

GROUP - D

HARYANA GOVERNMENT GAZ. AUG. 8, 1995
(SRVN. 17, 1917 SAKA)
GENERAL ADMINISTRATION DEPARTMENT

Notification
The 28th July, 1995

No. GSR 61 S/Const./Art. 309/1995 – 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 persons appointed to the Haryana Public Service Commission (Group-D) Service namely:-

PART I – GENERAL

Short Title:-

1. (I) These Rules may be called the Haryana Public Service Commission (Group-D) Service Rules, 1995.

Definitions

2. In these rules, unless the context otherwise requires

(a) “Chairman” means the Chairman of the 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 official already in the service of the Government of India or any State Government;

(d) “Government” means the Haryana Government in the Administrative Department;

(e) “Secretary” means the Secretary, Haryana Public Service Commission;

(f) “Service” means the Haryana Public Service Commission (Group D) Service;

PART II RECRUITMENT OF SERVICE

Number and character of posts:

3. The Service shall comprise the posts shown in Appendix A to these rules:

Provided that nothing in these rules shall effect the inherent right of the Government to make additions to or reductions in the number of such posts or to create few posts with different designations and scales of pay, either permanently or temporarily.

Nationally, Domicile and character of candidates appointed to the Service:

4. (1) No person shall be appointed to any post in the Services 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 day of January, 1962 with the intention of permanently settling in India; or

(e) a person of India 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 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 or School or institution last attended if any, and similar certificate from two other responsible person, not being his relatives, who are well acquainted with his private life and are unconnected with school or institution.

Age

5. No person shall be appointed to any post in the service by direct recruitment who is less than 16 years or more than 35 years of age on or before the last date of submission of application to the Commission.

Appointing Authority:

6. Appointment to the posts in the Service shall be made by the Secretary.

Qualifications:

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 appointment other than by direct recruitment:

Provided that in the case of direct recruitment, the qualification regarding experience shall be relaxable to the extent of 50 percent at the discretion of the Commission. In case sufficient number of candidates belonging to Scheduled Castes, backward classes, ex-serviceman and physically handicapped categories possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

Disqualifications:

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 contract 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 a doing, exempt, any person from the operation of this rule.

Method of recruitment

9. Recruitment to the service shall be made –

(a) In case of Jamadar/Committee Room Attendant/or Daftri-

- (i) by promotion from Peon, Chowkidar or Sweeper; or
- (ii) by transfer of an official already in the service of any state Government of the Government of India ;

(b) in case of Peon, Sweeper or 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.

Probation:

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.

Provided that—

(a) any period, after such appoint, 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 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 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) discontinue with his service, 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 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

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;

Provided that where there are different cadres in the Service, the Seniority shall be determined separately for each cadre:

Provided further that in case of members appointed by direct recruitment, the order of merit determined by the Commission 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 member appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members of 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 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.

Liability to Service

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:

- (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 a body of individuals, whether incorporated or not which is wholly or substantially owner 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

13. 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 any 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

14. (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 Article 309 of 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) or rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987, and appellate authority shall be as specified in Appendix D to these rules.

Vaccination

15. 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

16. Every member of the Services, 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, by 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 Provisions

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

Reservation

19. 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 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 reservations so made shall not exceed fifty percent, at any time.

Repeal and savings

20. The Punjab State Service (Class-III) Rules, 1963 which are in force immediately before the commencement of these rules, are hereby repealed in their application to the State of Haryana to the extent these are applicable to this service:

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

HARYANA GOVT. GAZ, AUG 8, 1995
(SRVN 17, 1917 SAKA)

APPENDIX A
(See rule 3)

Sr. No.	Designation of Posts	Number of Posts		Total	*Scale of pay
		Permanent	Temporary		
1	2	3	4	5	6
1	Jamadar	5	2	7	Rs.4440-7440+ Rs. 1650 Grade Pay + 30 Special Pay
2	Committee room attendant	1	--	1	Rs.4440-7440+ Rs.1650 Grade Pay + 30 Special Pay
3	Daftri	1	--	1	Rs.4440-7440+ Rs.1650 Grade Pay + 30 Special Pay
4	Peon	11	--	11	Rs.4440-7440+ Rs.1300 Grade Pay + 30 Special Pay
5	Sweepers	2	--	2	Rs.4440-7440+ Rs.1300 Grade Pay+ 30 Special Pay
6	Chowkidar	2	--	2	Rs.4440-7440+ Rs.1300 Grade Pay+ 30 Special Pay

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

* Amended vide Government Notification No. GSR6/Const.Art. 309/2010 dated 25.02.2010

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	2	3	4
1	Jamadar	--	Three years experience as Peon, Chowkidar or Sweeper
2	Committee room Attendant	--	*Has passed 8 th class or higher qualifications with three years experience as Peon, Chowkidar or Sweeper
3	Daftri	--	*Has passed 8 th class or higher qualifications with three years experience as Peon, Chowkidar or Sweeper
4	Peon	(i) Has passed Vth class, higher qualifications will	Has passed 8 th class or higher qualifications with three years experience as Peon, Chowkidar

		be preferred.	or Sweeper
5	Sweepers	(ii) Should possess the Knowledge of Hindi	Has passed 8 th class or higher qualifications with three years experience as Peon, Chowkidar or Sweeper
6	Chowkidar		Has passed 8 th class or higher qualifications with three years experience as Peon, Chowkidar or Sweeper

* Amended vide Government Notification No. GSR6/ Const.Art. 309/2010 dated 25.02.2010

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APPENDIX C
[(See Rule 14 (1))]

Sr. No.	Designation of posts	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority	Second & final appellate authority, if any	
1	2	3	4	5	6	7	
1.	Jamadar	Secretary	(i) Warning with minor penalties personal file (character roll)	Secretary	Chairman	Government	
2.	Committee room Attendant		(ii) Censure				
3.	Daftri		(iii) withholding of promotion				
4.	Peon		(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 legislature of a State; and				
5.	Sweeper						(v) withholding of increments of pay, without cumulative effect;
6.	Chowkidar						

			<p>2. Major penalties:</p> <p>(v-a) Withholding of increments of pay with cumulation effect.</p> <p>(vi) deduction 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 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 increments 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 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>			
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			<p>(viii) compulsory retirement;</p> <p>(ix) removal from service which shall not be a disqualification for future employment 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 Rule 14 (2))]

Sr. No.	Designation of Posts	Nature of Order	Authority empowered to impose penalty	Appellate Authority	Second and final appellate authority
1	2	3	4	5	6
1.	Jamadar	(i) reducing or withholding the amount of ordinary or additional pension admissible under the rules governing.	Secretary	Chairman	Government
2.	Committee room Attendant				
3.	Daftri				
4.	Peon	(ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation.			
5.	Sweeper				
6.	Chowkidar				

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