

HARYANA GOVERNMENT
WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES DEPARTMENT

Notification

The 22nd January, 1998

No. 15- 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 condition of service of persons appointed to the Haryana Welfare Scheduled Castes and Backward Classes Department (Group-D) Service namely:-

PART-I GENERAL

1. These rules may be called the Haryana Welfare Scheduled Castes and Backward Classes Department (Group-D) Service Rules, 1998. Short Title.
2. In these rules, unless the context otherwise requires;- Definitions.
 - (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) "Director" means the Director, Welfare of Scheduled Castes and Backward Classes Department, Haryana;
 - (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) "Secretary" means the Secretary to Government Haryana Welfare Scheduled Castes and Backward Classes Department;
 - (f) "Service" means the Haryana Welfare Scheduled Castes and Backward Classes Department (Group-D) Service.

PART II- RECRUITMENT TO SERVICE

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

Number and
Character of posts

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 new posts with different designations and scales of pay, either permanently or temporarily.

4. (I) 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 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, or any other 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 recruiting authority, 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 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 School or Institution.

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 last date of submission of application to the recruiting authority.

Nationality
domicile and
Character of
candidates
appointed to
Service

age

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6. Appointment to these posts in the Service shall be made by the Director. Appointing authority
7. No person shall be appointed to any post in the Service, unless he is in possession of qualification 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 appointment other than by direct recruitment: Qualifications
8. No person,- Disqualifications,
- (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.
9. Recruitment to the Service shall be made- Method of recruitment.
- (a) In the case of Cooks;-
- (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 the case of Assistant Cooks,-
- (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.
- (c) In the case of Sweepers:-
- (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;
- (d) In the case of Sweeper-cum-Chowkidars-
- (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;

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(e) In the case of Lady Attendants,-

- (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;

(f) In the case of Peons,-

- (i) by direct recruitment; or
- (ii) by transfer or deputation of an official already in the service of any State Government or the Government of India;

(g) In the case of Chowkidars,-

- (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.

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 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 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 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 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 his to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.

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- (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 appointment 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 satisfactory, 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 previous appointment permit; or
 - (ii) extend his period of probation and thereafter pass such orders, 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.

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:

Seniority

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 members appointed by direct recruitment, the order of merit determined by the appointing authority, 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 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 so to do by the appointing authority.

(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 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 a private body:

Provided that no member of the Service shall be deputed to serve the Central or any other State Government or any organization or body referred to in clause (ii) or (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 other 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 shall be as specified in Appendix D to these rules.

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

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 reason 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 appointing authority 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: Reservation.

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 saving

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

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APPENDIX-A
(See rule 3)

Sr. No.	Designation of the posts	Number of Posts			Scale of Pay
		Permanent	Temporary	Total	
1	Cook	1	10	11	Rs. 775-12-871-EB-14-1,025
2	Assistant Cook	1	3	4	Rs. 775-12-871-EB-14-1,025
3	Sweeper	-	6	6	Rs.750-12-870-EB-14-940+Rs. 65 Special Allowance
4	Sweeper-cum- Chowkidar	5	17	22	Rs. 750-12-870-EB-14-940+Rs 65 Special Allowance
5	Lady Attendant	38	70	108	Rs. 750-12-870-EB-14-940
6	Peon	25	67	92	Rs. 750-12-870-EB-14-940
7	Chowkidar	2	6	8	Rs. 750-12-870-EB-14-940

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APPENDIX-B

(See rule 7)

Sr.No.	Designation of the posts	Academic qualifications and experience, if any, for direct recruitment	Academic qualification and experience, if any, for appointment other than by direct
1	2	3	4
1	Cook	(i) Knowledge of reading and writing of Hindi; (ii) Sufficient knowledge of Cooking;	(i) Knowledge of reading and writing of Hindi; (ii) Sufficient knowledge of Cooking;
2	Assistant Cook	(i) Knowledge of reading and writing of Hindi (ii) Sufficient knowledge of cooking	(i) Knowledge of reading and writing of Hindi; (ii) Sufficient knowledge of cooking
3	Sweeper	Literate having knowledge of Hindi;	Literate having knowledge of Hindi.
4	Sweeper-cum-Chowkidar	Literate having knowledge of Hindi;	Literate having knowledge of Hindi.
5	Lady Attendant	(i) Trained Dai Diploma (One year); (ii) Literate having knowledge of Hindi;	(i) Trained Dai Diploma (One year) (ii) Literate having knowledge of Hindi.
6	Peon	(i) Literate having knowledge of Hindi; (ii) Knowledge of cycling;	(i) Literate having knowledge of Hindi; (ii) Knowledge of cycling.
7	Chowkidar	Literate having knowledge of Hindi;	Literate having knowledge of Hindi;

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APPENDIX-C

[See rule 14 (1)]

Sr.No.	Designation of the posts	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
Minor Penalties					
1	Cook	Director	(i) Warning with a copy in the personal file (Character roll);	Director	Secretary
2	Assistant Cook				
3	Sweeper		(ii) Censure ;		
4	Sweeper-cum-Chowkidar		(iii) withholding of promotion;		
5	Lady Attendant		(iv) recovery from pay of 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 of Parliament or of the Legislature of a State;		
6	Peon		(v) withholding of increments of pay without cumulative effect;		
7	Chowkidar		Major Penalties		
			(vi) withholding of increments of pay without 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 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 or 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 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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APPENDIX-D

[See rule 14 (2)]

Sr.No.	Designation of the posts	Nature of order	Authority empowered to make the order	Appellate authority
1	2	3	4	5
1	Cook	(i) reducing or withholding the amount of ordinary or additional pension admissible under the rules governing pension;	Director	Secretary
2	Assistant Cook			
3	Sweeper			
4	Sweeper-cum-Chowkidar	(ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation.		
5	Lady Attendant			
6	Peon			
7	Chowkidar			

SANJAY KOTHARI,
Commissioner and Secretary to Government, Haryana,
Welfare of Scheduled Castes and Backward Classes,
Department.

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HARYANA GOVERNMENT

**WELFARE OF SCHEDULED CASTES AND
BACKWARD CLASSES DEPARTMENT**

Notification

The 9th October, 2009

No. G.S.R. 27/Const./Art. 309/2009- 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, further to amend the Haryana Welfare of Scheduled Castes and Backward Classes Department (Group-D) Service Rules, 1998, namely:-

1. These rules may be called the Haryana Welfare of Scheduled Castes and Backward Classes Department (Group-D) Service (Amendment) Rules, 2009.

2. In the Haryana Welfare of Scheduled Castes and Backward Classes Department (Group-D) Service Rules, 1998, in Appendix B, under column 3 and 4-

- (i) against serial number 6, for existing item (i), the following item shall be substituted, namely:-
- (ii) against serial number 7, for existing entry, the following entry shall be substituted, namely:-

“Middle pass with Hindi”

NAVRAJ SANDHU
Financial Commissioner and Principal Secretary
to Government Haryana, Welfare of Scheduled
Castes and Backward Classes Department