

THE RUBBER BOARD (SERVICE) RULES, 1961¹

In exercise of the powers conferred by clause (xv) of sub-section (2) of Section 25 of the Rubber Act, 1947 (24 of 1947), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. (a) These rules may be called the Rubber Board (Service)² Rules, 1961.

(b) They shall come into force at once.

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

(a) 'Appointing Authority' in relation to a Board's employee means,

(i) the authority empowered to make appointments to the post which the Board's employee for the time being holds, or

(ii) the authority which appointed the Board's employee to the post which he for the time being holds;

(b) 'Board' means the Rubber Board;

(c) 'Board employee' means any person employed under the Board other than the Chairman, the officers appointed under Section 6A of the Rubber Act, 1947 and the Government officers lent to the Board;

(d) 'Pay' means the amount drawn monthly by a Board's employee as-

(i) The pay, other than pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in cadre, and

(ii) Overseas pay, technical pay, special pay and pernalos pay, and

(iii) any other emoluments which may specially be classed as pay by the Government of India.

(iv) 'Schedule' means the Schedule to these rules; and

(v) 'Service' means the vice under the Board.

3. Application. These rules shall apply to the posts specified in column 1 of the Schedule

4. Classification, scale of pay and qualification. The classification of the different posts in the service, the scales of pay attached to them, and the minimum qualifications required for recruitment to the posts shall be as specified in columns 2 to 5 of the Schedule aforesaid.

5. Disqualification (a) No person, who has more than one wife living or who having a spouse living marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and

¹ Published as Government of India, Notification NO. S.O. 1243, dated 23rd May 1961 (in the Gazette of India, Part II, Section3(ii), dated the 3rd June 1961).

² Amended as per Government of India, Ministry of Commerce, Notification No.G.S.R.688, dated the 23rd April 1966..

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may, if satisfied, that there are special grounds for so ordering, exempt any person from the operation of this rule

6. Age. A person whose age exceeds 25 years may not ordinarily be appointed to the service by direct recruitment:

Provided that the Appointing Authority may relax the upper age limit in the case of Scheduled Castes and Scheduled Tribes candidates upto 5 years, and shall also have power in its discretion, to relax the age limit in individual deserving cases:

Provided further that the concurrent of the Central Government shall be obtained for appointment of persons above 45 years of age.

7. Method of recruitment. The method of recruitment and other matters relating thereto shall be as specified in columns 7 and 8 of the Schedule.

³ Provided that all vacancies in the scientific posts and in any other Class I and II posts classified as technical posts shall be advertised and such vacancies and all vacancies in other posts shall be notified to the concerned Regional Employment Exchange unless the Chairman for valid reasons to be recorded in writing decides otherwise and appointments shall be made among the candidates applying in pursuance of such advertisement or the candidates recommended by such Employment Exchange, as the case may be.

8. Seniority. Seniority of a Board's employee in any grade shall be determined as under:-

- (i) Permanent employees of each grade shall be ranked senior to persons who are officiating in that grade.
- (ii) The relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment, persons appointed as a result of an earlier selection being senior to those appointed as a result of subsequent selection:

Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit.

³ Inserted as per Government of India, Ministry of Commerce, Notification No. G.S.R. 688, dated the 23rd April, 1966.

- (iii) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion;

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their promotion, seniority shall follow the order of confirmation and not the original order of merit.

- (iv) The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively in the Schedule to these rules.

9. Medical certificate of fitness. A medical certificate of fitness from a competent authority shall be required from every person at the time of his entry on the service.

10. Period of probation. Every Board's employee appointed to a post by direct recruitment or by promotion shall be on probation in that post for a period of two years with effect from the date of his regular appointment on which he is declared to have commenced probation by the Appointing Authority.

Provided that the Appointing Authority may extend the period of probation by such period as it deems fit (for reasons to be recorded in the order directing the extension)

11. Termination or competition of probation. The Appointing Authority may terminate the services of a Board's employee appointed to a post by direct recruitment or revert a Board's employee appointed to a post by promotion to his permanent post during or at the end of probation/extended period of probation, if his work or conduct in that post is found to be unsatisfactory. If his work and conduct were found to be satisfactory during the period of the prescribed probation/extended period probation, the Appointing Authority shall as soon as the prescribed period of probations is over/during the extended period of probation or after its completion, as the case may be, declare that he has completed his probation satisfactorily.

⁴11 A. Pension-cum-gratuity benefits to employees of the Board. Every employee of the Board, other than an employee who is on deputation to the Board, shall be entitled to pension and death-cum retirement gratuity (including family pension, extraordinary pension and commutation pension) at such rates and under such conditions as are prescribed in the Liberalised Pension Rules by the Central Government for its employees of the corresponding grade:

⁴. Inserted as per Government of India, Ministry of Commerce, Notification No.G.S.R. 688, dated the 23rd April, 1966. This rule shall always be deemed to have been inserted with effect from the 1st April, 1963.

Provided that any such employee who was in the service of the Board before the 1st April, 1963 and is continuing in such service on the 23rd April, 1966, may within three months from the date last mentioned, opt, in writing, for the benefits of the Rubber Board Provident Fund Scheme, in which case nothing in this rule shall apply to such employee:

Provided further that where the Provident Fund accounts of any person who was in the service of the Board on the 1st April, 1963, and who ceased to be in such service after that date but before 23rd April, 1966 due to retirement on superannuation or death, have not been settled before the date last mentioned then such person shall be deemed to have opted to be governed by this rule

Explanation. In this rule, 'Liberalised Pension Rules' means the Liberalised Pension Rules of the Central Government, for the time being in force, regulating the grant of pension and gratuity to its employees.

⁵12. Other conditions of service. The conditions of service of the members of the Service in respect of matters for which no provision is made in these rules, shall be the same as are for the time being applicable to officers of the Government of India of corresponding category.

SCHEDULE ⁶

⁶ Substituted as per government of India, Ministry of Commerce, Notification No. G.S.R 901, dated the 2nd June 1967. (Published in the Gazette of India, part II, Section 39i), dated the 10th June 1967.)

^{5.} Amended as per Government of India, Ministry of Commerce, Notification No. G.S.R. 688, dated the 23rd April, 1966.