(GROUP B)

HARYANA GOVERNMENT

LABOUR AND EMPLOYMENT DEPARTMENT

The 24th Jan., 1991.

No. GSR/Const/Art 309/91 - In exercise of the power conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules for regulating the recruitment and conditions of service of persons appointed to the Haryana Employment Department (Group B) Service , namely:-

PART-I (General)

1. **Short Title:** These rules may be called the Haryana Employment Department (Group B) Service Rules, 1991.
2. **Definition :** 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) "Director" means the Director of Employment, Haryana;
   (d) "Government" means the Haryana Government in the Administrative Department;
   (e) "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 15th August, 1947, the Punjab, Sind or Dacca University; or
      (iii) any other university which is declared by the Government to be recognized university for the purpose of these rules;
   (f) "Service" means Haryana Employment (Group B) Service and
   (g) "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 rules.

3. **Number & character of posts:** 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 scales of pay, either permanently or temporarily.

4. **Nationality, domicile & character of candidates appointed in the Service:**

(1) No person shall be appointed to 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 January, 1962 with the intention of permanently settling in India; or

(e) A person of Indian origin who has migrated from Pakistan, Burma, Lanka or any East African Countries of Kenya, Uganda, the United Republic of Tanzania (formerlyTanzanyika and Zanzibar), Zambia, Malawi, Zalre 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 favor 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 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 the Service by direct recruitment, unless the produces a certificate of character from the Principal, academic officer of the 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 with him in his private life and are unconnected with his university, college, school or institution.

5. **Age:** No person shall be appointed to any post, in the Service by direct recruitment who is less than twenty one years or more than forty two years age, on or before the last date of admission of applications to the Commission.

6. **Appointing Authority:** Appointment to any post in the Service shall be made by the Government.

7. **Qualifications:** No person shall be appointed to any post in the Service unless he is in possession of qualification 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.

   Provided that in the case of direct recruitment the qualifications regarding experience shall be relax able to the extent of 50% at the discretion of the Commission in case sufficient number of candidates belonging to Scheduled Castes, 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 doing so in writing.

8. **Disqualifications:** 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 doing so, exempt any person from the operation of this rule.

9. **Method of recruitment :** (1) Recruitment to the Service shall be made :-

(a) in the case of District Employment Officer :

(i) by promotion from amongst Assistant Employment Officers (General) and Assistant Employment Officers (Vocational Guidance) ; or

(ii) by transfer or deputation of an officer already in the service of any State Government or the Government or India.

(b) In the case of Assistant Employment Officer (General):

(i) 25% by promotion from amongst Deputy Superintendent and Statistical Assistant in the ratio of 60:40

(ii) 75% by direct recruitment; and

(iii) by transfer or deputation of an officer already in the Service of any State Government or the Government or the Government of India ; and

NOTE: Appointment by direct recruitment should be made on the basis of combined competitive examination conducted by the Commission for recruitment of the Haryana Civil Service (Executive Branch) and allied Services.

(c) In the case of Assistant Employment Officers, (Vocational Guidance):-

(i) by direct recruitment,

(ii) by transfer or deputation of an officer already in the service of any State Government or the Government of India.

(d) In the case of Superintendent:-

(i) by promotion from amongst Deputy Superintendent ,

(ii) by transfer of an officer already in the service of any State Government or the Government of India;

(2) All promotions shall made on the basis of seniority cum merit and no person shall be entitled to claim promotion on the basis of seniority alone.

10. Probation: (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 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 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 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 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 and 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 permit: or

(ii) extend his period of probation and thereafter pass such orders, as it would 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.

11. Seniority: 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, 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 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 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 members 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 rates of pay drawn are also the same, than 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. Liability to serve:

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 to do so by the appointing authority.

2) A member of the Service may also be deputed to serve under 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 Committee/Corporation or a local authority or university within the State of Haryana.

3) 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

4) 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 (3) and (4) above except with the consent.

