

HARYANA OVT. AZ..JULY 14,1998
(ASAR. 23,1920 SAKA)

[Authorised English Translation]
HARYANA GOVERNMENT
EDUCATION DEPARTMENT
Notification
The 4th February, 1998

No. G.S. . 72/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 State Education (Group A) Service, namely :---

PART-I GENERAL

Short Title

1. These rule may be called the Haryana State Education (Group A) Service Rules, 1998.

2. In these rules, unless the context otherwise requires,--

(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 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 other institution established by law in force in the State of Haryana; or

(ii) any other institution recognised by the Government for the purpose of these rules;

(e) "recognised university" means---

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

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(ii) in the case of a degree, diploma of 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 rules;

(f) "Service" means the Haryana State (Group A) 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 Government to make additions to, or reduction 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 setting 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 setting 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.

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(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 principle 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 acquired with him in his private life and 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 35 years or more than 50 years of age on or before Ist day of the month next preceding the last date of submission of application to the Commission.

Appointing Authority

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

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 appointment by direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50% at the discretion of the commission in case sufficient number of candidates belonging to Scheduled Castes, Backward Classes, Ex-Servicemen and Physically handicapped

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categories, possessing the requisite experience are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

Disqualification

8. No person,--

(a) who has entered into or contracted a marriage with a person living 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 Additional Director—

(i) by promotion from amongst Director, State Resource Centre or Director State Council of Educational Research and Training or Director Sharmik Vidyapeeth or Joint Director;

(ii) by the transfer or deputation of an officer already in the Service of any State Government or the Government of India;

(b) in case of Director, State Resource Centre/Director State Council of Educational Research and Training/ Director Sharmik Vidyapeeth/ Joint Director

(i) by promotion from amongst Deputy Director, District Education Officer, District Primary Education Officer, Principal District Institute of Education and Training, Programme Officer; or

(ii) by transfer or deputation of an Officer already in the Service of any State Government or the Government of India;

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(c) in the case of Deputy Director, District Education Officer, District Primary Education Officer, Principal District Institute of Education and Training and Programme Officer—

(i) 75% by promotion from amongst Deputy District Education Officer, Sub Divisional Education Officer, Assistant Director, Principal, Senior Lecturer, Senior Specialist. Associate Coordinator; and

(ii) 25% by direct recruitment; or

(iii) by transfer or deputation of an officer already in the Service of any State Government or the Government of India;

(2) All promotions, unless otherwise provided shall be made on seniority-cum-merit basis and seniority alone shall not confer 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 or higher rank, prior to appointment to any post in 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; 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—

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(a) if such person is appointed by direct recruitment, dispense with his Service; and

(b) if such person is appointed otherwise, then 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 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 satisfactory—

(i) dispense with his Services, if appointed by direct recruitment or 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

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

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Provided further that in the case of member 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 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 such service is also 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;

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(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 organisation or body referred to in clause (ii) or Clause (iii) except with his consent.

Pay, leave, pension and others matters.

13. In respect of pay, leave, pension and all other matters not expressly provided for in these rules, the member of the Service shall be governed by such rules and regulations as may have been, or may here after 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 governed by the 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 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 in Appendix D to these rules.

Vaccination

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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.

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 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 Provision.

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.

Reservation.

19. Nothing contained in these rules shall affect reservations and other concessions required to be provided for Schedule Castes, Backward Classes, Ex-Servicemen, Physically handicapped persons or any other class or category of person in accordance with the orders issued by the State Government in this regard from time to time;

Provided that the total percentage of reservation so made shall not exceed fifty percent at any time.

Repeal and saving.

20. The Punjab Educational Services (Class I) rules, 1931, in so far as they apply to the posts included in the Service are 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.

