

GOVERNMENT OF PUNJAB

(DEFENCE SERVICES WELFARE DEPARTMENT)

THE PUNJAB EX-SERVICEMEN CORPORATION ACT(General)

Rule, 1982

(Amended upto April, 2011)

Framed under

THE PUNJAB EX-SERVICEMEN CORPORATION ACT 1978

Punjab Act 33 to 1978



Government of Punjab

DEPARTMENT OF DEFENCE SERVICES WELFARE

The Punjab Ex-servicemen Corporation (General) Rules, 1982

Amended up to April, 2011

No G.S.R. 146 /PA.33/78/S.32.82 – The exercise of the powers carried by sub-section (1) of section 32 of the Punjab Ex-Service Corporation Act, 1978 (Punjab Act No. 33 of 1978), the Government of Punjab is pleased to make the following rules, namely:-

1. Short title and commencement :-
 - (1) these rules may be called the Punjab Ex-servicemen Corporation (General) Rules, 1982.
 - (2) They shall come into force at once.
2. **Definitions** – In these rules, unless there is anything repugnant in the subject or context-
 - (a) ‘Act’ means the Punjab Ex-servicemen Corporation Act, 1978 (Punjab Act No. 33 of 1978) ; and
 - (b) ‘Defaulter’ means a person, who falls to fulfill his financial obligation in Repayment either in means of money or in terms of the time schedule of repayment of the amount due to the Corporation and includes surety for the payment of such amount who falls to honour his obligation as a surety.
3. Salary and Allowance of Chairman, Managing Director and nominated Directors.
 - (1) The Chairman shall be entitled to such scale of pay, as may be authorized by the Government from time to time. In addition to the scale of pay, he shall also be entitled to draw such other allowance, as are admissible to the other employee to the corporation”. and
 - (2) The Managing Director :-
 - (i) If he is retired officer of State Government, or of the Central Government, he shall be entitled to such scale of pay, as may be authorized by the Government from time to time. In addition to the scale of pay, he shall also be entitled to draw such the allowance, as are admissible to the other employee of the Corporation.
 - (ii) If he is a Class I Officer of the State Government or of the Central Government, shall be entitled to draw such salary and allowance as are settled between the lending Government and the Corporation.
 - (3) The Director referred to in clause (e) sub-section (1) of section 7 of the Act shall be paid a fixed fee of one hundred and fifty rupees for attending each meeting of the Board or of any committee appointed by the Board under section 11 of the Act.

4. House–Rent Allowance -

- (1) The Chairman shall be entitled to House Rent Allowance on such rate as admissible to the Employee of Government.
- (2) The Managing Director shall be entitled to House Rent Allowance on such rate as may be admissible to the employees of the Government of his status.

5. Telephone facilities–Telephone facilities shall be provided in office as well as at the residence of the Chairman and that of the Managing Director in accordance with the guidelines/instructions issued by the Government from time to time. The total number of local calls from the residential telephone shall not exceed 3,000 per quarter of the year. The cost of private trunk calls shall, however, be recovered from them.

6. Conveyance – The Chairman and the Managing Director shall each be provided with a Staff car along with a driver for journey on official tours and for official local use and the use of such a staff car shall be regulated in accordance with the Traveling Allowance Rules applicable to Director as specified in Sub Rules (2) of Rule 8.

7. Medical Facilities - The Chairman and the Managing Director shall be entitled to such medical facilities for themselves and for the members of their families as are, from time to time, admissible to the employees of the Government of their status.

8. Traveling Allowance and Daily Allowance –

(1) For Journeys undertaken by the Chairman and the Managing Director in Connection with the affairs of the Corporation within or outside the State of Punjab, they shall be paid Traveling Allowance and Daily allowance in accordance with such rules as are applicable to the Government of their status.

