

HARYANA GOVT. GAZ. APRIL 7, 1998
(CHTR. 17, 1920 SAKA)

[Authorised English Translation]

HARYANA GOVERNMENT
EDUCATION DEPARTMENT

Notification

The 6th February, 1998

No. G.S.R. 31/Const./Art-309/98-In exercise of the powers conferred by the proviso 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 Higher Education Department field offices (Group D) service, namely :-

PART-I—GENERAL

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| Short title and Commencement. | 1. (i) These rules may be called the Haryana Higher Education Department Field Offices (Group D) Service Rules, 1998.
(ii) These rules will be applicable from the date of notification in the official Gazette. |
| Definitions. | 2. In these rules, unless 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 the service of Government of India or any State Government;
(b) 'Director; means the Director of Higher Education Haryana;
(c) 'government' means the Haryana Government in the Administrative Department;
(d) 'Institution' means,-
(i) Any institution 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;
(e) 'Principal' means the principal of Government College in Haryana State;
(f) 'Service' means the Haryana Higher Education Department field Office (Group D) Service. |
| Number add 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 government of 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. |

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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 refuse who came over to India before the 1st January, 1962, with the intention or permanently setting 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 Tenzania) (formerly Tanganyika and Zanziba), Zambia Malawi-Zaire and Ethipia with the intention of permanently setting in India :

Nationality, domicile and character of candidates appointed to service.

Provided that a persons belonging to any of the categories (b), (c), (d) or (e) shall be a person in whole favour a certificate of eligibility has been issued by the Government.

(2) A pers0on in whose case a certificate of eligibility is necessary may be admitted to an examination of 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 relatives, who are well acquainted within him in his private life and are unconnected with his university, college school or institution.

5. No person shall be appointed to the post in the Service by direct recruitment who is less than 16 years or more than 35 years of age, on or before the first day of the month next proceeding the last date of submission of application to the appointing authority.

Age.

6. Appointments to the posts in the Service shall made by the Principal.

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 persons appointed otherwise than by direct recruitment :

Qualifications

Provided that in the case of appointment by direct recruitment, the qualifications regarding experience shall be relaxable to the extent of fifty per cent at the discretion of the appointing authority in case sufficient

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Number of candidates belonging to Schedules Castes, Backward classes, other Backward Classes, Ex-servicemen and physically 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.

- Dis-qualifications. 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 that other party to the marriage and there are other grounds for so doing, except any person from the operation of this rule.

- Method of
Recruitment.
9. Recruitment to the Service shall be made, ---
- I In case of Library Attendant, ---
- (i) 50% by promotion from amongst, Daftri, Peon, Chowkidar, Beldar, Sweeper, Mali, Water Carrier or animal Collector ; and
- (ii) 50% by direct recruitment ; or
- (iii) By transfer or deputation of an official already in the service of any State Government or the Government of India ;
- II. In case of Laboratory Attendant, --
- (i) 50% by promotion from amongst Daftri, Peon, Chowkidar, Beldar, Sweeper, Mali, Water Carrier or Animal Collector ; and
- (ii) 50% by direct recruitment ; or
- (iii) By transfer or deputation of an official already in the service of any State Government or the Government of India.
- III. In case of Daftri,----
- (i) 50% by direct recruitment ; or
- (ii) 50% by promotion from amongst Peon, chowkidar, beldar, Sweeper, Mali, Water Carrier or animal collector ; and
- (iii) By transfer or deputation of an official already in the service of any State Government or the Government of India ;

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- IV. In case of Peon, ---
- (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 ;
- V. In case of Chowkidar,---
- (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 ;
- VI. in case of Beldar,---
- (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 ;
- VII. in case of Sweeper,---
- (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 ;
- VIII. In case of Mali,--
- (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 ;
- IX. In case of Water Carrier, --
- (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 ;
- X. in case of Animal Collector, --
- (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 ;

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 of
persons appointed to service

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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 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 the 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 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,-- appointed against a permanent vacancy ; or
 - (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, 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 permitted ; 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.

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11. Seniority, inter se of the 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 cadre in the Service, the seniority shall be determined separately for each cadre:

Provided further that in the case of a member 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 member 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 a member 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 a member 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 rate 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 elder 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 serve.

(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, an association or body of individual, whether in corporate or not, which is wholly or substantially owned or controlled by the Central Government ; or
- (iii) Any other State government, an international organization and 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 organization or body referred to in clause (ii) or clause (iii) except with his consent.

