

[Authorised English Translation]

HARYANA GOVERNMENT
REVENUE DEPARTMENT

Notification

The 17th May, 1986

No. G.S.R.38/Cons./Art. 309/86.—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 B) Service, namely :—

PART I- GENERAL

Short
title.

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

Definitions.

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 official already in the service of the Government of India or any State Government;
- (c) "Financial Commissioner" means the Financial Commissioner, Revenue;
- (d) "Government" means the Haryana Government in the Administrative Department;
- (e) "recognised university" means—
 - (i) any university incorporated by law in India ; or
 - (ii) in the case of a degree, diploma or 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 ; and
- (f) "Service" means the Haryana Financial Commissioner's Office (Group B) Service.

PART II—RECRUITMENT TO SERVICE

Number
and char-
acter of
posts.

3. The service shall comprise the posts shown in Appendix A to these rules and the members of the Service shall draw pay in the scale of pay mentioned thereagainst :

Provided that nothing in these rules shall affect the inherent 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.

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 ;

Nationality,
domicile
and
character
of
candidates
appointed
to Service.

Provided that a person belonging to any of the categories (b), (c), (d) and (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 Commission 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 being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

5. No person shall be appointed to any post in the Service by direct recruitment who is less than seventeen years or more than thirty years of age on or before the 31st day of December next preceding the last date of submission of applications to the Commission.

Age.

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

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 and experience.

8. No person,—

Disqualification.

- (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.

Method of
recruit-
ment.

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

- (a) in the case of Superintendents,—

- (i) by promotion from amongst Deputy Superintendents and Assistants;
- (ii) by transfer or deputation of an official already in the service of the Government of India or of any State Government holding a ministerial post, provided that the appointment in this manner shall be made only when no such person is available for appointment by promotion ;

- (b) in the case of Private Secretaries,—

- (i) by promotion from amongst Personal Assistants and Senior Scale Stenographers;
- (ii) by transfer or deputation of an official already in the Service of the Government of India or any State Government holding a ministerial post, provided that appointment in this manner shall be made only when a suitable person is not available for appointment by promotion ;

- (c) in the case of Chief Stamp Auditor, by promotion from amongst Stamp Auditors ;

- (d) in the case of Editors Gazetteers,—

- (i) by promotion from amongst Research Officers ; or
- (ii) by direct recruitment ;

- (e) in the case of Research Officers,—

- (i) by direct recruitment ; or
- (ii) by promotion from amongst Assistants ; or
- (iii) by transfer from amongst officials already in the service of the State Government other than the Financial Commissioner's Office.

(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 in.

(3) Appointment by promotion 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.

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 : Probation.

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 a person is appointed by direct recruitment, dispense with his services ; 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 satisfactorily if there is no permanent vacancy ; or
 - (b) if his work or conduct has, in its opinion, not been satisfactory,—
 - (i) dispense with his services, if appointed by direct recruitment, or revert him to his former post or deal with him in such other

(3) Appointment by promotion 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.

10. (1) Persons appointed to any post in the Service shall remain on Probation. 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 a person is appointed by direct recruitment, dispense with his services ; 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 satisfactorily if there is no permanent vacancy ; or
 - (b) if his work or conduct has, in its opinion, not been satisfactory,—
 - (i) dispense with his services, if appointed by direct recruitment, or revert him to his former post or deal with him in such other

manner as the terms and conditions of previous appointment permit if appointed otherwise ; 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 he total period of probation, including extension, if any, shall not exceed three years.

Seniority. 11. The seniority *inter se* of members of the Service shall be determined by the length of their 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 :

Provided further that in the case of members 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 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 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.

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 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 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.

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

Pay, leave, pension and other matters.

14. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as amended from time to time:

Discipline, penalties and appeals.

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 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 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, shall be as specified in Appendix D to these rules.

15. Every member of the Service shall get himself vaccinated and re-vaccinated 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 as by law established.

Oath of allegiance.

17. 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.

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 and other Backward Classes in accordance with the orders issued by the State Government in this regard from time to time, under clause (4) of article 16 of the Constitution of India.

Reservations.

Repeal
and
savings.

20.. The Haryana Financial Commissioner's Office (State Service, Class II) Rules, 1968, in so far as these relate to Superintendents and Private 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)

Number of posts

Serial No.	Designation of posts	Perma- nent	Tem- porary	Total	Scale of pay
1	Superintendent	17	6	23	Rs. 1000—50—1500 plus Rs. 100 p.m. as special pay (Rs. 1600 plus Rs. 100 special pay. Selection Grade for 20% posts)
2	Private Secretary	4	5	9	Rs. 1000—50—1500 plus Rs. 100 p.m. as special pay (Rs. 1600 plus Rs. 100 special pay. Selection Grade for 20% posts).
3	Chief Stamp Auditor	1		1	Rs. 1000—50—1500 plus Rs. 100 p.m. as special pay
4	Editors Gazetteers	2	1	3	Rs. 900—40—1100—EB—50—1500—60—1800
5	Research Officer	3	2	5	Rs. 750—30—900/40—1100—50—1450

