

**HARYANA GOVERNMENT**  
**FOOD AND SUPPLIES DEPARTMENT**

**Notification**

The 12<sup>th</sup> March, 1998

No. G.S.R 126/Const./Art 309/98.- In exercise of the powers conferred by the provision to article 309 of the constitution of India, the Governor of Haryana hereby makes the following rules regulating recruitment and conditions of Service of persons appointed to the Haryana State Consumer Disputes Redressal Commission and District Consumer Disputes Redressal Forum (Group 'D') Rules, 1997.

**PART-I - GENERAL**

**Short Title and commencement:**

1. (1) These rules may be called the Haryana State Consumer Disputes Redressal Commission and District Consumer Dispute Redressal Forum (Group 'D') Service Rules, 1998.

(2) these rules, will be applicable from the date of publication in the official Gazette.

**Definitions:**

2. In these rules, unless the context otherwise requires,-
- a) "direct recruitment" means an appointment made otherwise than by promotion from within the Service or by transfer of an official already in the service of the Government of India or any State Government;
  - b) "District Forum" means Consumer Disputes Redressal Forum;
  - c) "Government" means the Haryana Government in the Administrative Department.
  - d) "institution" means-
    - (i) Any Institution established by law in force in the State of Haryana ; or
    - (ii) Any other Institution recognized by the Government for the purpose of these rules ;
  - e) "President State Commission" means the President, District Consumer Disputes Redressal Commission; Haryana
  - f) "President, District Forum" means the President, District Consumer Disputes Redressal Forum;
  - g) "State Commission" means "The Haryana State Consumer Disputes Redressal Commission".

- h) "Service" means the Haryana State Consumer Disputes Redressal Commission and District Consumer Disputes Redressal Forum (Group-D) Service.

## **PART II - RECRUITMENT TO SERVICE**

### **Number and Character of posts:**

3. The Service shall comprise the posts shown in Appendix A to these rules:

Provided that nothing in these rules shall affect the inherent right of the Government to make additions to, or reductions in, the number of such posts or to create the new posts with different designations and scales of pay, either permanently or temporarily.

### **Nationality, domicile and character of candidates appointed to the Service:**

4. (1) No person shall be appointed to any post in the Service unless he is,-
- 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 1<sup>st</sup> day of January, 1962, with the intention of permanently settling in India ; or
  - e) A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, any of the East African Countries of Kenya, Uganda, The United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d), or (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government.

- (2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the President, State Commission or President, District Forum, as case may be, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.
- (3) No person shall be appointed to any post in the Service by direct recruitment, unless he produces a certificate of character from the Principal Academic Officer of the University, College, School or Institution last attended, if any, and similar certificate from the other responsible persons, not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

### **Age:**

- (5) No person shall be appointed to any post in the Service by direct recruitment who is less than 16 years or more than 35 years of age on or before the first day of month next preceding the last date of submission of application to the recruiting authority.

**Appointing authority:**

- (6) Appointments to the posts in the Service shall be made by the authority mentioned in column 3 of Appendix C.

**Qualifications:**

- (7) No person shall be appointed to any post in the service unless he is possession of qualifications and experience specified in column 3 of Appendix B to these rules in the case of direct recruitment and those specified in column 4 of the aforesaid Appendix in the case of persons appointed otherwise than by direct recruitment.

Provided that in the case of appointment by direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50% at the discretion of the appointing authority in case of sufficient number of candidates, belonging to Scheduled Castes, Backward Classes, Other Backward Classes, Ex-Servicemen and Physically Handicapped categories, possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

**Disqualifications:**

8. No person,-
- (a) Who has entered into or contracted a marriage with a person having a spouse living ; or
  - (b) Who having a spouse living, has entered into or contracted a marriage with any person,

Shall be eligible for appointment to any post in the Service:

Provided that the Government may, if satisfied, that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

**Method of recruitment:**

9. (1) Recruitment to the service shall be made:-

**FOR STATE CONSUMER DISPUTES REDRESSAL COMMISSION:**

- (a) in case of Peon,-
  - (i) by direct recruitment ; or

- (ii) by transfer or deputation of an official already in the service of any State Government or Government of India;
- (b) in case of Sweeper-cum-Chowkidar,-
  - (i) by direct recruitment ; or
  - (ii) by transfer or deputation of an official already in the service of any State Government or Government of India ;

**FOR DISTRICT CONSUMER DISPUTES REDRESSAL FORUM:**

- (a) in the case of Peon,-
  - (i) by direct recruitment ; or
  - (ii) by transfer or on deputation of an official already in the service of any State Government or Government of India ;
- (b) in the case of Sweeper-cum-Chowkidar,-
  - (i) by direct recruitment ; or
  - (ii) by transfer or on deputation of any official already in the service of any State Government or Government of India ;
- (2) All promotions, unless otherwise provided, shall be made on seniority-cum-merit basis and seniority alone shall not be made any right to such promotions.

