

[Authorised English Translation]

HARYANA GOVERNMENT
EDUCATION DEPARTMENT

Notification

The 28th July 1995

No. GRS 60/Const./Art. 309/95, - 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 regulation the recruitment, and conditions of service of persons appointed to the Haryana, Education Department, Sub-Offices College Cadre (Group-C) Service, namely:-

PART I- GENERAL

Short title

1. These rules may be called the Haryana Education Department, Sub-Offices College Cadre Ministerial (Group-C) Service Rules, 1995. Definitions

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

- (a) 'Administrative Officer' means the Administrative Officer in the Office of Director of Higher Education;
- (b) "Board " means the Subordinate Services Selection Board, Haryana ;
- (c) "Director" means the Director of Higher Education, Haryana ;
- (d) "Direct Recruitment" means an appointment made other wise than by promotion from within the Service or by transfer of an official already in the service of Government of India or any State Government ;
- (e) "Government" means the Haryana Government in the Administrative Department ;
- (f) "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 purpose of these rules ;
- (g) "Service" means the Haryana Education Department, Sub-Offices College Cadre Ministerial (Group-C) Service.

PART II-RECRUITMENT TO SERVICE

3. The Service shall comprise the posts shown in Appendix A to these rules and the member of the service shall draw pay in the scales of pay mentioned there against:

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 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 ;

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.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to, an examination or interview conducted by 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 on 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 five years of age on or before the last date of submission of application to the Board.

Age

6. Appointment to the post in the service shall be made by the Director in the case of Head Clerks and by the Administrative Officer in the case of Assistants, Senior Scale Stenographers, Junior Scale Stenographers, Steno Typists and Clerks.

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 and specified in column 4 of the aforesaid Appendix in the case of appointment other than by direct recruitment:

Qualification

Provided that in the case of direct recruitment the qualifications regarding experience shall be relax able to the extent of 50 per cent at the discretion of the Board or any other recruiting authority in case sufficient number of candidates belonging to scheduled castes, backward classes, ex-servicemen and physical handicapped candidates, possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

8. No person ;

(a) Who has entered into or contracted a marriage with a person having spouse living ; or Disqualifications

(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 rules.

9. Recruitment to the service shall be made;

(a) in the case of Head Clerk;-

(i) by promotion from amongst Assistants or Senior Scale Stenograpers;

(ii) by transfer or deputation of an official already in the service or any State Government or the Government of india ;

(b) in the case of Assistant;-

(i) 80 per cent by promotion from amongst Junior Scale Stenograpers;

(ii) 20 per cent by direct recruitment ; or

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

(c) in the case of Senior Scale Stenographer;-

(i) 80 per cent by promotion from amongst Junior Scale Stenograpers; and

(ii) 20 per cent by direct recruitment; or

(iii) by transfer or deputation of any official already in the service of any State Government or the Government or India;

(d) in the case of Junior Scale Stenographer;-

(i) 80 per cent by promotion from amongst Steno Typist; and

(ii) 20 per cent by direct recruitment; or

- (iii) by transfer or deputation of any official already in the service of any State Government or the Government of India;
 - (e) in the case of Steno-Typist;-
 - (i) 80 per cent by promotion from amongst clerk; and
 - (ii) 20 per cent by direct recruitment; or
 - (iii) by transfer or deputation of any official already in the service of any State Government or the Government of India;
 - (f) in the case of clerk;-
 - (i) not more than 20 per cent by promotion from amongst Group C employees whose scale of pay even if is equal to that of a Clerk but his duties and responsibilities are less than that of a clerk and Group-D employees on seniority-cum-fitness basis; and
 - (ii) 20 per cent by direct recruitment; or
 - (iii) by transfer or deputation of any official already in the service of any State Government or the Government of India.
- (2) When any vacancy occurs or is about to occur in respect of the categories of posts where no percentage has been provided for the appointing authority shall determine the manner in which it is to be filled.
- (3) All promotions, unless otherwise provided, shall be made on seniority-cum-merit basis and seniority alone shall not confer any right to such promotions.
10. (1) Persons appointed to any post in the service shall re-main on probation for a period of two years. If appointed by direct recruitment and one year if appointed otherwise:-
- Probation.
- (a) any period after such appointment spent on deputation on a corresponding or 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 the 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 the previous appointment permit.
- (3) On the 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 him from the date of his appointment if appointed against a permanent vacancy ; or
 - (ii) confirm him 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 and conduct has, in its opinion been not 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 order, as it would have passed on the expiry of the first period of probation:

Provided that the total period of probation including extension, of anym shall not exceed three years.

Seniority. 11. Seniority, intense 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;

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 transfer ;
- (d) in the case of members appointed by transfer from different cadre 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 the appointments, and if the length of such service is also the same, the older member shall be senior to the younger member.

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.

Liability to
service

(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 ;
- (ii) the Central Government or a company, or 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, or an international organisation or 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 State Government or any State Government or any organisation or body referred to in clause (ii) or clause (iii) except with his consent.

