

GROUP – B

HARYANA GOVT. GAZ. FEB. 23, 1999
(PHGN 4, 1920 SAKA)

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT

GENERAL SERVICES

Notification

The 5th February, 1999

No. GSR 19/Const.Art. 318 and 309 – In exercise of the powers conferred by clause (b) of article 318 read with proviso to article 309 of the Constitution of India. The Governor of Haryana hereby makes the following regulations for making provision with respect to the number, recruitment and the conditions of service of persons appointed to the Haryana Public Service Commission (Group-B) State Service namely:-

PART I – GENERAL

Short title and commencement:

1. (I) These regulations may be called the Haryana Public Service Commission (Group-B) State Service Regulation, 1999.
2. They shall come into force on the date of their publication in the official Gazette.

Definitions:

2. In these regulations, unless the context otherwise requires
 - (a) “Chairman” means the Chairman, Haryana Public Service Commission;
 - (b) “Commission” means the Haryana Public Service Commission;
 - (c) “Direct recruitment” means an appointment made otherwise than by promotion from within the Service or by transfer of an officer already in the service of the Government of India or any State Government;
 - (d) “Government” means the Haryana Government in the Administrative Department;
 - (e) “Institution” means:-
 - (i) any institution, established by law in force in the State of Haryana; or
 - (ii) any other institution recognized by the Government for the purpose of these regulations.
 - (f) “recognized 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 Government to be a recognized university for the purpose of regulations.

(g) "Service" means the Haryana Public Service Commission (Group B) State Service;

PART II RECRUITMENT TO SERVICE

Number and character of posts:

3. The service shall comprise the posts shown in Appendix A to these regulations:

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.

Nationality, domicile and character of candidates appointed to Service:

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 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 certificate from

two other responsible person, not being his relatives, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

Appointing Authority:

5. Appointment to the posts in the Service shall be made by the Government.

Qualifications:

6. No person shall be appointed to any post in the Service, unless he is in possession of qualifications and experience specified in column 4 of appendix B to these rules.

Disqualifications:

7. 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 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 doing, so, exempt any person from the operation of this regulation.

Method of recruitment:-

8. (1) Recruitment to the service shall be made –

(a) in case of Superintendent-

(i) by promotion from amongst Deputy Superintendent and Assistants;

or

(ii) by transfer or deputation of an officer/official in the service of any

state

Government or the Government of India ;

(b) in case of Private Secretary-

(i) by promotion form amongst personal Assistants or Senior Scale Stenographers; or

(ii) by transfer or deputation of an official 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 promotion.

Probation:

9. (1) Person appointed to any post in the Service shall remain on probation for a period of one years:

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 regulations; and

(c) any period 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 ; 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 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, been not 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 other, 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:

10. Seniority, interse of the members of the service shall be determined by the length of continuous service 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 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
- (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 has drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same them 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 Service:-

11. (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 other State Government, an international organization, 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 organization or body referred to in clause (ii) or clause (iii) except with his consent.

Pay, Leave, pension and other matters

12. In respect of pay, leave pension and all other matters not expressly provide for in these regulations, 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.

Discipline, penalties and appeals:-

13. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Haryana Civil Services (Punishment and Appeal) 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 the Constitution of India, shall be as specified in Appendix C to these regulations.

(2) The authority competent to pass an order under clause (c) or clause (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 D to these regulations.

Vaccination:-

14. Every member of the Service, shall get himself vaccinated and revaccinated as and when the Government so directs by a special or general order.

Oath of allegiance:-

15. Every member of the Services, unless he has already done, so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

Power of Relaxation:-

16. 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 regulations with respect to any class or category of person.

Special Provisions:-

17. Notwithstanding anything contained in these regulations, the appointing authority may impose special terms and conditions in the order of appointment if it is deemed expedient to do so.

Reservation:-

18. Nothing contained in these regulations 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 person 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 percent at any time.

Repeal and Savings:-

19. The Haryana Public Service Commission (State Service Class-II) Regulations, 1976 and any regulations applicable to the Service and corresponding to any of these regulations which is in force immediately before the commencement of these regulations is hereby repealed:

Provided that any order made or action taken under the regulations so repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

HARYANA GOVT. GAZ, FEB 23, 1999
(PHGN 4, 1920 SAKA)

APPENDIX A
(See Regulation 3)

Sr. No.	Designation of posts	Number of Posts		Total	*Scale of pay
		Permanent	Temporary		
1	2	3	4	5	6
1	Superintendent	4	1	5	**Rs. 9300-34800 + 4800 Grade Pay
2	Private Secretary	1	--	1	Rs. 9300-34800 + 5400 Grade Pay

*Pay scales revised w.e.f 01.01.2006 vide Govt. notification GSR 44/Const/Art. 209/08 dated 30.12.2008.

** Pay scale further revised w.e.f. 06.01.2010 vide Finance Department letter no. 1/83/2008-2PR(FD) dated 6th June, 2010.

APPENDIX B
(See Regulation 3)

Sr. No.	Designation of posts	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct recruitment
1	Superintendent	--	By Promotion – One year experience as Deputy Superintendent or ten years experience as Assistant. By transfer or deputation- (i) One year experience as Superintendent. (ii) Hindi upto Matric Standard.
2	Private Secretary	--	By Promotion- One year experience as Personal Assistant or eight years experience as Senior Scale Stenographer By transfer or deputation- (i) One year experience as Private Secretary (ii) Hindi upto Matric Standard.

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APPENDIX C
[(See Regulation 13 (1))]

Sr. No.	Designation of posts	Appointing Authority	Nature of penalty	Authority empowered to impose	Appellate Authority
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				penalty	
1	2	3	4	5	6
1.	Superintendent	Government	Minor Penalties:	Chairman	Government
2.	Private Secretary	--do--	(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 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 cumulative effect;		
			2. Major Penalties: (v-a) withholding 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	Government	--

			<p>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 postponing the future increment of his pay;</p> <p>(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;</p> <p>(viii) compulsory retirement;</p> <p>(ix) removal from service which shall not be a disqualification for future employment</p>		
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			<p>under the government;</p> <p>(x) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.</p>		
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APPENDIX D
[(See Regulation 13 (2))]

Sr. No.	Designation of posts	Nature of order	Authority empowered to make the order.	Appellate Authority
1	2	3	4	5
1.	Superintendent	(i) reducing or withholding the amount of ordinary or additional pensions admissible under the rules governing pension;	Government	--
2.	Private Secretary	(ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation.		

RAM S. VERMA
Chief Secretary to Government,
Haryana.