(2) The Director referred to in clause (e) of sub – section (1) of Section 7 of the Act shall be entitled to mileage allowance at the rate of two rupees and fifty paise per kilometer from their place of residence to Chandigarh and back for attending meetings of the Board or of any committee appointed by the Board under section 11 of the Act.

9 Leave and Leave Salary-

(a) The Chairman and the Managing Director shall be entitled to such leave including casual leave as is admissible to the employees of the Government of their status under the Punjab Civil Service Rules , Volume I, Part-I.

b) The power to sanction leave including casual leave to the Chairman and the Managing Director shall vest in the Government.

c) The Chairman may grant leave of absence from by meeting of the Board or any committee appointed under section 11 of the Act to the Directors referred to in clause (e) of sub-section (1) of section 7 of the Act

10. Circumstance under which Chairman Managing Director and nominated Director may be removed - The Government may at any time remove the Chairman, Managing Director and

Director referred to in clause (e) of subsection (1) of section 7 of the Act, as the case may be from office, if-

- i. The Chairman or the Managing Director is absent without permission of the Government or a Director referred to in clause (e) of sub section (1) of section 7 of the Act is absent without permission of the Chairman for more than three consecutive meetings of the Board or of a Committee to exonerate his absence ;or
- ii. He has acted on contravention of the provisions of section 25 of the Act; or
- iii. He has been guilty of misconduct in the discharge of his duties.

Provided that no order of removal shall be passed without giving the person concerned a reasonable opportunity of showing cause.

11. Procedure for recovery of amount due to the Corporation – The Managing Director shall make an application to the Sub-Divisional Officer (civil) in whose jurisdiction the defaulter resides or carries on business or owns any property stating that a particular amount has fallen due to the Corporation from the defaulter named in the application and that the said amount has not been paid to the Corporation as per terms and conditions of the agreement entered between the defaulter and the corporation. The Sub-Divisional Officer (Civil) shall after giving the defaulter an opportunity of being heard determine, by an order, the amount due to the Corporation.
12. Recovery Certificate - On receipt of the order made under rule 11, the Managing Director shall grant a certificate in **Form 'A'** appended to these rules and the Collector of the district in which the defaulter resides or carries on his business or owns any property shall proceed to recover the amount from the defaulter as arrears of land revenues.
13. Financial Institutions - The financial institutions for the purposes of priority of charge under section 21 of the Act shall be as follows namely:-
 - (i) A banking company as defined in the Banking regulation Act, 1949 (Central Act No. 10 of 1949)
 - (ii) The State Bank of India constituted under the State Bank of India Act, 1955 (Central Act No. 23 of 1955);
 - (iii) A Subsidiary Bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959 (Central Act No. 38 of 1959);
 - (iv) A corresponding new bank constituted under the Banking Companies (Acquisition and transfer of undertakings) Act , 1970 (Central Act No 5 of 1970, and the Banking Companies (Acquisition and Transfer of Undertakings) Acts, 1980 (Central Act No. 40 of 1980);
 - (v) A Regional Rural Bank as established under section 3 of the regional rules Banks Act, 1970 *Central Act No. 21 to 1970);
 - (vi) Any Banking institutions notified by the Central Government under rules section 51 of the Banking regulation Act, 1949 (Central Act 10 of 1949); and.
 - (vii) The Agriculture Refinance and Development Corporation constituted under the Agricultural Refinance and Development Corporation Act, 1963 (Central Act No. 10 of 1963).

14. Books of account to be kept by the Corporation -

(1) The books of account of the Corporation with to the following matters shall be kept at its head office namely:-

- (a) All sum of money received and expended, and the matters in respect of which the receipt and expenditure takes place.
- (b) All sales and purchases made by the Corporation;
- (c) The assets and liabilities of the Corporation; and
- (d) Such particulars relating to utilization of material or labour or to other items of expenditure as may be specified by the Board, if the Corporation is engaged in the production processing and manufacturing of goods.