**Probation:**

10. (1) Persons appointed to any post in the Service shall remain on probation for a period of two years, if appointed by direct recruitment and one year if appointed otherwise:

Provided that-

- (a) Any period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation;
- (b) Any period of work in equivalent of higher rank, prior to appointment to any post in the Service , may, in the case of an appointment by transfer, at the discretion of the appointing authority, be allowed to count towards the period of probation fixed under this rule ; and
- (c) Any period of officiating appointment shall be reckoned as period spent on probation, but no person who has so officiated shall, on the completion of this prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

- (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may,-
- (a) if such person is appointed by direct recruitment, dispense with his service, and
  - (b) if such person is appointed otherwise, than by direct recruitment
    - (i) revert him to his former post ; or
    - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) on the completion of the period of probation of a person, the appointing authority may,-
- (a) if his work or conduct has, in its opinion, been satisfactory,-
    - (i) confirm such person from the date of his appointment if appointed against a permanent vacancy ; or
    - (ii) confirm such person from the date from which a permanent vacancy occurs if appointed against a temporary vacancy ; or
    - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy ; or
  - (b) if his work or conduct has, in its opinion, been not satisfactorily,-
    - (i) dispense with his Service , if appointed by direct recruitment, if appointed otherwise, revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment permit ; or
    - (ii) extend his period of probation and thereafter pass such order, as it could have passed on the expiry of the first period of probation :

provided that the total period of probation, including extension, if any, shall not exceed three years.

**Seniority:**

10. Seniority, interse of members of the service shall be determined by the length of continuous service on any post in the service:

Provided that where there are different cadres in the service, the seniority shall be determined separately for each cadre:

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

- (a) a member appointed by direct recruitment shall be senior to a member appointed by Promotion or by transfer.
- (b) a member appointed by promotion shall be senior to a member appointed by transfer.

- (c) In the case of member appointed by promotion or by transfer, seniority shall be determined according to seniority of such members in the appointments from which they were promoted or transferred ; and
- (d) In the case of members appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to member, who was drawing a higher rate of pay in his previous appointment and if the rates of pay drawn are also the same, then by the length of their service in the appointments, and if the length of such service is also the same, the older member shall be senior to the younger member.

**Liability to Serve:**

- 11. (1) A member of the service shall be liable to serve at any place, whether within or outside the State of Haryana, on being ordered to do by the appointing authority.
- (2) A member of service may also be deputed to serve under:-
  - (i) A company, an association or a body of individual, whether incorporated or not, which is wholly or substantially owned or controlled by the State Government, a Municipal Corporation or a local authority or university within the State of Haryana.
  - (ii) The Central Government or a company, an association or a body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Central Government; or
  - (iii) Any other State Government, an international organization, an autonomous body not controlled by the Government, or private body:

Provided that no member of service shall be deputed to serve the Central or any other State Government or any organization or body referred to clause (ii) or clause (iii) except with his consent.

**Pay, leave, pension and other matters:**

- 13. In respect of pay, leave, pension and all other matters, not expressly provided for in these rules, the members of the service shall be governed by such rules and regulations as may have been, or may hereafter be adopted or made by the competent authority under the constitution of India or under any law for the time being in force made by the State Legislature

**Discipline, penalties and appeals:**

- 14. (1) In matters relating to discipline, penalties and appeals, members of the service shall be governed by the Haryana Civil Services (Punishment and Appeal) rules, 1987, as amended from time to time

Provided that the nature of penalties which may be imposed, the authority empowered to impose such penalties and the appellate authority shall, subject to the provisions of any law or rules made under article 309 of the Constitution of India, be such as are specified Appendix C to these rules.

- (2) The authority competent to pass an order under clause (c) or clause (d) of rule 9 of the Haryana Civil Services (Punishment and Appeal) rules 1987, appellate authority shall also be as specified in Appendix D to these rules.

**Vaccination:**

15. Every member of the service shall get himself vaccinated and re-vaccinated if and when the Government so directs by any special or general order.

**Oath of allegiance:**

16. Every member of the service, unless he has already done so, shall be required to take the oath of allegiance to India and to the Constitution of India as by law established.

**Power of relaxation:**

17. Where the Government is of the opinion that necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons..

**Special Provisions:**

18. Notwithstanding anything contained in these rules, the appointing authority may impose special terms and conditions in the order of appointment, if it is deemed expedient to do so.

**Reservations:**

19. Nothing contained in these rules shall effect reservation and other concessions required to be provided for scheduled castes, Backward Classes, Ex-servicemen, Physically Handicapped persons or any other class or category of persons in accordance with the orders issued by the State Government in this regard from time to time.

Provided that the total percentage of reservations so made shall not exceed 50% at any time..

**Repeal and savings:**

20. Any rule applicable to the service and corresponding to any of these rules which is in force immediately before the commencement of these rules is hereby repealed:

Provided that any order made or action taken under the rule so repealed that be deemed to have been made or taken under the corresponding provision of these rules.

