attempt to cause damage to the working process or to any other property of the Corporation or of the customers/visitors/tourists.
- (t) Habitual absence without leave or unauthorised absence from duty without sufficient justification.
- (u) Sleeping during working hours.
- (v) Failure to attend the visitors/customers/tourists.
- (w) Unauthorised occupation of the property of the Corporation.
- (x) Violation of the provisions of the by-laws.
- (y) Any other act of omission or commission which constitutes a misconduct.
- (z) Abetment of the commission of the aforesaid acts.

19. Imposition of penalties

The penalties referred to in bye-law 17 may be imposed by order in writing by the appointing authority.

Any person in the employment of the Corporation may be placed under suspension by order in writing of the appointing authority for the purpose of holding an enquiry in to the charges against him.

During the period of suspension, such employee shall be entitled to receive subsistence allowance equal to one half of his pay plus allowances thereon, provided that :-

- (a) The difference of his pay and subsistence allowance may be given to such a person on his re-instatement if the appointing authority so directs in writing and :
- (b) The subsistence allowance already paid to such an

employee shall not be refundable to the corporation in case such an employee is dismissed or removed from service.

20. Appeal

- (i) An appeal against an order of the appointing authority imposing any penalty, shall lie to the Board within one month of the date of service of the order and the Board's decision on such appeal shall be final.

Provided that a joint appeal shall not be entertained. Provided further that where a penalty has been imposed by the Board or by the appointing authority with the approval of the Board, the person on whom the penalty has been imposed may apply to the Board for revision of its decision within one month of the date of service of the order.

- (ii) The next higher authority in the case of General Manager shall be the Managing Director and in case of the Managing Director, the Chairman provided further that where the penalty, with the approval of the Board appeal of revision petition against the decision shall be made to the Board.

- (iii) The Board of Directors in its 23rd meeting held on 18.12.1984 resolved further as under :

"that the appeal against the orders of the Managing Director imposing following minor penalties shall lie with the Chairman within one month of the date of service of the order and the orders of such authority in such appeal shall be final :

a) Warning, reprimend or censure

b) Forfeiture of the amont of difference between the admissible emoluments and subsistence allowance paid during the suspension period .

(c) With holding of increment or increments with or without cumulative effect, including stoppage at the efficiency bar.

d) Recovery from pay for loss caused to the Corporation."

CHAPTER VI DELEGATIONS

21. Delegation of Powers

The Board may by resolution confer upon the Chairman,... the Managing Director or any other officer of the Corporation all or any of its powers under the Bye-Laws. The Managing Director may confer on any officer of the Corporation all or any of his powers including powers delegated to him by the Board.

Delegated powers shall be exercised subject to such restrictions, conditions and limitations as may be prescribed in the resolution or authorisation by the Board or the Managing Director, as the case may be.

CHAPTER VIII

MEDICAL REIMBURSEMENT, TRAVELLING ALLOWANCE AND LEAVE TRAVEL CONCESSION

22. Medical reimbursement

Employees shall be entitled to medical reimbursement as per Punjab Government rules as amended from time to time.

23. Travelling Allowance

The travelling allowance rules contained in Punjab Civil Services Rule, Vol. III (as applicable to Punjab State Govt. employees) shall apply to the employees of the Corporation (including Deputationists) subject to such modifications as may be made by the Board from time to time.

The Managing Director may sanction actual travelling expenses on production of cash memo receipts in exceptional circumstances.

24. Leave travel Concession

All employees of the Corporation on completion of one year's service in the Corporation shall be entitled to the following leave travel concession.

Reimbursement of the actual fare to and fro by rail/bus of the class entitled under the T.A. Rules for self, wife/husband and minor children once in two years for visiting the permanent place of residence (home town).

Note :- For the purpose of claiming reimbursement for visits to home-town as referred to above, the minimum period of earned leave availed shall be 10 days. Only one reimbursement for visit to home town shall be admissible in one calendar year.

CHAPTER-IX GENERAL

25. (1) The Board shall have the right to modify, cancel or amend all or any of these bye-laws and issue supplementary bye-laws or amendments there to without previous notice and give effect to them from the date of issue or any other date. Matters not covered by these bye-laws shall be decided by the Board of Directors.
- (2) The whole time to an employee shall be at the disposal of the Corporation. The working hours shall be fixed by the Managing Director in such a manner as may be deemed fit. An employee shall not leave station of duty except with the permission of the competent authority.
- (3) No employee shall directly or indirectly engage in any other business, occupation or employment nor shall enter into any partnership, accept any fees, endowment or commission whatsoever from any party other than the Corporation except with the previous permission of the appointing authority.
- (4) Every employee shall be liable to be transferred by the competent authority from one post to another or to any place which it may consider necessary in the interest of the Corporation.
- (5) The Corporation shall, in respect of acts done in good faith and in the interest of the Corporation, extend protection to an employee of the Corporation in a Court of Law or else where.
- (6) If any doubt or difficulty arises in interpreting these Bye-Laws, or in giving effect to them or if any lacunae, inconsistency or anomaly is discovered in their application, the Managing Director may issue instructions for the

purpose of removing such doubt, difficulty, lacunae, inconsistency or anomaly.

(7)

Any provisions of the Bye-Laws in contravention or variance with the Central/State enactments in force or any enactments made hereinafter shall be deemed to have amended in accordance with such provisions of the Central/State enactments,

8. Benefits for the handicapped employees.

That the orthopaedically handicapped employees of Punjab Tourism Dev. Corporation be and are hereby granted conveyance allowance @5% of basic pay in revised pay scale to a maximum of Rs. 100/ per month with the following conditions.

- i) An orthopaedically handicapped employees will be eligible for conveyance allowance only if he or she has minimum 40% permanent partial disability of either the upper or lower extremity deformities or 50% partial disability of both upper and lower limbs together.
- ii) The conveyance allowance will be admissible to orthopaedically handicapped employees on the recommendation of the Head of the Orthopaedics Department of a Govt Civil Hospital
- iii) The allowance will not be admissible during leave (except casual leave) joining time or suspension.

The services of all the regular employees of PTDC have either been retrenched or dispensed with as per procedure laid down under the law after paying the dues and compensations as per law on 15-12-2009 and all the commercial activities have been stopped w.e.f. 15-12-2009. Presently there is no regular employee in the Corporation. However, the services of some persons are being taken from the outsourced agency.