

WEST PAKISTAN EMPLOYMENT (RECORD OF SERVICES) RULES, 1960

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TEXT

WEST PAKISTAN EMPLOYMENT (RECORD OF SERVICES) RULES, 1960¹

[No. IX-14-I(XI)/59. In exercise of the powers conferred by section 12 of the Employment (Record of Service) Act, 1951 (Act XIX of 1952).]

1. Short title, extend and commencement.— (1) These rules may be called the West Pakistan Employment (Record of Services) Rules, 1960.

²[(2) They shall extend to the whole of the Province of ³West Pakistan except the Tribal Areas.]

(3) They shall come into force at once.

2. Definition--.

In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say :-

(a) "Act" means the Employment (Record of Services) Act, 1951;

(b) "Form" means a form appended to these rules;

(c) "Government" means the Government of West Pakistan;

(d) "Labour Commissioner" means the Director of Labour Welfare, ⁴West Pakistan; and

(e) "Section" means a section of the Act.

3. Service Book.--

Each employee shall have a Service Book which shall be in Form A.

4. Size and division of Service Book.— (1) A Service Book shall be 6" * 4" in size and shall contain fifty printed pages of durable paper with covering page made of card board and rexin.

(2) The pages other than the covering page of the Service Book shall be divided into five parts as under for recording the particulars detailed in section 5 of the Act.--

Part I (Pages 1-3) –	Particulars of Identification of the employee in Form A-1, A-2 and A-3;
Part II (Pages 4-11)--	Particulars of the employee in Form A-4 & A-5;
Part III (Page 12-35) --	Record of service and rate of wages in Form A-6 and A-7;
Part IV (Pages 36-43) --	Records of leave in Form A-8; and

5. Supply of Service Book.—(1)The employer shall, at his own cost, provide the employee with a service book immediately after the commencement of his employment if he has none previously, and thereafter, whenever required, and shall also pay the cost of the photograph to be attached to it.

(2) In case of loss of the service book by the employee, the employee shall supply another service book at his own cost and shall also pay the cost of photograph to be attached to it.

(3) The employer may charge for a duplicate service book supplied by him to the employee under section 4(6) of the Act, a price not exceeding the price fixed under the next following rule.

(4) The price so fixed shall not include the cost of the photograph to be attached to the service book and such cost shall be separately borne by the employee.

6. Appointment of vendors.— (1)The Labour Commissioner shall, from time to time, appoint for specified areas authorised vendors to manufacture service books of the approved quality of paper; design of covering page and number of pages and to sell forms and service books, wholesale or retail, in such areas at a price to be fixed by the Labour Commissioner.

(2) The Labour Commissioner shall be competent to cancel the appointment of such vendor and to revise the sale price of service books.

7. Deposit of service book and its receipt.--The receipt to be given by the employer to the employee on deposit of the service book shall be in Form B.

8. Duplicate service book.--In case of an agreement under sub-section (4) of section 4 by the employee to keep and maintain duplicate copy of the service book in his custody, the words "duplicate copy kept with employee" shall be noted in the service book signed or authenticated by the thumb-impression of the employee.

9. Entries in duplicate copy.— (1)An entry made in the original service book shall at the same time be copied in the duplicate service book if kept by the employee, and for this purpose the employee shall be bound to produce the duplicate service book within 24 hours of being asked to do so by the employer.

(2) Unless the duplicate copy is returned to the employee immediately after the necessary entry has been made, receipt in Form B shall be given by the employer to the employee.

10. Thumb impression in case of illiterate employee.--An employee required under section 5 to sign entries in his service book shall, if he is unable to sign, put his thumb-impression against such entries.

11. Occasions for subsequent entries.--In the case of a new appointment or fresh issue of service book, entries concerning particulars of the employee in the service

book shall be made by the employer within one month from the date of appointment or, as the case may be, fresh issue of service book, and subsequent entries on occasions mentioned in rule 12 shall be made within fifteen days of such occasion

12. Occasions for subsequent entries.— (1) Entries concerning conduct and efficiency of an employee shall be made in his service book annually.

