

Part III

HARYANA GOVERNMENT  
REVENUE DEPARTMENT

Notification

The 30th September, 1980

No. G.S.R.100/Const./Art. 309/80.—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 Financial Commissioner's Office (Group A) State Service, namely :—

PART I—GENERAL

1. (1) These rules may be called the Haryana Financial Commissioner's Office (Group A) State Service Rules, 1980. Short title and commencement
- (2) They shall come into force at once.
2. In these rules, unless the context otherwise requires,— Definition.
- (a) "Commission" means the Haryana Public Service Commission ;
- (b) "Financial Commissioner" means the Financial Commissioner, Revenue or any other Officer authorised by general or special order of the Government to perform the functions of the Financial Commissioner under these rules ;
- (c) "Government" means the Haryana Government in the Administrative Department ;
- (d) "Service" means the Haryana Financial Commissioner's Office (Group A) State Service ;
- (e) "recognised university" means—
- (i) any university incorporated by law in India ; or
- (ii) in the case of a degree, diploma, 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 purposes of these rules.
3. (1) The Service shall comprise of the posts shown in Appendix A Number and character of posts  
t these rules

Provided that nothing in these rules shall affect the right of the 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.

Appointing authority.

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

Disqualification.

5. 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 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.

Exp.

Method of recruitment.

6. (1) Recruitment to the Service shall be made,—

(i) by promotion from amongst the Superintendents and Private Secretaries, who are members of the Financial Commissioner's Office (State Service, Class II) having a minimum experience of seven years as Superintendent or Private Secretary or any other ex-cadre post equal or higher in status to that of Superintendent or Private Secretary :

Provided that any period, before appointment to the post of Superintendent or Private Secretary in the Financial Commissioner's Office (State Service, Class II), spent on deputation in a corresponding or a higher post, shall not count as experience on such post ; or

(ii) by transfer or deputation of an official already in the service of the Government of India or a State Government and having seven years' experience on any post equivalent to that of Superintendent or Private Secretary in the Financial Commissioner's Office (State Service, Class II) :

Provided that appointment in this manner will be made only when a suitable person is not available for promotion from within the said service.

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

(3) Appointment to any post in the Service shall be made strictly on the basis of seniority-cum-merit and no person shall be entitled to claim promotion on the basis of seniority alone.

7. (1) Persons appointed to any post in the Service shall remain on Probation for a period of one year :

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 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—

- (i) revert him to his former post, if appointed by promotion ; or
- (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit, if appointed otherwise.

(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 satisfactorily, if there is no permanent vacancy ; or

(b) if his work or conduct has, in its opinion, not been satisfactory,—

- (i) 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.

Seniority.

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

Provided 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 promotion shall be senior to a member appointed by transfer ;
- (b) 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
- (c) 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 these appointments, and if the length of such service is also the same, an older member shall be senior to a younger member.

Leave and pension or other matters.

9. 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 law for the time being in force made by the State Legislature.

Liabilities to serve.

10. (1) A member of the Service shall be liable to serve at any place, whether within or outside the State of Haryana.

(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 ; or
- (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 (i) or clause (iii) except with his consent.

Discipline, penalties and appeals.

11. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Service (Punishment and Appeal) Rules, 1952, 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 B to these rules.

(2) The authority competent to pass an order under clause (c) or clause (d) of sub-rule (1) of rule 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, shall be as is specified in Appendix C to these rules.

12. Every member of the Service shall get himself vaccinated or vaccinated if and when the Government so directs by a special or general order. re- Vaccination.

13. Every member of 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.

14. Where the Government is of the opinion that it is necessary or expedient so to do, 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.

15. 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.

16. The Haryana Financial Commissioner's Office (State Service, Class Repeal and Savings) rules, 1968, in so far as they relate to the posts of under Secretaries, are hereby repealed.

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 (1)]

Number of Posts

| Designation of posts | Permanent | Temporary | Total | Scale of pay  |
|----------------------|-----------|-----------|-------|---|
| Under Secretary      | 1         | 1         | 2     | Rs. 1,400-50-1,500-60-1,860 plus Rs 200 p.m. as special pay |

20% posts of Under Secretary converted into Selection Grade of Rs. 1800-60-1860-70-2000 plus Rs. 200/- p.m. as special pay.

APPENDIX B

[See rule 11(1)]

| Designation of post | Nature of penalty   | Authority competent to impose penalty | Appellate authority |              |
|---------------------|---|---------------------------------------|---------------------|--------------|
| Under Secretary     | (a) warning with a copy on the personal file ;  | } Financial Commissioner              | } Government        |              |
|                     | (b) Censure ;   |                                       |                     |              |
|                     | (c) with-holding of increments or promotion including stoppage at an efficiency bar ;                                     |                                       |                     |              |
|                     | (d) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders ; |                                       |                     |              |
|                     | (e) reduction to a lower post or time scale or to a lower stage in a time scale ;   |                                       |                     |              |
|                     | (f) removal from the service which does not disqualify from future employment ;   |                                       |                     | } Government |
|                     | (g) dismissal from the service which ordinarily disqualifies from future employment.                                      |                                       |                     |              |

## APPENDIX C

[See rule 11(2)]

| Designation of post | Nature of order  | Authority<br>Competent to pass<br>order |
|---------------------|--|---|
| Under Secretary     | (i) Reducing the maximum pension admissible under the rules governing pension;<br><br>(ii) terminating the appointment otherwise than on attaining the age fixed for superannuation. | } Government                            |

ISHWAR CHAND

Secretary to Government, Har.  
Revenue Department.



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[Authorised English Translation]

HARYANA GOVERNMENT  
REVENUE DEPARTMENT

Notification

The 12th May, 1993

No. G.S.R.30/Const./Art 309/93.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules further to amend the Haryana Financial Commissioner's Office (Group A) State Service Rules, 1980, namely: .

1. These rules may be called the Haryana Financial Commissioner's Office (Group A) State Service First Amendment Rules, 1993.
2. In the Haryana Financial Commissioner's Office (Group A) State Service Rules, 1980 in rule 6, in sub-rule (1), in clause (i), word "seven", the word "five" shall be substituted.

H. D. BANSAL,

Financial Commissioner and Secretary,  
to Government, Haryana,  
Revenue Department.

[Authorised English Translation]

HARYANA GOVERNMENT  
REVENUE DEPARTMENT

## Notification

The 17th May, 1986

No. G.S.R.37/Cons./Art. 309/86.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules further to amend the Haryana Financial Commissioner's Office (Group A) State Service Rules, 1980, namely :—

1. These rules may be called the Haryana Financial Commissioner's Office, (Group A) State Service First Amendment Rules, 1986.

2. In the Haryana Financial Commissioner's Office, (Group A) State Service Rules, 1980 (hereinafter referred to as the said rules), for the words "Financial Commissioner's Office (State Service, Class II)", wherever occurring, the words "Haryana Financial Commissioner's Office, (Group B), Service" shall be substituted.

3. In the said rules, in rule 6, in sub-rule (1), after clause (i), the following clause shall be inserted, namely :—

"(ia) Superintendents and Private Secretaries shall be promoted in the ratio of 4:1,".

L.C. GUPTA,

Financial Commissioner & Secretary to  
Government, Haryana, Revenue Department