

[Authorised English Translation]

HARYANA GOVERNMENT
REVENUE DEPARTMENT

Notification

The 9th September, 1988

No. G.S.R. 66/Const./Art. 309/88.—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 Revenue Department, Divisional Subordinate (Group-C) Service, namely:—

PART I—GENERAL

1. These rules may be called the Haryana Revenue Department Divisional Subordinate (Group-C) Service Rules, 1988.

Short title.

2. In these rules, unless the context otherwise requiring:—

Definition.

- (a) "Board" means the Subordinate Services Selection Board, Haryana;
- (b) "Commissioner" means the Commissioner of the Division;
- (c) "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;
- (d) "Government" means the Haryana Government in the Administrative Department;
- (e) "recognised university" means;—
 - (i) any university established by law in India; or
 - (ii) in the case of a degree, diploma or certificate obtained as a result of 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; and
- (f) "Service" means the Haryana Revenue Department Divisional Subordinate (Group C) 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 and members of the Service shall draw pay in the scales of pay shown there against:

Provided that nothing in these rules shall affect the inherent right of the Government to make addition to, or reduction in, the number of such posts or create new posts with different designation and scales of pay, either permanently or temporarily.

Nationality,
domicile
and
character
of
candidates
recruited
to the
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, Srilanka 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 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 certificates from two other responsible persons, not 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 the Service by direct recruitment who is less than seventeen years or more than thirty years of age on or before the 1st day of January next preceding the last date of submission of application to the Board.

6. Appointment to any post in the service shall be made by the Commissioner.

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 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 (1) No person,—

Disqualification.

(a) who has entered in to or contract a marriage with a person having a spouse living, or

(b) who having a spouse living has entered in to or contracted 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 Assistant Superintendent (General) and Revenue and Judicial:—

By promotion from amongst the Assistants working in the Commissioner's office.

(b) In the case of Personal Assistant:—

by promotion from amongst the Stenographer working in the Commissioner's office.

(c) In the case of Assistants:—

By promotion from amongst the clerks and steno-typists working in the Commissioner's office.

(d) In the case of Steno-typist:

by promotion from amongst the clerks working in the Commissioner's office;

Provided that if the suitable persons are not available the vacancy/ vacancies will be filled up direct recruitment.

(e) In the case of clerks:—

80% by direct recruitment, and

20% by promotion from amongst Group C and D employees of the service having pay scales less than these of clerks and are otherwise eligible in accordance with the instructions issued by the Government from time to time.

Unless otherwise provided all appointments by promotion shall be made on the basis of seniority-cum-merit and no person shall be entitled to promotion on the basis of seniority alone as a matter of right.

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 for 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 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 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 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, and 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.

11. Seniority, interse of 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 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 be senior to a member appointed by transfer ;
- (c) in the case of members 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 appointment, 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 Service may also be deputed to serve as 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, 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
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 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.

Disciplines,
penalties
& 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 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 also be as specified in Appendix D to these rules.

15. Every member of the Service shall get himself vaccinated and revaccinated if 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.

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 any thing 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 and other Backward Classes and Ex-servicemen 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. The Punjab Commissioner's Subordinate Service Rules, 1941 are hereby repealed :

Repeal and Saving.

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

APPENDIX A

(See rule 3)

Number of Posts

Designation of Posts	Permanent	Temporary	Total	Scale of pay
1. Assistant Superintendents	4	—	4	Rs. 1,640—60—2,600— EB—75—2,900
2. Personal Assistants	2	—	2	Rs. 1,640—60—2,600— EB—75—2,900
3. Assistants	18	—	18	Rs. 1,400—40—1,600— 50—2,300—EB—60— 2,600
4. Steno-typists	2	—	2	Rs. 950—20—1,150— EB—25—1,500+ Rs 100 Special Pay
5. Clerks	26	—	26	Rs. 950—20—1,150— EB—25—1,500

APPENDIX-B

(See Rule 7)