(2) If the Corporation has a branch officer, whether in the State or outside, It shall be deemed to have complied with the provisions contains in sub-rule (1) , if proper books of account relating to the transactions effects at the branch office are kept to the transactions effected at the branch office are kept at that office at that office and proper summarized returned, made up to date at intervals of not more than three months , are sent by the branch office to the Corporation head office.

(3) For the purpose of sub-rules (1) and (2), proper books of account shall not be deemed to have been kept if these do not reflect a true and fair view of the state of affairs of the Corporation or its branch office and do not explain its transaction and are not kept in accrual basis according to double entry system of accounting.

(4) The books of account and other books and documents of the Corporation shall be open to inspection by any one or more Directors during working hours or by such officer of the Government as may be authorized by it in this behalf. Such an inspection may be made without giving any previous notice to the Corporation or any officer thereof :

Provided that a Director may be assisted by any person of his choice, in such inspection.

(5) The books of account of Corporation and its branch offices relating to a period of not less than eight years immediately preceding the current year (together with the vouchers relevant to any entry in such books of account) shall be preserved in good order.

15. Inspection of books of account, etc.

(1) It shall be the duty of the Managing Director and every officer or employee of the Corporation to:-

- (a) Produce to the person making the inspection in terms of sub-rule (4) of rule 14 all such books of accounts and other books and documents of the Corporation in his custody or control and to furnish him with any statement, information or explanation relating to the affairs of the Corporation as the said person may require of him within such time and at such s he may specify.
- (b) Render all assistance in connection with the inspection which the Corporation may be expected to give; and
- (c) Ensure personal attendance if required at the time of inspection.

- (2) The person making inspection sub-rule (1) may, during the course of inspections:-
- (a) Make or cause to be made copies of books of accounts and other books and documents: or
 - (b) Place or cause to be placed any mark of identification thereon in token of the Inspection having been made.
- (3) Where an inspection of the books of accounts and other books and document of the Corporation has been made, the person making the inspection shall make a report to the State Government within a period of one month.
16. Annual accounts and balance sheet – (1) The Managing Director shall, not later than three months after the close of the financial year, before the Board of Director:-
- (a) A balance sheet as at the end of the financial year; and
 - (b) Profit and loss account for the financial year authenticated by the Financial Controller.
- Explanation:- For the purpose of sub-rule (1) of rule 16 the expression, “Financial Controller” means the person authorized by the Board to exercise the powers of Financial Controller; and the expression “Financial year” means the period of twelve calendar months beginning with the first day of April of the preceding year.
17. Form and contents of the balance sheet and profit and loss account-
- (1) Every balance sheet and profit and loss account of the Corporation shall give a true and fair view of the state of affairs of the Corporation as at the end of the financial year and shall be in the form set out in parts I and II Schedule VI of the Companies Act, 1956 or as near thereof as may be possible.
 - (2) For the purpose of this rule, except where the context otherwise requires, any reference to a balance sheet or profit and loss account shall include any note thereon or document giving information required by or allowed by the Companies Act, 1956 also information specified in **Forms ‘B’ , ‘C’ ‘D’**.
18. Authentication of balance sheet and profit and loss account. – Every balance sheet, and every profit and loss account of the Corporation shall be signed on behalf of the Board of Director by the Financial Controller and by not less than two Directors of the Corporation, one of whom shall be the Managing Director, before these are submitted to the auditors for their reports thereon.
19. Profit and loss account to be annexed and auditor’s report to be attached to balance sheet - The profit and loss account shall be annexed to the balance-sheet and auditor’s report(including the auditors separate, special or supplementary report, if any) shall be attached thereto.
20. Board’s Report-
- (1) The report on the working of the Corporation during the financial year, required to be furnished to the Government , under sub-section (4) of section 23 of the Act shall be with respect to:-
 - (a) The state of the Corporation’s affairs.
 - (b) The amount, if any, which it proposes to carry to any reserves in such balance sheet.
 - (c) Material charge and commitments, if any affecting the financial positions of the Corporation which have occurred between the end of the financial year of the Corporation to which the balance sheet relates and the date of the report.

