

[Authorised English Translation]

HARYANA GOVERNMENT

FINANCE DEPARTMENT

Notification

The 8th January, 1998

No. GSR 5/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 Finance, Treasuries and Accounts Department (Group D) Service, namely :—

PART I GENERAL

Short title.

1. These rules may be called the Haryana Finance Treasuries and Accounts Department Group D Service, Rules, 1998.

Definitions.

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

- (a) "direct recruitment" means an appointment made otherwise than by promotion from within the Service or by transfer of an official already in service of the Government of India or any State Government ;
- (b) "Director" means Director Treasuries and Account Haryana ;
- (c) "Financial Commissioner" means the Administrative Secretary to Government, Haryana, Finance Department ;
- (d) "Government" means the Haryana Government in Administrative Department ;
- (e) "Institutions means :—
- (i) any institutions 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 ;
- (f) "Service" means the Haryana Finance Treasuries and Account Department Group D 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 the Government to make additions to, or reductions in the number of such posts or to create new posts with different designations and scale 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 1st day of 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 of 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 appointing 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 relative 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 16 years or more than thirty five years of age on or before the 1st January next preceding the date of appointment.

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

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 otherwise than by direct recruitment.

Nationality,
domicile and
character of
candidates
appointed
to Services.

Age.

Appointing
authority.

Qualifications.

Provided that in case of direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50% at the discretion of the appointing authority in case sufficient number of candidates belonging to Scheduled Castes, Backward Classes, Ex-serviceman and physically Handicapped categories, possessing the requisite experience, are not available to fillup 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 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 Daftri and Record Lifter,—

- (i) by promotion from amongst Peon, Chowkidars ; or
- (ii) by transfer or deputation of an official already in the service of any State Government, or the Government of India.

(b) in the case of peons and chowkidars,—

- (i) by direct recruitment; or
- (ii) by transfer or deputation of an official 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.

(3) The appointing authority shall determine the manner in which the vacancy is to be filled in.

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 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 the opinion of the appointing authority, the work and 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 Services ;and
 - (b) if such person is appointed otherwise than by direct recruitment—
 - (i) revert him to his former posts; 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 and 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 on 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 and 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 posts 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 there after 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 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:

Provided further that in the case of members appointed by direct recruitment, the order of merit determined by the appointing authority 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 member 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 shall be 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.

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

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 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 matter relating to discipline, penalties and appeals, the members of the Service shall be governed by the Haryana Civil Services (Punishment and Appeal) Rules, 1987, 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 are specified in Appendix C to these rules.

(2) The authority empowered to pass an order under clause (c) or clause (d) of sub-rule (i) of rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987 and the appellate authority shall be as specified in Appendix D to those rules.

15. Every member of the Service shall get himself vaccinated or revaccinated as and when the Government so directs by 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 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.

Powers 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
Provisions.

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 order issued by the State Government in this regard, from time to time :

Reservations.

Provided that the total percentage of reservations so made shall not exceed fifty per cent at any time.

Repeal and
saving.

20. The Punjab State (Class IV) Service Rules, 1963, are hereby repealed to the extent those are applicable to this Service :

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)

Serial No.	Designation	Number of Posts			Scale of pay
		Permanent	Temporary	Total	
1	Daftri	3	—	3	800-15-1010-EB-20-1150
2	Record Lifter	1	—	1	800-15-1010-EB-20-1150
3	Peon ✓	9	1	10	750-12-870-EB-14-940
4	Chowkidar ✓	1	—	1	750-12-870-EB-14-940

APPENDIX B

(See rule 7)

Name of Post	Academic qualification and experience (if any for direct recruitment)	Academic qualification and experience (if any for appointment other than by direct recruitment).
1. Daftri	—	Five years experience as Peon, Chowkidar.
2. Record Lifter	—	Five years experience as Peon, Chowkidar.
3. Peon	Middle pass with Hindi	Middle pass with Hindi.
4. Chowkidar	Middle pass with Hindi	Middle pass with Hindi

APPENDIX C

(See rule 14 (1))

Designation of post	Appointing Authority	Nature of Penalty	Authority empowered to impose	Appellate authority	Second and final appellate authority if any
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MINOR PENALTIES

Designation of post	Appointing Authority	Nature of Penalty	Authority empowered to impose	Appellate authority	Second and final appellate authority if any
Daftri	Director				
Record Lifter		(i) Warning with a copy in the personal file (Character roll)			
Peon		(ii) Censure	Director	Financial Commissioner	Government
Chowkidar		(iii) Withholding of promotion			
		(iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of order to the Central Government of 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 a State ; and			
		(v) Withholding of increments of pay without commulative effect ;			

MAJOR PENALTIES

- (vi) Withholding of increment of pay with cummulative effect ;

1	2	3	4	5	6
Chowkidar	Director	(vii)	reduction to a lower stage in in the time scale of pay for a specified period with further directions as to whether or not the Government 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 post- poning the further incre- ments of his pay ;		
		(viii)	reduction to a lower scale of pay grade, post or service which shall ordinary be a bar to the promotion of the Govern- ment employee to the time Scale of pay, grade, post of service from which he was reduced with or with- out further directions regarding conditions restoration to the grade, post of service from which the Government employee was reduced and his senio- rity and pay on such restoration to that grade, post or service ;		
		(ix)	Compulsary Retirement ;		
		(x)	Removal from service which shall not be disqualification for future employment under the Government ;		
		(xi)	dismissal from sevice which shall ordinary be a disqualification for future employment under the Government.		

APPENDIX D

(See rule 14 (2))

Designation of post	Nature of order	Authority to make order	Appellate Authority	Second and Final appellate authority if any
	2	3	4	5
1. Daftri	(i) reduction or withholding the amount of ordinary additional pension admissible under the rule governing pension.	Director	Financial Commissioner	Government
2. Record Lifter				
3. Peon				
4. Chowkidar	(ii) terminating the appointment of a member of service otherwise than on his attaining the age fixed for superannuation.			

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