

[Authorised English Translation]

HARYANA GOVERNMENT  
SOCIAL DEFENCE AND SECURITY DEPARTMENT HARYANA

Notification

The 29th January, 1998

No. G.S.R. 38/Const./Art.309/98.--In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules regulating the recruitment and conditions of service of persons appointed to the Haryana Social Defence and Security Department (Group 'A') State Service, namely :

PART-I GENERAL

1. (1) These rules may be called the Haryana Social Defence and Security Department (Group 'A') State Service Rules, 1998. Short title and commencement.

(2) They shall come into force at once.

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

(a) "Commission" means the Haryana Public Service Commission ;

(b) "Direct recruitment" means an appointment made otherwise than by promotion from within the Service or by transfer of an officer or official already in the Service of the Government of India or any State Government ;

(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 recognised by the Government for the purposes of these rules ;

(e) "recognised university" means,--

(i) any university incorporated by law in India ; or

(ii) in the case of a degree, diploma or certificate obtained as a result of an examination held before the 15th August, 1947, the Punjab, Sind or Dacca University ; or

(iii) any other university which is declared by the Government to be a recognised university for the purpose of these rules ;

(f) "Service" means the Haryana Social Defence Security Department (Group 'A') State Service.

#### PART-II RECRUITMENT TO SERVICE

Number and character of posts.

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

Provided that nothing in these rules shall affect the inherent right of 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 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 1st. 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 or 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 Commission 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 two 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.

5. No person shall be appointed to any post in the Service by direct recruitment who is less than thirty two years or more than forty-five years of age on the last date of submission of application to the Commission.

Age.

6. Appointments to the posts in the Service shall be made by the Government.

Appointing  
Authority.

7. No person shall be appointed to any post in the Service, unless he is in possession of qualifications and experience specified in column 2 of Appendix 'B' to these rules in the case of direct recruitment and those specified in column 3 of the aforesaid Appendix in the case of persons appointed other than by direct recruitment :

Qualifications.

Provided that in the case of appointment by direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50 per cent at the discretion of the Commission in case sufficient number of candidates belonging to Scheduled Castes, Backward Classes, Ex-Servicemen and 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.

Disqualifica-  
tions.

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 Services ;

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 in the case of Joint Director shall be made ;

- (i) by promotion from amongst Deputy Director;  
or
- (ii) by direct recruitment ; or
- (iii) by transfer or deputation of an officer or official already in the service of any State Government or the Government of India.

(2) Appointment to any post by promotion shall be made on the basis of merit with due regard to seniority and seniority alone shall not confer any right to such promotion.

(3) When any vacancy occurs or is about to occur in the Service, the Government shall determine in what manner such vacancy shall be filled in.

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

Probation.

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 or 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 Government 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 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 Government, 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 Services ; 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 Government 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 satisfactory—

(i) dispense with his services 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 or probation:

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

Seniority.

11. Seniority, *inter se* of the members of the Service shall be determined by the length of continuous Service on any post in the Service:

Provided that in the case of members appointed by direct recruitment, the order of merit determined by the Commission shall not be disturbed in fixing the seniority:

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 a 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
- (d) in the case of members appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a 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 appointment; and if the length of such service is also the same, the older member shall be senior to the younger member.

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 so to do by the appointing authority.

Liability  
to Serve.

(2) A member of the Service may also be deputed to serve under :

- (i) a company, an association or a body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the State Government, a municipal corporation or a 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 organisation, an autonomous body not controlled by the Government or a private body:

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

Pay leave, pension and other matters. 13. In respect of pay, leave, pension and all other matter 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 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 in Appendix 'C' to these rules.

(2) The authority competent to pass an order under clause (c) or clause (d) of sub rule (1) of rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987, and appellate authority shall be as specified rules shall be as specified in Appendix 'D' of these rules.

Vaccination. 15. Every member of the Service shall get himself vaccinated and revaccinated as and when the Government so directs by a special or general order.

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.

Oath of  
allegiance.

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 any of the provisions of these rules with respect to any class or category of persons.

Power of  
relaxation.

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

Special  
provision.

19. Nothing contained in these rules shall affect reservations 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 :

Reservations

Provided that the total percentage of reservations so made shall not exceed fifty per cent, at any time.

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 :

Repeal and  
Savings.

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

## APPENDIX A

(See Rule 3)

Designation of Post	Number of Posts			Scale of Pay
	Permanent	Temporary	Total	
1	2	3	4	5
Joint Director	--	1	1	Rs. 3,000--100-- 3,500--125--5,000

APPENDIX B

(See Rule 7)

Designation of post	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any for appointment other than by direct recruitment
1	2	3

Joint Director

- (a) (i) Master of Social Work;
- (ii) Hindi up to Matric Standard;
- (iii) Seven years experience in an administrative capacity in Social Welfare Organisation under Government or Semi-Government or a Registered Voluntary Organisation. Out of the 7 years experience at least 5 years experience must be after acquiring the minimum basic qualifications.

By promotion :

Five years experience as Deputy Director.

By transfer or deputation :

- (i) Five years experience as Deputy Director;
- (ii) Hindi up to Matric.

OR

- (b) (i) Post-Graduate Degree in Economics or Sociology or in any field related to social work ;  
Hindi up to Matric Standard;
- (ii) At least ten years experience in Social Work such as Social Education, Women Child Welfare Red

1

2

3

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Cross Society and  
Community Welfare,  
out of 10 years ex-  
perience at least seven  
years experience must  
be after attainment of  
requisite academic  
qualification.

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APPENDIX 'C'

[See Rule 14(1)]

Designation of Post	Appointing Authority	Nature of Panalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5
Joint Director	Government	(1) Minor panalties : (i) warning with copy on the personal file (Character roll); (ii) Censure; (iii) Withholding of promotion ; (iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or 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 set up by an Act or parliament or the Legislature of a State;	Government	--

1

2

3

4

5

(v) Withholding of increments of pay without cumulative effect:

(2) Major penalties :

(vi) withholding of increments of pay with 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 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 Government employee to the time scale of pay, grade, post or service

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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 not be a disqualification for future employment under the Government ; and
  - (xi) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.
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## APPENDIX 'D'

[See Rule 14(2)]

Designation of Post	Appointing authority	Nature of order	Authority empowered to impose penalty
1	2	3	4
Joint Director	Government	(i) reducing or with- holding the amount of ordinary or additional pension admissible under the rules governing pension ;  (ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation.	Government

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Government Haryana, Social Welfare Department.