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APPENDIX A
(SEE ULE 3)

Sr.No.	Designation of Post	Number of Posts			Scale of Pay
		Perma nent	Temp rary	Total	
1	2	3	4	5	6
1	Additional Director	-	1	1	s. 4100-125-4850-150-5300
2	Director, State Resource Centre Director, State Council of Educational Research and Training/ Director Sharmik Vidyapeth/ Joint Director	3	1	4	3000-100-3500-125-5000
3	Deputy Director/ District Education Officer/ District Primary Education Officer/ Principal Distt. Institute of Education and Training/ Programme Officer	23	36		593000-100-3500-125-4500

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APPENDIX –B

(See Rule 9)

Sr. No.	Designation of Posts	Academic qualifications and experience, if any for direct recruitment	Academic qualifications an experience, if any, for appointment other than by direct recruitment
1	2	3	4

By Promotion

1	Additional Director		<p>(a) One year experience as Director, State Resource Centre, Director State Council of Educational Research and Training, Director Sharmik Vidyapeeth or Joint Director;</p> <p>(b) By Transfer/ Deputation;</p> <p>(i) Ist Class Master's degree in Art/Science or Commerce; B.A/B.Sc./B.Com./ with B.T./B.Ed or L.T./D.T</p> <p>(ii) Knowledge of Hindi upto Matric</p> <p>(iii) Ten years experience of teaching and educational administration out of which atleast three years experience should be in Administrative/ Supervisory capacity.</p>
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By promotion

- | | | | |
|---|--|--|---|
| 2 | Director State Resource Centre/ Director State Council of Educational Research and Training/ Director Sharmik Vidyapeeth/ Joint Director | | (a) 5 years experience as Deputy Director/ District Education Officer District Primary Education Officer/ Principal District Institute of Education and Training/ Programme officer.
(b) By transfer/deputation
(i) Ist Class Master's degree in Art/Science or Commerce; B.A/B.Sc./B.Com./ with B.T./B.Ed or L.T./D.T
(ii) Knowledge of Hindi upto Matric
(iii) 8 years experience of teaching and educational administration out of which atleast three years experience should be in Administrative/ Supervisory capacity. |
| 3 | Deputy Director/ District Education Officer/ District Primary Education Officer/ | (i) Ist Class Master's Degree in Art,
(ii) BT/B.Ed. or L.T/D.T. in 2 nd Class;
(iii) Knowledge of Hindi upto Matric Standard; | (a) By Promotion:
5 years experience as Deputy District Education Officer, Sub Divisional Education Officer, Divisional Education Officer, Assistant Director, principal Senior Lecturer/ Senior Specialist, Associate Co-ordinator. |

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		(b) By Transfer/ deputation:
		(i) Ist Class Master's degree in Art/ Science or Commerce;
		O
		B.A/B.Sc/B.Com with B.T/B.Ed. or L.T./D.T.;
Principal District Institute of Education and Training/ Programme Officer	(iv) 8 years experience of teaching and educational Adminstration out of which 3 years experience should be in supervisory capacity in a Higher/Senior Secondary School or equivalent post	(ii) Knowledge of Hindi upto Martic; (iii) Ten years experience of teaching and educational administration out of which atleast 3 years of experience should be in Adminstrative/ Supervisory capacity.

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

Sr. No.	Designation of Posts	Appointing Authority	Nature of Panalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
1	Additional Director	Government	1. Minor Penalties—Government		
2	Director State Resource Centre/ Director State Council of Education Research & Training/ Director Sharmik Vidyapeeth & Joint Director		(i) Warning with a copy on the personal file (Character roll); (ii) Censure; (iii) With holding of promotion;		
3	Deputy Director/ District Education Officer/ District Primary Education Officer/ Principal District institute of Education and Training/ Programme Officer		(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 or University set up by an Act of Parliament or of the legislature of State; and

(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 employees will earn increments of pay, during the period of such reduction and whether on the expiry to 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

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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;

(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 Posts	Nature of Order	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5
1	Additional Director	(a) reducing or with holding the amount of ordinary or additional pension admissible under the rules governing pension;	Government	-
2	Director State Resources Centre Director, State Council of Educational Research and Training Director, Sharmik Vidyapeeth, Joint Director	(b) terminating the appointment other than on his attaining the age fixed for super-annuation.		
3	Deputy Director/ District Education Officer/ District Primary Education Officer/ Principal District Institute of Education and Training/ Programme Officer			

**VEENA EA LETON,
Financial Commissioner and Secretary to
Government, Haryana, Education Department.**