HARYANA GOVERNMENT GAZ., NOV. 17, 1998  
(KRTK 26, 1920 SAKA)

APPENDIX A  
(See rule 3)

Sr. No.	Designation of posts	Number of posts	Scale of pay		
			Perma- Nent	tempo- rary	total
1	2	3	4	5	6
<b>State Commission</b>					
1	Peon Rs.750-12-870-EB-14-940	-	3	3	
2	Sweeper-cum- 870-EB-14- Chowkidar 940+65 spl. Pay.	-	1	1	Rs.750-12-
<b>District Forum</b>					
1	Peon Rs.750-12-870-EB-14-940	-	34	34	
2	Sweeper-cum- 870-EB-14- Chowkidar 940+65 spl. Pay.	-	17	17	Rs.750-12-



**APPENDIX B**

(See rule 7)

**State Commission**

Sr. No	Designation of Posts	Academic qualification and experience if any for direct recruitment	Academic qualifications And experience if any for Appointments other than By direct recruitment
1	Peon	Knowledge of Hindi And English	Knowledge of Hindi And English
2	Sweeper-cum-Chowkidar	Knowledge of Hindi And English	Knowledge of Hindi And English

**District Forum**

1	Peon	Knowledge of Hindi And English	Knowledge of Hindi And English
2	Sweeper-cum-Chowkidar	Knowledge of Hindi And English	Knowledge of Hindi And English

**APPENDIX C**

(See rule 14(1))

Serial No.	Designation Appellate Authority of post	Appointing authority	Nature of penalty	Authority empowered to impose authority
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1                                  2                                  3                                  4                                  5  
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1	Peon	President State Commission	(1) Minor Penalties- with a copy on the personal file (character roll) ;	President, State Commission	Government
2	Sweeper-cum-Chowkidar		(ii) Censure ; (iii) Withholding of promotion ; (iv) Recovery from pay of the whole or part of any pecuniary loss caused by negligence or a breach of orders to the Central Government or a state Government or to a Company and association or a body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the Government or to a local Authority or university Set up by an act of parliament or of the Legislature of a State ;		
			(v) Withholding of increments of pay without cumulative effect.		
			<b>(2) Major Penalties-</b> (vi) Withholding of increments of pay with		

			cumulative effect ;		
			(vii) reduction to a lower state in the time scale of pay for a specified period, with further directions as to whether or not the Government employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;		
			(viii) reduction to a lower scale of pay grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the time scale of pay grade, post or service from which he was reduced with or without further directions regarding conditions of restoration to the grade or post or service from which the Government employee was reduced and his seniority and pay on such restoration to that grade, post or service ;		
			(ix) Compulsory retirement		
			(x) Removal from service which Shall ordinarily be disqualification future employment under the Government .		
			(xi) dismissal from service Which shall ordinarily be a disqualification for future employment under the Government.		

**For District Forum:**

1	Peon	President State Forum	(1) Minor Penalties- with a copy on the personal file (character roll) ;	President, State Forum	Presid Comm
			(ii)Censure ; (iii) Withholding of promotion ; (iv) Recovery from pay of the whole or part of any pecuniary loss caused by		

			<p>negligence  or a breach of orders to the Central Government or a state Government or to a Company and association or a body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the Government or to a local Authority or university Set up by an act pf parliament or of the Legislature of a State ;</p>		
			<p>(v) Withholding of increments f pay without cumulative effect.</p>		
			<p><b>(2) Major Penalties-</b>  (vi) Withholding of increments of pay with cumulative effect ;</p>		
			<p>(vii) reduction to a lower state in the time scale of pay for a specified period, with further directions as to whether or not the Government employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;</p>		
			<p>(viii) reduction to a lower scale of pay grade, post or service which shall ordinary be a bar to the promotion of the Government employee to the time scale of pay grade, post or service from which he was reduced with or without further directions regarding conditions of restoration to the grade or post or service from which the Government employee was reduced and his seniority and pay on such restoration to that grade, post or service ;</p>		
			<p>(ix) Compulsory retirement</p>		
			<p>(x) Removal from service which Shall ordinary be disqualification future employment under the Government .</p>		
			<p>(xi) dismissal from service Which shall ordinarily be a disqualification for future employment under the Government.</p>		

HARYANA GOVERNMENT GAZ., NOV. 17, 1998  
(KRTK 26, 1920 SAKA)

**APPENDIX D**

(See rule 14(1))

(See rule 14(2))

Serial No.	Designation of posts	Nature of orders	Authority empowered To pass Orders	Appellate Authority	Second Appellate Authority
1	2	3	4	5	6

**State Commission:**

1	Peon	(i) reducing or with holding the amount of ordinary/or additional pension admissible under the rules Government pension;	President State Commission	Government
2	Sweeper-Cum-Chowkidar	(ii) terminating the appointment of a member of service otherwise than upon his attaining the age fixed for superannuation.		

District Forum

1 2	Peon Sweeper- Cum- Chowkidar	(i) reducing or with holding the amount of ordinary/or addi tional pension admissible under the rules Government pension;  (ii) terminating the appointment of a member of service otherwise than upon his attaining the age fixed for superannuation.	President State Commission	Government
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**H.C.DISODIA,**  
Commissioner and Secretary to  
Government, Haryana,  
Food and Supplies Department.

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