13. Pay, Leave pension & other matters: In respect of any, 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.

14. **Discipline, penalties & appeals:** (1) In matters relating to discipline, penalties and appeals, member 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 Article 309 of the Constitution of India, be such as are 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 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987 and the appellate authority shall also be as specified in Appendix D to these rules.

15. **Vaccinations:** Every member of the Service shall get him self vaccinated and revaccinated if and when the Government so direct by a special or general order.

16. **Oath of allegiance:** Every member of the Service, 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.

17. **Power of Relaxation:** 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 or persons.

18. **Special Provisions:** Notwithstanding anything contained in these rules the appointing authority may impose special terms and conditions in the Mode of appointment if it is deemed expedient to do so.

19. **Reservations:** Nothing contained in these rules shall effect reservations and other concessions required to be provided for Scheduled Caste, Backward Class, ex-Servicemen, Physically Handicapped 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 not exceed fifty percent, at any time.

20. Departmental Examinations:

(1) Every member of the Service shall be required to qualify the departmental examination as per syllabus and other conditions specified in Appendix E to these rules within the period of two years from the date of appointment, in case of direct recruitment and one year in case of promotion.

(2)

(i) If a person passes the departmental examination before the prescribed period, he shall be given all the increments which would have otherwise fallen due to him at the end of the prescribed period with effect from the last day on which the departmental examinations were completed.

(ii) No increment shall be with held until the period prescribed for clearing the departmental examination is over.

(iii) If a member of the Service passes the departmental examination after the prescribed period, then the increment for the period subsequent to that within which the departmental examination was to be passed shall be released to him from the date following the last date on which the departmental examinations are completed. The increment shall be released with retrospective effect from the date it was otherwise due but no arrears shall be paid for the past period.

(iv) If a member of the Service fails to pass the departmental examination or any part thereof, and it subsequently exempted by the competent authority from passing the examination(s) his increment (s) for the period subsequent to that within which the departmental examination was to be passed shall be released with retrospective effect from the date it was otherwise due but no arrears shall be paid for the past period.

21. Repeal & Savings : The Punjab Employment Class I and II Service Rules, 1963 applicable to the Service and corresponding to any of these rules which are in force immediately before the commencement of these rules 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)

Sr. No	Designation of posts	No. of Posts			Scale of pay
		Permanent	Temporary	Total	
1	2	3			4
1.	District Employment Officer	19	--	19	9300-34800+G.P 4800
2.	Assistant Employment Officer	34	--	34	9300-34800+G.P 4600
3.	Assistant Employment Officer (Vocational Guidance)	20	--	20	9300-34800+G.P. 4600
4.	Superintendent	7	--	7	9300-34800+G.P. 4200
5.	Law Officer	1	--	1	Ex-cadre Post
6.	Accounts Officer	1	--	1	Ex-cadre Post
7.	Senior Programmer	1	--	1	To be Approved

APPENDIX B

(See Rule 7)

Sr. No.	Designation of Post	Academic Qualification & Experience if any, for requirement.	Academic qualifications and experience if any, for appointment other than by direct recruitment.	
1	**2**	**3**	**4**	**5**
1	District Employment Officer	--	**(i) By Promotion** Three years experience as Asstt. Employment Officer (General)/ Asstt. Employment Officer (Vocational Guidance)	**(ii) By transfer** A degree from a recognized University with three years experience in a Govt. organization with manpower or employment in a supervisory capacity.
2	Assistant Employment Officer (General)	1) Degree of recognized University. 2) Hindi/ Skt. Upto Matric Standard	3 years experience as Deputy Superintendent. 4 years experience as Statistical Assistant.	A degree from a recognized University with five year experience in a Govt. Organization/ public undertaking with manpower or employment in a supervisory capacity.
3	Assistant Employment Officer (Vocational Guidance)	1) M.A. Psychology. OR M.A. education with Specialization in Vocational Guidance. OR Master degree or Education (M.Ed.) with Diploma in vocational guidance granted by		Master degree in Psychology OR M.A. degree in education with specialization in Guidance. OR Master degree in education with diploma in Vocational Guidance granted by State Vocational Guidance

