

[Authorised English Translation]

HARYANA GOVERNMENT
DEPARTMENT OF FINANCE

Notification

The 5th February, 1998

No. GSR. 46/Const./Art. 309/97.—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 appointment to the Haryana Accounts (Group A) Service, namely :—

PART I—GENERAL.

Short title and
Commence-
ment.

1. (1) These rules may be called the Haryana Accounts (Group A) Service Rules, 1998.

(2) They shall come into force on the date of their publication in the Official Gazette.

Definitions.

2. In these rules, unless the context otherwise requires,—

(a) 'Government' means the Haryana Government in the Administrative Department ; and

(b) 'Service' means the Haryana Accounts (Group A) Service.

PART II—RECRUITMENT TO SERVICE.

Number and
Charactar. 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 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;

Appointing
Authority.

4. Appointments to the posts in the Service shall be made by the Government.

Qualifications.

5. 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 recruitment by promotion and then specified under column 4 of the aforesaid Appendix in the case of appointment by transfer.

Disqualifi-
cations.

6. No person,—

(a) who has entered in to 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 so doing, exempt any person from the operation of this rule.

7. (1) Recruitment to the Service shall be made,—

Method of
recruitment.

(a) in case of Principal ;

(i) by promotion from amongst the Chief Accounts Officer of the S.A.S. cadre; or

(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 Chief Accounts Officer,—

(i) by promotion from amongst Senior Accounts Officers ; or

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

(2) All promotions unless otherwise provided, shall be made on seniority-cum-fitness basis and seniority alone shall not confer any right to such promotions.

8. (1) Persons appointed to any post in the Service shall remain on probation for a period of one year provided that,—

Probation.

(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 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 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 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 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 two years.

Seniority.

9. 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 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 a member appointed by promotion or by transfer, seniority shall 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 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.

10. (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 for a company, association, as 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 organisation, 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 organisation or body referred to in clause (ii) or clause (iii) except with his consent.

11. In respect of pay, leave, pension and all other matters not expressly provided for 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.

Pay, leave, pension and other matters.

12. (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 :

Discipline, penalties and appeals.

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 under clause (d) of sub-rule (1) of rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987 and appellate authority shall be specified in Appendix D to these rules.

13. Every member of the service shall get himself vaccinated and re-vaccinated as and when the Government so directs by a special or general order.

Vaccination.

14. 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 ;

Oath of allegiance.

**Power of
relaxation.**

15. 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.**

16. 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.

Reservations.

17. 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 persons 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 50% at any time.

**Repeal and
Savings.**

18. 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 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 to these rules.

APPENDIX A

(See rule 3)

Sr. No.	Designation of posts	Number of posts			Scale of pay (In Rs.)
		Perma- nent	Temp.	Total	
1	2	3	4	5	6
1	Principal	1	..	1	4,100—125—4,800—150—5,300— 400 S.P.
2	Chief Account Officers	..	26	26	3,000—100—3,500—125—4,500

APPENDIX B

(See rule 5)

Sr. No.	Designation of posts	Academic qualifications and experience, if any, for promotion	Academic qualifications and experience, if any, for transfer
1	2	3	4
1	Principal	Three years experience as Chief Accounts Officers of S.A.S. cadre.	(i) Three years experience as Chief Accounts Officer of S.A.S. cadre or Joint Director, Local Audit Department ; or Director, Local Audit Department ; (ii) Hindi up to Matric standard ;
2	Chief Accounts Officer	Three years experience as Senior Accounts Officer	(i) Three years experience as Senior Accounts Officer ; (ii) Hindi up to Matric standard.

APPENDIX C

[See rule 12(1)]

Sr. No.	Designation of posts	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
			Minor Penalties		
1	Principal	Government	(i) warning with a copy on the personal file (character roll) ;	Government	—
2	Chief Accounts Officer		(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 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 of the Legislature of a State ; and (v) withholding of increments of pay without cumulative effect ;		
			Major Penalties :		
			(vi) withholding of increments of pay with cumulative effect ;		

1 2 3 4 5 6

(vii) reduction to 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 ;

(viii) 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;

(ix) compulsory retirement ;

(x) removal from Service which shall not be disqualification for future employment under the Government ;

(xi) dismissal from Service which shall ordinarily be a disqualification for future employment under the Government.

APPENDIX D

[See rule. 12 (2)]

Sr. No.	Designation of posts	Nature of order	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5
1	Principal	(i) reducing or withholding amount of ordinary or additional pension admissible under the rules governing pension ;	Government	—
2	Chief Accounts Officer	(ii) terminating the appointment otherwise than upon his reaching the age fixed for superannuation.		

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