Serial No.	Designation of the posts	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct appointment
1	2	3	4
(a) Assistant Superintendents	Five years experience as Assistant in Commissioner's Office.
(b) Personal Assistants to Commissioner	Five years experience as Steno graphers in Deputy Commissioner's Office.
(c) Assistants	Three years experience as Clerk/Steno-typist in the Commissioner's Office.
(d) Steno-typist	..	<p>(i) Matric 1st Division or Higher Secondary 2nd Division or Intermediate 2nd Division or Graduate or its equivalent (for Ex-Servicemen Matric only).</p> <p>(ii) Hindi up to Matric Standard.</p> <p>(iii) Hindi Shorthand at the speed of 64 words per</p>	<p>(i) One year regular service as Clerk.</p> <p>(ii) Matric 1st Division/Higher Secondary or its equivalent.</p> <p>(iii) Knowledge of Hindi up to Matric Standard.</p> <p>(iv) To pass departmental test in the case of English Steno-typist at the speed 80 words per minutes and transcription thereof at 10 words per minute.</p>

1	2	3	4
		<p>minute and transcription thereof at 11 words per minute and speed in English shorthand at 80 words per minute and transcription thereof at 15 words per minute.</p>	<p>(v) To pass the prescribed Hindi/English Type Test at the speed of 25/30 Words per minute and the second Shorthand language test in Hindi/English at the prescribed speed within a period of one year of appointment failing which annual increments will not be allowed. On qualifying, annual increments shall be released with retrospective effect from the dates these may otherwise be due but no arrear shall be paid for the past period.</p>
		<p>(iv) To pass the prescribed Hindi/English Type Test at the speed of 25/30 words per minute and the second Shorthand language test in Hindi/English at the prescribed speed within a period of one year of appointment failing which annual increments will not be allowed. On qualifying, annual increments shall be released with retrospective effect from the dates these may otherwise be due but no arrear shall be paid for the past period.</p>	<p>(i) Matric.</p>
Clerk	<p>(i) Matric 1st Div. or Higher Secondary or its equivalent.</p>	<p>(ii) Knowledge of Hindi up to Matric Standard.</p>	<p>(ii) Five years experience as Group 'C' or Group 'D' employees.</p>

- (iii) Knowing typewriting in Hindi or English at the speed of 25 and 30 words per minute respectively
- (iii) Pass departmental type test in Hindi or English at the speed of 25 and 30 words per minute, respectively, within a period of one year from the date of appointment, failing which annual increment shall not be allowed till he qualifies the test. On qualifying annual increments shall be released with retrospective effect from the dates these may otherwise be due but no arrear shall be paid for the past period.

APPENDIX C

[See rule 14 (1)]

Sr. No.	Designation of posts	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority	Second and final appellate authority, if any
1	2	3	4	5	6	7
1	Assistant Superintendent	Commissioner	(1) Minor Penalties (i) warning with a copy in 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 Govt. or a State Govt. or to a Company and association or a body of individuals	Commissioner	Financial Commissioner	Government
2	Personal Assistant					
3	Assistants					
4	Steno-typists					
5	Clerks					

whether incorporated or not, which is wholly or substantially owned or controlled by the Govt. or to a local authority or University set up by an Act of Parliament or the legislature of a State; and

(v) withholding of increments of pay;

(2) Major Penalties

(vi) reduction to a lower stage in the time scale of pay for a specified period with further directions as to whether or not the Govt. 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;

(vii) reduction to a lower scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Govt. employee to the time

1	2	3	4	5	6	7
			<p>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 or service from which the Govt. employee was reduced and his seniority and pay on such restoration to that grade, post or service;</p> <p>(viii) compulsory retirement;</p> <p>(ix) removal from service which shall not be a disqualification for future employment under the Government;</p> <p>(x) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.</p>			

APPENDIX D

[See rule 14 (2)]

Sr. No.	Designation of posts	Nature of order	Authority empowered to make the order	Appellate authority	Second and final appellate authority, if any
1	Assistant Superintendents	(i) Reducing or withholding the amount of ordinary or additional pension admissible under the rules governing pension ;	Commissioner	Financial Commissioner	Government
2	Personal Assistant				
3	Assistants	(ii) Terminating the appointment of a member of the Service otherwise than on his attaining the age fixed for superannuation.			
4	Steno-typists				
5	Clerks				