		State Vocational Guidance Bureau for Teachers Training College Duly Affiliated to recognized University. OR Master degree in Education with Specialization in principals and techniques of guidance. 2) Hindi upto Matric Standard.		Bureau for Teachers Training College duly affiliated to recognized University. OR Master degree in Education (M.Ed.) with specialization in principals and guidance. 2) Hindi upto Matric Standard.
4	Superintendent		1 year experience as Deputy Superintendent	i) Degree of recognized university: ii) 5 year experience as Superintendent or Deputy Superintendent: and iii) Hindi upto Matric Standard
5.	ADA	Ex-carder Post	--	--
6.	Law Officer	Ex-cadre Post		--
7.	Account Officer	Ex-cadre Post		--
8.	Senior Programmer	Case of approval of qualification is under process		--

APPENDIX C

[See Rule 14 (1)]

Sr. No.	Designation of post	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5	6
1.	District Employment Officer	Government	**<u>Minor penalties</u>** i) warning, with a copy in the personal file (character roll); ii) Censure; iii) withholding of promotions; iv) recovery from pay the whole or part of any pecuniary loss caused by negligence or breach of orders, to the Central Govt. or a State Govt. 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 Govt. or to a local authority or University set up by an Act of Parliament or of the legislature of a State; and	Government	-
2.	Assistant Employment Officer (General)				
3.	Assistant Employment Officer (Vocational Guidance)				
4	Superintendent				
5	Law Officer				
6	Account Officer				
7	Senior Programmer			Government	--

			(v) withholding of increments of pay. **<u>Major Penalties</u>** (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 Govt. 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; (vii) reduction to a lower scale of pay, grade post or service which shall ordinarily be a bar to the promotion of the Govt. 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 Govt. employee was reduced and his seniority and pay on such restoration		

			to that grade or post or service (viii) compulsory retirement; (ix) removal from service which shall not be a dis-qualification for future employment under the Govt. (x) dismissal from service which shall ordinarily be a dis-qualification for future employment under the Govt.		

APPENDIX D

[See Rule 14 (2)]

Sr. No.	**Designation of post**	**Nature of order**	**Authority empowered to make order**	**Appellate Authority**
1	2	3	4	5
1	District Employment Officer	(i) Reduction or with- holding the amount of ordinary or additional pension admissible under the rules governing pension; (ii) Terminating the appointment other-wise than on his attaining the age fixed for super-anuation.	Government	-
2	Assistant Employment Officer (General)			
3	Assistant Employment Officer (Vocational Guidance)			
4	Superintendent			
5	Law Officer			
6	Account Officer			
7	Senior Programmer			

APPENDIX 'E'

(See Rule 19)

(1) A departmental examination of Group 'B' employees shall be held half yearly in January or July every year.

(2) The Director shall conduct the departmental examination.

(3) The exact date, time and place of the examination shall be fixed by the Director at least two weeks before the commencement of the examination.

(4) The question papers shall be set, answer books examined and marks awarded by the examiners, appointed by the Director.

(5) One paper carrying 100 marks shall be set.

(6) The paper shall be of three hours duration.

(7) Minimum pass marks will be 40%.

(8) The answer books and other stationery for the examination shall be provided by the Director.

(9) No books shall be supplied or allowed to be consulted during the examination.

(10) The officer conducting the examination shall,

(i) Received the question papers from the examiners and cause them to be typed or cyclostyled.

(ii) Superintend the examination.

(iii) Transmit the answer books to the examiners concerned.

(11) The examiners will evaluate the answer books and forward the result to the Director who shall declare the result.

(12) Syllabus for the examination will be as under:-

(i) National Employment Service Manual Part-I and Part-II prepared by the Directorate General of Employment and Training,

(ii) Employment Exchange Minutes and other circulars regarding Exchange procedure issued by the Directorate General of Employment and Training,

(iii) Procedure circulars and other instructions issued by the Director from time to time, and

(iv) Any other material to meet the job requirement of the official considered necessary by the Director.

(A. BANERJEE)
Financial Commissioner & Secretary to
Govt. Haryana, Employment Department