(2) Subsequent fresh entries shall be made in the service book of an employee whenever his scale of pay or rate of wages is changed;

- (i) his scale of pay or rate of wages is changed;
- (ii) an increment in his wages rates or pay-scale is allowed;
- (iii) he is transferred to another branch or job in the same concern or to another establishment under the same employer;
- (iv) he is granted and has availed himself of any leave other than casual leave;
- (v) he is discharged, dismissed or has resigned or retired from employment; and
- (vi) any fine or punishment is imposed on or awarded to or commendation given to him.

13. Notice of production of service book.—(1)The notice to be issued by Labour Commissioner or an officer duly authorised by him in writing to an. employer or an employee for production of a service book; its duplicate copy or other paper or document which he has reason to believe contains the material required to be entered in a service book under section 7 shall be in Form C.

(2) The employer or the employee as case may be shall produce the service book or other paper or document mentioned in the notice referred to in sub-rule within seven days from the date of receipt of the notice.

(3) All notices issued under sub-rule (1) may be sent by post under registered cover or served on the employer or employee through officers of the Labour Welfare Department.

14. Authorised officers under section 9.—The Labour Commissioner may, by general or special order, authorize any one or more of the following classes of public servants to make complaints under section 9 :--

- (i) Labour Inspectors in their respective jurisdictions;
- (ii) Assistant Labour Officers in their respective jurisdictions,
- (iii) Labour Officers and Assistant Directors, Labour Welfare, within their respective jurisdictions,
- (iv) ⁵[and Joint Directors and Deputy Directors of Labour Welfare within their respective jurisdictions.]

15. Sanction.—(1)The sanction for prosecution to be accorded by the Labour Commissioner under section 9 shall be in Form D.

(2) The person complained against shall submit his explanation of defense within seven days from the date of receipt of the notice.

16. Notice for explanation or defense.— Before according sanction for prosecution, the Labour Commissioner shall notify the person complained against, the infringement of the provisions of the Act or the rules with which he is charged and shall allow him to submit his explanation or defense either orally or in writing. The notice shall be in Form E and shall be sent under registered cover.

16. Wage Rates.— (1)All wage rates shall be recorded in terms of months

(2) A month shall be deemed to consist of 4-1/3 weeks.

(3) Monthly rate of wages shall be calculated by multiplying the daily rate by 30 if, weekly rest days and holidays are paid for, and by 24 if for rest days and holidays no payment is made, or by multiplying the weekly rate by 4-1/3.

¶18. Repeal.--The Employment (Record of Services) Federal Capital Rules, 1956, are repealed.]

FORM A
Form of Service Book
(See Rules 3 and 4)

Particulars of identification of the employee

FORM A-1 (for page 1) Part I

FORM A-2 (for page 2) Part 1-Contd

1. Name.....
2. Father's Name.....
3. Home address:--
Village.....
Post Office.....
Police Station.....
District

4. Date
5. Height.....ft..... inches
6. Complexion—fair / medium / dark.
7. Build – thin / medium / stout

FORM A-3 (for page 3)
Part I—concl.

- Any other mark of persona identification Photo
- Left thumb-impression
- Date of opening of Service Book.....
- Signature or thumb-impression of employee.....
12. Signature of employer

FORM A-4 (for pages 4, 6, 8 and 10)
 Part-II,
 Particulars of employer and employment.

Name of employer

Address

FORM A-5 (for pages 5, 7, 9 and 11)
 Part II-concl'd.
 Particulars of employee and employment.

Date of joining	Date of leaving	Signature of employer

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FORM A-6 (for pages 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32 and 34)
 Part III
Record of service and rate of wages

Date of commencement of employment in the present rank	Rank. Post or occupation	Rate of monthly Wages	
		Basic	Other allowance and emenities
		Rs.	Rs.