- (2) (a) The report of the Board of Director shall also include a statement showing the name of every employee of the Corporation.
- (i) If employee throughout the financial year, was in receipt of remuneration for that year, which in the aggregate was not less than rupees one lac;or
 - (ii) If employee for a part of the financial year, was in receipt of remuneration for any part of that year, at a rate which, in the aggregate was not less than rupees six thousand ;or
 - (iii) If employee throughout the financial years or part thereof, was in receipt of remuneration in that year which , in the aggregate, or as the case may be, at a rate which, in the aggregate, is in excess of that drawn by the Managing Director.
- (b) The Statement referred to in clause (a) shall also indicate-
- (i) Whether any such employee is a relative of any Director of the Corporation and if so, the name of such Director; and
 - (ii) Any former names or name and surname in full, nationality usual residential address, date of birth educational qualifications, record of employment during the preceding ten years and terms of remuneration therefore date of appointment and date of cessation (if any);

Explanation - For the purpose of sub-rule (2) (a), "remuneration" shall include any expenditure incurred by the Corporation:-

(a) In respect of any rent-free accommodation, or any other benefit or amenity, fee of charge, in respect of the accommodation to the employee.

(b) In respect of any other benefit or amenity free of charge or at a concessional rate, to the employee.

(c) In respect of any obligation or service , which but for such expenditure by the Corporation would have been incurred by the employee; and

(d) To effect any insurance on the life of, or to provide any pension provident fund annuity or gratuity for, the employee or his spouse or child.

3. The board shall also be bound to give the complete information and explanation in it report as aforesaid, in an addendum to that report, on every remark contained in the auditors report.

4. The board's report and any addendum thereto shall be signed by its Chairman if he is authorized in that behalf by the Board; and where he is not so authorized shall be signed by two "Director authorized by the Board".

In the said rules, for Forms 'B', 'C', 'D' and 'E' the following forms shall be substituted, namely :-

FORM 'A'

(See Rule 12)

Recovery Certificate

From

The Managing Director,
Punjab Ex-Servicemen Corporation
Chandigarh

To,

The Collector,

Dated Chandigarh, the

A sum of Rs. Is payable, on account of by
..... son ofresident of
Presently believed to be at And to have property comprising of
.....at.....tehsil
..... in your district.

2. Under the Punjab Ex-Servicemen Corporation Act, 1978, the said sum is recoverable by you as if it were an arrear of land revenue, which had accrued in your own district. You are hereby requested to recover it, and remit it to office at

Managing Director

Form 'B'
[Rule 17 (2)]

THE PUNJAB EX-SERVICEMEN CORPORATION, CHANDIGARH
Financial Year

Statement of loans advanced /recoverable/recovered as on 31st March, _____

Sr No	Category of loan	Amount recoverable at the beginning of the year		Falling due for recovery during the year		Amount recovered during the year		Amount which recovered during the year through Recovery certificate		Amount recoverable at the close of the year	
		No of Cases	Amount	No of Cases	Amount	No of Cases	Amount	No of Cases	Amount	No of Cases	Amount
1	2	3	4	5	6	7	8	9	10	11	12

1. Agriculture Development :
2. Marketing and processing :
3. Small scale industries :
4. Supply and storage :
5. Building construction :
6. Transport :
7. Miscellaneous :
- Total :

Form 'D'
[Rule 17 (2)]

THE PUNJAB EX-SERVICEMEN CORPORATION, CHANDIGARH
Financial Year

Statement of loans in excess of Rs, 50,000/- advanced , outstanding, in default as on 31st March, _____

Sr. No.	Name and Address of loanees	Purpose loan	Amount Advanced	Amount Recovered	Amount recoverable during the year	Amount recovered during the year	Case which fell in to default Whether Application Filed before Sub Divisional Officer (civil)	Whether recovery certificate granted by Collector	Remarks
1	2	3	4	5	6	7	8	9	10