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Pay leave , pension and other matter.	13. In respect of pay, leave, pension and all other ----- expressly provided for in these rules, the members -----shall be governed by such rule and regulations as may have bee, on 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.
Discipline penalties and appeals.	14 (1) In matters relating to discipline, penalties and apples, member of the Service shall be governed by the Haryana Civil Services (Punishment and Appeals) Rules, 1987, as amended from time to time. Provided that the nature of penalties which may be imposed, the authorities 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 this rules. (2) The authority competent to pass an order under clause © or clause 9d) of sub-rule (1) of rule (9) of the Haryana Civil Services (Punishment and Appeal) rule, 1987 and the appellate authority ----- specified in Appendix D to these rules --- --
Vaccination.	15 Revaccinate if and when the Government so directs by the 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 of 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 be 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 a appointment if it is deemed expedient to do so.
Reservations	19 Noting 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. Provided that the total percentage of reservations so made shall be exceed fifty percent at any time.
Repeal and Savings	20 The Punjab Education Department (Subordinate Offices) Clerical Services Rules, 1941, are hereby repealed: Provided that any order made or action taken under the rules so appealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

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APPENDIX A

(See Rule 3)

Sr. No.	Designation of Posts	Number of posts			Scale of pay
		Perman ent	Tempo rary	Total	Rs.
1	2	3	4	5	6
1	Head Clerk	12	19	31	166-50-2300-EB-60-2600
2	Assistant	2	---	2	1400-40-1600-50-2300-EB-60-2600
3	Senior Scale stenographer	2	1	3	1400-40-1600-50-2300-EB-60-2600
4	Junior scale stenographer	8	----	8	1200-30-1560-EB-2040
5	Steno Typist	7	8	15	950-20-1150-EB-25-1500+Special pay @ Rs. 100

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APPENDIX A

(See Rule 3)

Sr. No.	Designation of Posts	Academic Qualification and experience, if any for direct requirement	Academic Qullification and experience if any, for appointment other than by direct requirement
1	2	3	4
1	Head Clerk		(1) Five years experience as an assistants, or (2) Five years experience as senior scale stenographer including two years experience as Assistant
2	Assistant	Graduate of a recognized university or as equivalent. 2 Knowledge of Hindi upto Metric Standard.	1 Five years experience as a clerk 2 Five year experience as Junior Scale stenographer as Junior scale stenographer or steno typist including that of a clerk.
3	Senior Scale stenographer	Metric of a recognized university or its equivalent. 2 Knowledge of Hindi upto Metric standard. English shorthand at a speed of 100 wards per minute and transcription thereof at 20 words per minute or Hindi Shorthand at a speed of 80 wards per minute and transcription thereof at 15 words per minute.	Five years experience as Junior Scale stenographer and has passed English shorthand @ 100 words per minute and transcription thereof @ 20 words per minute or Hindi Shorthand @ 80 words per minutes and Transcription thereof @ 15 words per minute.
4	Junior scale stenographer	1 Metric of a recognized University or its equivalent. 2 Knowledge of Hindi upto Metric standard.	1 One year experience as steno typist. 2 Qualifies English shorthand test @ 100 words per minute and transcription thereof @ 20 words per minutes or Hindi shorthand @ 80 words

			<p>per minutes and transcription thereof @ 15 words per minute.</p> <p>3 English Shorthand @ 100 words per minute and transcription thereof @ 20 words per minute or Hindi shorthand @ 80 words per minute and transcription thereof @ 15 words per minute.</p>
5	Steno Typist	<ol style="list-style-type: none"> 1. Metric of a recognized University or its equivalent. 2. Knowledge of Hindi upto Metric Standard 3. Hindi Shorthand @ 64 words per minute and transcription thereof @ 11 words pre minute or English shorthand @ 380 words per minute and transcription thereof 15 words per minute. 	<ol style="list-style-type: none"> 1. One year experience as clerk. 2. Qualifies Hindi shorthand test @ 64 words and transcription thereof 11 words per minute or English shorthand @ 80 words per minute and transcription thereof @ 15 words per Minute.
6	Clerk	<ol style="list-style-type: none"> 1. Metric of a recognized University or its equivalent. 2. Knowledge of Hindi upto Metric Standard. 3. Shall be required to pas a test in Hindi or English typing at a speed of 25/30 words per minute respectively within a period of one year of his appointment failing which next increment shall not be release. 	<p>Five year experience as Group C or Group D employee or combined experience</p>

APPENDIX C

(see rule 14 (1) 1)

Sr. No.	Designation	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority	Second appellate authority
1	2	3	4	5	6	7

1 Head clerk Director

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 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 of the Legislative of a State ; and
 (v) Withholding of increments of pay without accumulative

Director Government

effect
92) major
penalties
(v.a) with holding
of increments of
pay with
cumulative effect.
(vi) reduction to a
lower stage in the
time scale of pay
for a specified
period, with
further directions
as to whether or
not Government
employee will
earn increments
of pay during the
period of such
reduction and
whether on the
expiry of such
period, the
reception will or
will not have the
effect of
postponing the
future increments
of his pay:

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(vii) 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 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 ;
(viii) Compulsory retirement;
(ix) Removal from service which shall not be a disqualification for future employment under the Government;
(x) dismissal from service which shall

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			ordinarily be a disqualification for future employment under the Government.			
2. Assistant	Administrati	Both		Administrativ	Directo	Government
3. Senior	ve Officer	minor		e Officer	r	t
Scale		and				
Stenographer		major				
4. Junior Scale		penalties				
Stenographer		as				
5. Steno-		specifie				
Typist		d fro (i)				
6. Clerks		to (x)				
		above.				