

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

**Notification**

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

**No.G.S.R. 128/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 the recruitment and conditions of the service of persons appointed to the Haryana State Consumer Disputes Redressal Commission (GroupA) service, namely:-

Part-1 GENERAL

**Short title:**

1. (1) These rules may be called the Haryana State Consumer Disputes Redressal Commission (Group A) service rules, 1998,
- (2) They shall come into force on the date of publication in official Gazette.

**Definitions:**

2. In these rules, unless the context otherwise requires:-
  - a) "Commission" means The Haryana Public Service commission ;
  - b) "Government" means the Government of the State of Haryana in the Administrative Department;
  - c) "Institute" 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;
  - d) "President" means the president Haryana State Consumer Disputes Redressal Commission ;
  - e) "recognized university" means,-
    - (i) Any university incorporated by law in any of the state of India; or
    - (ii) in case of a degree, diploma or certificate obtained as a result of an examination held before the 15<sup>th</sup> August, 1947, the Punjab, sind or Dacca university; or
    - (iii) any other university which is declared by the Government to be a recognized university for the purpose of these rules;
  - (f) "Service" means the Haryana State Consumer Disputes Redressal Commission (Group-A) services.

**PART-II RECRUITMENT TO SERVICE**

**Number and character of posts.**

3. The Service shall comprise the posts shown in Appendix A to these rules and the member of the services shall draw pay in the scales of pay shown there against :

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

**Nationality, domicile and Character of Candidates appointed to service.**

4. (1) No person shall be appointed to any post in the Service, unless he is a;
- 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, Shri Lanka or any of the East African Countries of Kenya, Uganda the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, the Malawi, Zaire and Ethopia 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 Commission but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

**Age:**

- 5 No persons shall be recruited to any post in the service by direct appointment, who is less than twenty one year or more than thirty five years of age, on or before the last date of submission of applications. In the case of the members of the scheduled castes, scheduled Tribes and the other reserve categories, maximum age limit for appointment to the service will be such as may be prescribed by the Haryana Government from time to time.

**Appointing Authority:**

- 6 Appointments to (Group A) post shall be made by the Government on the recommendations of the president.

**Qualifications:**

- 7 No person shall be appointed to any post in the service, unless he is in possession of qualifications and experience specified in column 3 of Appendix B to these rules in the case of appointment by the transfer or on deputation and those specified in column 4 of the aforesaid Appendix in the case of appointment by promotion.

**Disqualification:**

- 8 (1) 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,-
- a) In the case of secretary,-
    - I. By promotion from amongst private secretary, superintendent or reader ; or
    - II. By transfer or deputation of class 1 officer already in the service of any State Government or the Government of India or group B officers from the establishment of High Court of Punjab and Haryana and District Courts of Haryana.

**Probation:**

- 10 (1) Persons appointed to the post in the service shall remain on probation for a period of one year ; 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 an equivalent or higher rank, prior to appointment to the service may, in the case of an appointment by transfer, at the direction of the appointing authority, be allowed to count towards the period of probation fixed under this rule ;
  - (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 the 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 period of probation is not satisfactory, it may-
- (a) if such person is appointed by promotion or by transfer or on deputation,-

- 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 permanent vacancy ; or
- III. declare that he had completed his probation satisfactorily, if there is no permanent vacancy ; or

(b) if his work or conduct has, in its opinion, been not satisfactory,-

- I. revert him to his former post or deal with him in such other manner as the terms and conditions of the 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 extensions, if any, shall not exceed three years.

### **Seniority:**

11 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 members appointed on the same date, their seniority shall be determined as follows:-

- (a) a member appointed by promotion shall be senior to a member appointed by transfer:
- (b) in the case of member appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred ; and
- (c) 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:**

12. (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 local authority 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, :

Provided that the nature of penalties which may be imposed, the authority empowered to impose such penalties and the appellate authority shall 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 and the 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 a 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 of India and to the Constitution of India as by law established.

**Power of relaxation:**

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

**Special Provisions:**

18. Notwithstanding anything contained in these rules the State Government may on the recommendations of the president 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 the 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 passed 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.

**APPENDIX A**

(See rule 3)

Sr. No.	Designation of posts	Number of posts			Pay Scales
		Permanent	Temporary	Total	
1	2	3	4	5	6
1	Secretary	-	1	1	Rs. 3,000-100-4,000-125-4,500.

**APPENDIX B**

(See rule 7)

Sr. No.	Name of the post	Academic qualification and experience for Appointment by transfer Or deputation	Academic qualifications and experience for appointment by promotion
1	2	3	4
1	Secretary	<b>By Transfer</b> I. Degree from recognized nised University; II. An officer already Holdein Class-I Post ; OR  (i) Degree from recognized University;  (ii) Seven years experience as Private Secretary/Superintendent/ Reader (Group-B) in the Punjab and Haryana High Court or in the District Courts in the State of Haryana.	<b>By Promotion:</b> (i) Degree from recognized University; (ii) Seven years experience as private Secretary, Superintendent or Reader.

**HARYANA GOVT GAZ., DEC. 1, 1998**

**(AGHN 10, 1920 SAKA)**

**APPENDIX C**

[See rule 14(1)]

Designation	Appointing Authority	Nature of penalty	Punishing Authority	Appellate authority
1	2	3	4	5

**(1) Minor Penalties:**

Secretary	Government	<ul style="list-style-type: none"> <li>(i) Warning with a copy in The personal file (Character Roll);</li> <li>(ii) Censure;</li> <li>(iii) withholding of promotion;</li> <li>(iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to central Government or to a company and association or a body of individuals whether incorporate 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 State; and</li> <li>(v) withholding of increments of pay without cumulative effect;</li> </ul>		Government
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**(2) Major Penalties:**

- (vi) Withholding of increments of pay cumulative effect.
- (vii) reduction to a lower stage 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 increment of his pay;
- (viii) reduction to 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 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 not be a disqualification for future employment under the Government ;

(xi) Dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

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**HARYANA GOVT GAZ., DEC. 1, 1998**  
**(AGHN 10, 1920 SAKA)**

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**APPENDIX C**  
[See rule 14(1)]

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Designation Of posts	Nature of order	Authority empowered to Pass order	Appellate authority if any
1	2	3	4
Secretary	(1) reducing or withholding the amount of ordinary/ additional pension admissible under the rules governing pension,  (2) terminating the appointment of a member of the service otherwise than upon his attaining the age fixed for superannuation.	Government	-

H.C. DISODIA,  
Commissioner and Secretary to Government,  
Haryana, Food And Supplies Department.