

HARYANA GOVT. GAZ. JUNE 11, 1996
(JYST. 21,1918 SAKA)

(Authorised English Translation)

**HARYANA GOVERNMENT
CIVIL AVIATION DEPARTMENT**

Notification

The 24th May, 1996

No. GSR 38/Const/Art,309/96- 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 Civil Aviation (Group-D) Service, namely:-

PART I- GENERAL

Short title	1	These rules may be called the Haryana Civil Aviation (Group-C) Service Rules, 1996.	
Definitions.	2	In these rules, unless the context otherwise requires:-	
		(a)	“Adviser” means Adviser, Civil Aviation, Haryana;
		(b)	“Government” means the Government of Haryana in Administrative Department;
		(c)	“Direct recruitment” means as appointment made otherwise than by promotion from within the service or by transfer of any official already in the service of the Government of India or any State Government;
		(d)	“Service” means the Haryana Civil Aviation (Group- D) Service
		(e)	“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.

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 new posts with different designations and scales of pay, either permanently or temporarily.	
Nationality domicile and character of candidates of 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 Board or any other 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 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.

Age		5	No person shall be appointed to any post in the Service by direct recruitment who is less than 17 years or more than 35 years of age on or before the 1st day of month next preceding the last date of submission of application of Board.
Appointment authority		6	Appointment to any posts in the service shall be made by the Adviser.
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 direct recruitment and those specified in column 4 of the aforesaid Appendix in the case of persons appointed other than by direct recruitment:

Provided that in the case of appointment by direct recruitment, the qualifications regarding experience shall be relax able to the extent of 50% at the discretion of the Board or any other recruiting authority in case sufficient number of candidates belonging to Scheduled Castes, 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 a such person and the other party to the marriage and there are other grounds for doing so exempt any person from the operation of this rule.

Method of recruitment		9	(I)	Recruitment to the Service shall be made-
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		a	In the case of Daftri
			i) by promotion from the post of Jamadar : or
			ii) by direct recruitment : or
			iii) by transfer or deputation of an official working on similar post either in the service f Government of India or any state Government :
		b	In case of Jamadar :-
			i) by promotion from amogst Peons, Chowkidar-cum-Mali, Chowkidar-cum-Mali-cum-Sweeper : or
			ii) by direct recruitment : or

		iii) by transfer or deputation of an official working on similar post either in the service of Government of India or any state Government :
	c	In case of Helper:-
		i) by direct recruitment : or
		ii) by transfer or deputation of an official working on similar post either in the service of Government of India or any state Government :
	d	In case of Peons , Chowkidar-cum-Mali-cum-Sweeper and Mali-cum-Chowkidar :-
		i) by direct recruitment : or
		ii) by transfer or deputation of an official working on similar post either in the service of Government of India or any state Government :

10. (i) Persons appointed to any post in the services 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 deputations 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 any 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 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 his 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 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 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 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.	11	Seniority, inter se of members of the services, shall be determined by the length of continuous Service on any post in the Service
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Provided that in Technical and Ministerial cadres the seniority shall be determined separately for each cadres:

Provided further that in the case of members appointed by direct recruitment the order of merit determined by the Board 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 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 appointment from which they were promoted or transferred; and
		(d)	In the case of members appointed by transfer from the same office, seniority shall be determined according to seniority in the appointments previously held in that cadre :
		(e)	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 appointments and if the length of such service is also the same, the older member shall be senior to the younger member.
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	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 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 organization 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 member of the service shall be governed by the Haryana Civil Service (Punishment and Appeals) 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
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		shall be as specified in Appendix D to 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.
Oath of allegiance.	16.	Every member of the Service, unless he has already done so, shall 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 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.
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 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:

Provided that the total percentage of reservations so made shall not exceed fifty percent, 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:
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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.

HARYANA GOVT. GAZ. DEC. 17, 1996
(AGHN. 26, 1918 SAKA)

APPENDIX A
(See rule 3)

Sr. No	Designation of posts	Number of posts			Scale of pay
		Perma- Nent	Tem- Porary	Total	
1	2	3	4	5	6

1	Daftri	1	-	1	
2	Jamadar	1	-	1	
3	Helpers	2	5	7	
4	Peon	4	1	5	
5	Chowkidar-cum-Mali	1		1	
6	Chowkidar-cum-Mali-cum-Sweeper	1	5	6	
7	Mali-cum-Chowkidar	-	1	1	

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APPENDIX B
(See rule 7)

Sr. No	Designation of posts	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	4

MINISTERIAL CADRE

1	Daftri	i) Middle pass from recognized institution with Hindi & English ii) Should know cycling	(i) Middle pass from recognized institution with Hindi and English ii) 5 years experience as Jamadar.
2	Jamadar	i) Working knowledge of Hindi & English ii) Should know cycling	i) Working Knowledge of Hindi & English ii) should know cycling iii) 3 years experience as Peon, Chowkidar-cum-Mali-cum-Sweeper or Mali-cum-Chowkidar.
3	Helper	a) The minimum academic qualification for aircraft Helper is Matriculate b) Desirable qualification : (a) I.T.I. Trade certificate in any of the following categories :- i) Automobile Mechanic ii) Instrument Mechanic iii) Refrigeration and Air-condition Mechanic iv) Fitter v) Electrician vi) Radio / TV or (b) Two years Aviation Industry experience or two years general experience in some reputed forms as a semi skilled technician	i) Matriculation and ITI Trade certificate in any of the following categories :- i) Automobile Mechanic ii) Instrument Mechanic iii) Refrigeration and Air-condition Mechanic iv) Fitter v) Electrician vi) Radio / TV ii) 2 years experience as Helper.