FORM A-7 (for pages 13, 15, 17, 19, 23, 25, 27, 29, 31, and 35)
 Part III
Record of service and rate of wages.

Date of commencement of employment in the present rank	Casus of termination	Signature of employer	Signature or thumb impression of employee and date

FROM A-8 (for pages from 36 to 43)

Part IV
Record of Leave

Record and kind of Leave	If with pay, whether full/half/quarter	Date of return from leave	Signature of employer	Signature or thumb-impression of employee and date
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FORM A-9 (for pages from 44 to 50)

Part V
Record of conduct and efficiency by employees

Date	Remarks regarding conduct and efficiency	Signature of employer	Signature or thumb-impression of the employee and date
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FROM B
Form of Receipt
(See Rules 7 and 9)

Original	Counter foil
Serial No.....Date.....	Serial No.....Date.....
Received from.....	Received from.....
1.....Name	1. Name.....
2. Rank, post or occupation	2. Rank, post or occupation.....
.....
3. Address	3. Address.....

.....

.....

His/her service book for fresh and/or subsequent entries(*) and safe custody.

His/her service book for fresh and/or subsequent entries(*) and safe custody.

Signature of employer.

Signature of employer.

.....

.....

Designation

Designation

.....

.....

FORM C

Notice of Production of Service Book or other Documents.
(See Rule 13 (1))

Date...

19.....

To

.....

is requested to produce the Service Book of
(Name)..... (Rank, post or occupation)..... Its duplicate copy, if any,
and other papers and documents as noted below within 7 days from the date of this
notice.

- (1).....Signature
- (2).....Designation
- (3).....Address
- (4).....

.....

(*) The words "and safe custody"
to be struck off in case of
duplicate copy of the service book

(*) The words "and safe custody" to
be struck off in case of duplicate
copy of the service book

FORM D
Sanction for Prosecution
(See Rule 15)

Sanction is hereby accorded under section 9 of the Employment (Record Jf Services), Act, 1951, for prosecuting for the infringement of the following provisions of the said Act for which a complaint was lodged with the underground on.....

- (1).....
- (2).....
- (3).....
- (4).....

Labour Commissioner
Government of West Pakistan

FROM E
Notice for submission of explanation or defence
(See Rule 16)

To
.....

Notice is hereby given that (Name)has been

complained against for infringement of the provisions of the Employment (Record of Services) Act, 1951 (XXI of 1952), **or** the rule framed thereunder as noted b e l o w by (complaint)..... on (date)..... He may submit his explanation or defence, if any, either orally or in writing to the undersigned or to..... within 15 days from the date of notice.

- (1).....
- (2).....
- (3).....
- (4).....

Labour Commissioner
Government of West
Pakistan

¹Published in Gaz of West Pak., Pt. I-A, August 26, 1960, pp. 119-124

²Sub-rule (2) for the original by Noti.3-148 (L-II) 67 of 30 March 1967, Gaz of West Pak Extr 31 March 1967, p 795 -- See 1967 LLC 53 (Statutes).

³Subs. word "Sind" for words "West Pakistan except the Tribal Areas" in its application to Sind; Sind Govt Gaz., Extr., Pt. IV-A June 29th 1986, p. 13.

⁴Subs. word "Sind" for "West Pakistan" in its application to Sind, *ibid*.

⁵Sub-rule (iv) added, Noti. IX-14-1 (L-II) 59 of 28 March 1964; Gaz of W. Pak, Extr., April 1, 1964, p. 1075

⁶Rule 18 added by Noti 3-148 (L-II) 67 of 30 March 1967; Gaz of West Pak. Extr, 31st March 1967, p.795. -- see 1967 LLC 53 (Statutes).

⁷Subs. word "Sind" for "West Pakistan" in its application to Sind. Sind Govt Gaz. Extr., Pt. 1V-A. **June 29, 1986**, p.53.