(Group A)
GOVERNMENT OF HARYANA
EMPLOYMENT DEPARTMENT
Notification

The 22nd Feb., 1991

No. GSR/Const/Art-309/91:- 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 person appointed to the Haryana Employment Department (Group A) Service namely :-

PART I-GENERAL

1. Short Title. These rules may be called the Haryana Employment Department (Group A) Service Rules, 1991
2. Definition.- In these rules, unless the context otherwise required:-
   (a) "Commission" means the Haryana public Service Commission;
   (b) "Director" means the Director of Employment Haryana;
   (c) "Government" means the Haryana Government in the Administrative Department :
   (d) "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 15the 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; and
   (e) "Service means Haryana Employment Department (Group A)
3. Number and Character of posts. The service shall comprise the posts shows in Appendix A to these rules.
   Provided that nothing in these rules shall effect the inherent right of with 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. Appointing Authority. - Appointment to any post shall be made by the Government.
5. Qualifications. - No persons 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 appointment by promotion ad those specified in column 4 of the same appendix in the case of appointment by transfer or department.
6. Dis-qualification.- 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, 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.
7. (1) Method of recruitment. Recruitment to the Service shall be made;
   (a) In the case of Joint Director :
      (i) By promotion from amongst Deputy Directors
      (ii) By transfer or deputation of an officer already in the service of any State Government or the Government of India;
   (b) In the case of Deputy Director:
      (i) by promotion from amongst Assistant Directors/Divisional Employment Officers; or

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

(c) In the case of Assistant Director/Divisional Employment Officer:

(i) by promotion from amongst District Employment Officers ; or
(ii) by transfer or deputation of an officer already in the service of any State Government of India.

(2) All promotions whether from one post to another or from one service to another service shall be made on the basis of seniority-cum-merit and no person shall be entitled to claim promotion on the basis of seniority alone.

(3) Notwithstanding anything to the country contained in this rule, whenever any vacancy occurs or is about to occur in the Service the Government shall determine in what manner it shall be filled in

8. Probation- (1) Persons appointed t any post in the Service shall remain on probation for a period of one year:

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, in the opinion of the appointing authority the work of 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 previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may-

(a) If his work of conduct has in its opinion been satisfactory:-

(i) confirm such person from the date of his appointments if appointed against a permanent vacancy: or

(iii) declare that he has completed has probation satisfactorily if there is no permanent, vacancy:

(b)If his work or conduct has in its opinion, been net 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 or probation and thereafter pass such orders, 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.

9. Seniority. - Seniority, interse 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 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 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 transferred ; and
(c) in the case of members appointed by transfer from different cadre, their seniority shall 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 is also the same, the older member shall be senior to the younger member.

10. 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 corporation or a local authority or university within the State of Haryana;

(ii) The Central Government or a company, an association or a body or individuals; whether incorporated or not, which is wholly or substantially owned or 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.

11. Pay, Leave, pension and other matters. - In respect of pay, 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 hereinafter be, adopted or made by the competent authority under the Constitution of India or under any low for the time being in force made by the State Legislature.

12. Discipline, penalties & appeals. - (1) In matters relating to discipline, penalties & 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 ruled made under article 309 of the Constitution of India, be such as are specified in Appendix ‘C’ to these rules.

13. Vaccination. - Every member of the Service shall get himself vaccinated and re-vaccinated if and when the Government so direct by a special or general orders.

14. Oath of allegiance.- 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.

15. 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 and of the provisions of these rules, the appointment if it is deemed expedient to do so.

17. Departmental Examination. - (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 a period of two years.

    (2) If a member of Service 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 examination was completed.

    (3) No increment shall be withheld until the period prescribed for clearing the departmental examination is over.

    (4) 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 day which the departmental examination was 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.

    (5) If a member of the Service fails to pass the departmental examination or any part thereof, and is subsequently exempted by the Government from passing the examination(s) his increment(s) for the period subsequent t o that within which the departmental examination was to be passed, shall be released from the date he is given such exemption. The increment (s) shall be released with retrospective effect from the date it was otherwise due but n arrears shall be paid for the past period.

18. Reservations.- 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 or persons in accordance with the order issued by the State Government in this regard from time to time.

19. Repeal and Savings.- The Punjab Employment (Class-I) Service Rules, 1963 applicable to the service and corresponding to any of these rules which is in force immediately before the commencement of these rules are hereby repeated :

    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 Rule3)

Serial Number	Designation of post	No. of posts			Scale of Pay
		Permanent.	Temporary	Total	
1.	Joint Director	-	1	1	Rs. 3000 100-3500-125-4500.
2.	Deputy Director	1	5	6	Rs. 2200-75-2500-EB-100-4000.
3.	Assistant Director/Divisional Employment Officer.	10	3	13	Rs. 2000-60-2300-eb-75-3200-100-3500.

APPENDIX B
(See Rule 5)

Sr. No	Designation of posts	Academic qualifications and experience, if any, for appointment by promotion	Academic qualifications and experience if, any, for appointment by transfer or department
1	2	3	4
1.	Joint Director	Three years experience as Deputy Director.	Graduate with 8 years experience in a supervisory capacity in administration, Commerce, Industry, Manpower or Employment Organisation.
2.	Deputy Director	Two years experience as Assistant Director/Divisional Employment Officer.	Graduate with 7 years experience in a supervisory capacity in administration, Industry, Commerce, Manpower or Employment Organisation.
3.	Assistant Director/Divisional Employment Officer	Two years experience as District Employment Officer	Graduate with five years experience in a supervisory capacity in administration, Commerce, Industry, Manpower or Employment Organisation.

APPENDIX C
[See Rule 12 (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	Joint Director 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 (v) withholding of increments of pay.	Government	--
2	Deputy Director				
3	Assistant Director/ Divisional Employment Officer		**Major Penalties** (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 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, 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.	Government	--

APPENDIX D
[See Rule 12 (2)]

Sr. No.	Designation of post	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5	6
1	Joint Director Government		(i) reducing or with-holding the amount of ordinary or additional pension admissible under the rules governing pension; (ii) termination the appointment other-wise than on his attaining the age fixed for super-anuation	Government	-
2	Deputy Director				
3	Assistant Director/Divisional Employment Officer.				

APPENDIX 'E'

[See Rule 17 9(i)]

(1) A departmental examination of Group 'A' 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) Receive the question papers from the examiners and got them to be typed or cyclostyled.
- (ii) Superintendent 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 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