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(VYSK. 27, 1908 SAKA)

APPENDIX B

(See rule 7)

Serial No.	Designation of the posts	Academic qualification and experience, if any; for direct recruitment	Academic qualification and experience, if any, for appointment other than by direct recruitment
1	2	3	4
1	Superintendent	—	One year's experience as Deputy Superintendent or ten year's experience as Assistant.
2	Private Secretary	—	One year's experience as Personal Assistant or ten year's experience as Senior Scale Stenographer
3	Chief Stamp Auditor	—	Five year's experience as Stamp Auditor
4	Editor Gazetteers	(i) M.A. Second Division in History or Economics or Political Science or Public Administration or Sociology in English medium Preference will be given to those who have published research work (ii) Knowledge of Hindi upto matric standard	Five year's experience as Research Officer
5	Research Officer	Essential:— (i) M.A. in History/ Political Science/Economics English/Sociology. (Medium of Examination at M.A. level must be in English). OR Graduate IInd Class with two years compilation experience in any gazetteer unit (ii) Knowledge of Hindi upto Matric Preferential:— Diploma in Journalism or Publication of papers of articles (in English) in Journals of repute	(i) M.A. in Humanities viz. History or Political Science or Economics or English (in subjects other than English, candidates should have passed M.A. through the medium of English) OR Graduate Second Division with two year's compilation experience in Gazetteers Unit. (ii) Knowledge of Hindi up to matric standard Preferential—Diploma in journalism or contribution of papers or articles (in English) in journals of repute.

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APPENDIX-C

[See rule 14(1)]

Serial No.	Designation of posts	Appointing authority	Nature of penalty	Punishing authority	Appellate authority
1	2	3	4	5	6
1	Superintendent	Government	(a) Warning with a copy on personal file;	Financial Commissioner	Government
2	Private Secretary	Government			
3	Chief Stamp Auditor	Government	(b) Censure;		
4	Editor Gazetteers	Government	(c) With-holding of increments or promotion, including stoppage at an efficiency bar;		
5	Research Officer	Government	(d) reduction to a lower post or time scale or to a lower stage in time scale; (e) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;		
			(f) removal from the service which does not disqualify from future employment; and (g) dismissal from the Service which ordinarily disqualifies from future employment	Government	

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(VYSK. 27, 1908 SAKA)

APPENDIX-D

[See rule 14(2)]

Serial No.	Designation of posts	Nature of order	Authority empowered to make the order
1	Superintendent	(i) Reducing or withholding the amount of ordinary/additional pension admissible under the rules governing pension	} Government
2	Private Secretary		
3	Chief Stamp Auditor	(ii) Terminating the appointment of a member of the Service otherwise than on his attaining the age fixed for superannuation	
4	Editor Gazetteers		
5	Research Officer		

L. C. GUPTA,

Secretary to Government, Haryana
Revenue Department

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HARYANA GOVT GAZ., DEC. 7, 1999
(AGHN 16, 1921 SAKA)

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[Authorised English Translation]

HARYANA GOVERNMENT

REVENUE DEPARTMENT

Notification

The 19th November, 1999

No. G. S. R. 108/Const./AFL 359 99. 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 Financial Commissioner's Office (Group B) Service Rules, 1986, namely:—

1. These rules may be called the Haryana Financial Commissioner's Office (Group B) Service (First Amendment) Rules, 1999.
2. In the Haryana Financial Commissioner's Office (Group B) Service Rules, 1986, in Appendix B, against serial number 5, under column 3, to the existing entries, the following entries shall be substituted, namely:—

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Essential—

- (i) Postgraduate in any one of the following disciplines of Social Sciences:
Economics, Sociology, History, Political Science, Geography, Commerce and Business Management and Social Anthropology;—

OR

B.A., atleast 2nd class with two years experience in compiling data; and

- (ii) Knowledge of Hindi up to Matric Standard.

Preferential—

Diploma in journalism or publication of papers or articles in Journals of repute.

L. M. JAIN,

Financial Commissioner and Secretary to Government,
Haryana Revenue Department.

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[Authorised English Translation]

HARYANA GOVERNMENT

REVENUE DEPARTMENT

Notification

The 19th September, 2005

No. G.S.R. 12/Const./Art. 309/2005.— 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 Financial Commissioner's Office (Group B) Service Rules, 1986, namely:—

1. (1) These rules may be called the Haryana Financial Commissioner's Office (Group B) Service (Amendment) Rules, 2005.

(2) They shall be deemed to have come into force with effect from 1st January, 1996.

2. In the Haryana Financial Commissioner's Office (Group B) Service Rules, 1986, for the words "Research Officers" or "Research Officer" wherever occurring, the words "Assistant Editors" or "Assistant Editor" shall respectively be substituted.

K. C. SHARMA,

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