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Pay leave, Pension and Other matters.	13. In respect of pay, leave, pension and all other matter 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 here after, 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. (i) In matter relating to discipline, penalties and appeals, members of the service shall be governed by the Haryana Civil Service (Punishment and Appeals) 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 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 and order under clause (c) or (d) of sub-rule (1) of rule 9 of the Haryana civil Services (Punishment and Appeal) rules, 1987, and appellate authority shall be as specified in Appendix C to these rules.
Vaccination.	15. Every member of the Service, shall get himself vaccinated or re-vaccinated as and when the Government so directs by a 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 to 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 ordered 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 any thing contained in these rules the appointing authority may impose special terms and conditions in the order of appointment, it is deemed expedient to do so.
Reservation	19. Nothing contained in these rules shall affect reservation and other concessions required to be provided for scheduled Castes, backward Classes, other backward Classes, Ex-Servicemen, Physically Handicapped, persons or any other class or category of persons in accordance with the orders issued by the State Government in this regard from time to time: Provided that the total percentage of reservation so made shall not exceed fifty per cent, at any time.
Repeal and Saving	20. Any rule applicable to the Service and corresponding to any of these rules, which is in force immediately before the commencement of these rules, is hereby replaced; Provided that any order made or action taken under the rules so replaced 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)

Serial No.	Designation of the Post	Number of posts	Total		Scale of pay
			Permanent-	Temporary	
1	2	3	4	5	6
1.	Library Attendant	185		185	Rs. 950-20-1150-EB-25-1400
2.	Laboratory Attendant	61	1	62	950-20-1150-EB-30-1500
3.	Daftri				950-15-1010-EB-20-1150
4.	Peon	136	1	137	750-15-870-EB-14-940
5.	Chowkidar	76	4	80	750-12-870-EB-14-940
6.	Beldar	73	8	81	750-12-870-EB-14-940
7.	Sweeper	63	1	64	750-12-870-EB-14-940
8.	Mali	50	1	51	750-12-870-EB-17-940
9.	Water Carrier	20		20	750-12-870-EB-14-940
10.	Animal Collector	5		5	750-12-870-EB-14-940

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APPENDIX B
(See rule 7)

Serial No.	Designation of posts	Academic qualifications 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	Library Attendant	(i) Matric pass; (ii) Knowledge of Hindi Upto matric standad	(i) Matric pass; (ii) 5 years experience as Daftri, Peon, chowkidar, Beldar, Sweeper, mali, Water Carrier, or Animal Collect; (iii) Knowledge of Hindi upto matric Standard
2	Laboratory Attendant	(i) Matric pass with science Physics * Chemistry); (ii) Knowledge of Hindi upto matric standard	(i) Matric pass with physics and chemistry subject; subject; (ii) five years experience as Daftri, Peon, chowkidar, Beldar, Sweeper, Animal, Collector; (iii) Knowledge of Hindi upto matric standard
3	Daftri	(i) Matric pass with Hindi and English (i) Knowledge of Hindi upto Middle level,	(i) middle pass (ii) Five years experience as Peon , chowkidar, Beldar, Sweeper, Mali, Water Carrier or Animal collector;
4	Peon	(i) Middle pass; (ii) Knowledge of Hindi upto middle level	(i) Middle pass; (ii) Knowledge of Hindi upto middle level.
5	Chowkidar	Knowledge of Hindi	Knowledge of Hindi
6	Beldar	Knowledge of Hindi	Knowledge of Hindi
7	Sweeper	Knowledge of Hindi	Knowledge of Hindi
8	Mali	Knowledge of Hindi	Knowledge of Hindi
9	Water carrier	Knowledge of Hindi	Knowledge of Hindi
10	Animal collector	Knowledge of Hindi and English	Knowledge of Hindi and English

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APPENDIX C
[See rule 6 and 14 (1)]

Sr. No.	Designation of posts	Appointing authority	Nature of penalty	Authority empowered to imposed penalty	Appellate authority	Second final appellate authority
1	2	3	4	5	6	7
1	Library	Principal	Minor Penalties			
2	Laboratory Attendant		(i) Warning with a copy one the persona file (character roll);			
3	Daftri		(ii)with holding of promotion			
4	Peon		(iii)with holding of promotion			
5	Chowkidar		(iv)recovery from pay of the whole or part of any pecuniary loss caused by negligence or a breach of orders to the Central Government or 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 the Legislature of a State;			
6	Beldar		(v)with holding or increments of pay without cumulative effect.			
7	Sweeper		2.Major Penalties			
8	Mali		(v)(a)with holding or increments of pay with cumulative (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 Government employee will earn increment of pay during the period of such reduction and whether on the expiry of such reduction and whether on the expiry			

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 ?Government employee to the time scale of pay ,grade, post or service from which he was reduced wi9th or without future directions regarding condit8ions or 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;

(vii)compulsory retirement'

(ix)removal from service which shall not be a disqualification for future employment under the government

(x)dismiss from service which shall ordinarily be disqualification for future employment under the Government

- 9 Water Carrier
- 10 Animal collector