DALJIT JAIJEE

Secretary to Government of Punjab
Department of Defence Service Welfare

Form 'E'

(Rule 17(2))

THE PUNJAB EX-SERVICEMEN CORPORATION CHANDIGARH

Profits and loss Account for the year ending as on the 31st March. _____

Sr No	Category of loan	Balance as per previous year	Loans advanced during the year	Total	Amount of Loan	Net Amount of Loan Outstanding at the close of the year
		No. Amount	No. Amount	No. Amount	No. Amount	No. Amount
		Rs.	Rs.	Rs.	Rs.	Rs.
1.	Agriculture Development :					
2.	Marketing and processing :					
3.	Small scale industries :					
4.	Supply and storage :					
5.	Building construction :					
6.	Transport :					
7.	Miscellaneous :					
	Total :					

GOVERNMENT OF PUNJAB
DEPARTMENT OF DEFENCE SERVICES WELFARE
(DEFENCE WELFARE BRANCH)

ORDER OF THE GOVERNMENT OF PUNJAB

In accordance with the provisions made under rule 3 of the Punjab Ex-Servicemen Corporation (General) Rules, 1982 , as amended vide notification No 14/12/94-*DW/1687 dated: the 16th August , 1999, sanction is hereby accorded to grant with effect from 06.03.1998 the following service of pay to the Chairman and the Managing Director of the Punjab Ex-Servicemen Corporation:-

	<u>Name of Post</u>	<u>Scale of Pay</u>
i)	Chairman	Rs. 16,350 – 20,100
ii)	Managing Director	Rs. 14,300 – 18,600

2. This issues with the concurrence of the Department of Finance conveyed vide ID.No. 17/75/98-3FE-6/12, dated 14.06.1999,

Dated: Chandigarh
Sept. 13, 1999

GURBINDER CHAHAL
Principal Secretary to Govt. of
Punjab Department of Defence
Services, welfare.

Endorsement No. 14/12/94-3DW/

Dated Chandigarh, Sept. 1999

A copy alongwith a copy of the Notification No. 14/12/94-3DW/1681 dated 16.08.1999 is forwarded to the following for information and necessary action.

1. Accountant General (A&F) Punjab, Chandigarh
2. Accountant General (Audit), Punjab Chandigarh

A copy alongwith a copy of the Notification No 14/12/94-3DW/1681 dated 16.08.1999 is forwarded to the Department of Finance for information with reference to their id No 17/75/98-3 FE-6.12 dated 4.06.1999.

Superintendent

To

The Department of Finance
Finance Expenditurer-6, Branch

ID NO 14/12/94-3DW

Dated, chd, the sept. 1999

GOVERNMENT OF PUNJAB
DEPARTMENT OF DEFENCE SERVICES WELFARE
(DEFENCE WELFARE BRANCH)

ORDER OF GOVERNOR OF PUNJAB

In accordance with the provisions made under rule 3 of the Punjab Ex-Servicemen Corporation (General) Rules, 1982 , as amended vide notification No 14/12/94-DW/1681 dated 16 Aug 1999, sanction is hereby accorded to grant the following revised scale of pay to the Chairman and the Managing Director of the Punjab Ex-Servicemen Corporation:-

Ser No.	Name of Post	Scale of pay	Grade Pay	Initial Pay
1.	Chairman	Rs. 37400-67000	8900	48590
2.	Managing Director	Rs. 37400-67000	8700	46100

2. The Pay Scales are revised with effect from the First day of January, 2006 in accordance with Government of Punjab, Department of Finance Notification No. 5/10/2009-5FP-1/207 dated 27th May, 2009.

Dated: Chandigarh the
18 May, 2010

Surinderjit Singh Sandhu
Secretary to Govt. of Punjab
Department of Defence Services, welfare.

Endst No. 14/9/94-3DW/

Dated Chandigarh