

[Authorised English Translation]

HARYANA GOVERNMENT
FINANCE DEPARTMENT

Notification

The 6th February, 1998

No. GSR.19/Const./Art.309/98.—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 State Treasury Establishment Subordinate (Group D) Service, namely :—

PART—I GENERAL

Short title.

1. These rules may be called the Haryana State Treasury Establishment Subordinate (Group D) Service Rules, 1998.

Definitions.

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

- (a) "direct recruitment" means an appointment made otherwise than by promotion from within the Service or by transfer of an official already in Service of the Government of India or any State Government ;
- (b) "Director" means the Director Treasuries and Accounts Haryana ;
- (c) "Financial Commissioner" means, the Administrative Secretary to Government, Haryana, Finance Department ;
- (d) "Government" means the Haryana Government in Administrative Department ;
- (e) Institution means,
- (i) any institution established by law in force in the State of Haryana ; or
- (ii) any other institution recognised by the Government for the purpose of these rules.
- (f) "Service" means the Haryana State Treasury Establishment Subordinate Group D Service ;
- (g) "Treasury Officer" means the Head of District Treasury Office as defined in rule 2.26 of Punjab Civil Service Vol. I, Part I.

PART II

RECRUITMENT TO SERVICE

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

Number and Character of posts.

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. (1) No person shall be appointed to any post in the service, unless he is,

Nationality, domicile and character of candidates appointed to Service.

- (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 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 appointing 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 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. No person shall be appointed to any post in the Service by direct recruitment who is less than 16 years or more than thirty five years of age on or before the 1st day of January next preceding the date of appointment.

Age.

6. Appointments to the posts in the Service shall be made by Treasury Officer.

Appointing Authority.

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 person appointed otherwise than by direct recruitment:

Provided that in the case of appointment by direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50 per cent at the discretion of the appointing authority in case sufficient number of candidates belonging to Scheduled Castes, Backward Classes, Ex-Servicemen and Physically handicapped categories, possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reason 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 contracted 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.

Method of recruitment.

9. (1) Recruitment to the Service shall be made ;—

(a) in the case of Daftri;

- (i) by promotion from amongst peons, Chowkidars and Chowkidar-cum-water carrier ; or
- (ii) by transfer or on deputation of an official already in the service of any State Government or the Government of India.

(b) in the case of peons, Chowkidar, Chowkidar-cum-Water carriers;

(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.

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

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 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 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 a 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 his previous appointment permit.

(3) On 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 permanent vacancy occurs, 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) dispense 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 his 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 total period of probation including extension, if any, shall not exceed three years.

Seniority.

11. 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 case of two or more members appointed authority 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 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
- (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 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 serve.

12. (1) A member of the service shall be liable to serve at any place whether within or outside the State of Haryana, 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 owned or controlled by the Central Government ; or
 - (iii) any other State Government, an international organisation, 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.

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 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.

14. (1) In matters relating to discipline, penalties and appeals, members of the service shall be governed by the Haryana Civil Services (Punishment & 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 B to these rules.

(2) The authority competent to pass an order under clause (c) or clause (d) of sub-rule (i) of rule 9 of the Haryana Civil Services (Punishment & Appeal) Rules, 1987 and the appellate authority shall be as specified in Appendix to these rules.

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

Vaccination.

16. 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.

Oath of
allegiance.

17. Where the Government is of the opinion that it is necessary or expedient to do so, it may 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.

Power of
relaxation.

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.

Special pro-
vision.

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 persons in accordance with the orders issued by the State Government in this regard from time to time.

Reservations.

Provided that the percentage of reservations so made shall not exceed fifty percent at any time.

20. Any rule applicable to the Service and corresponding to any of these rules which is in force immediately before commencement of rules is hereby repealed :

Repeal and
savings.

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

APPENDIX A

(See rule 3)

Sr. No.	Designation of Posts	Number of Posts			Scale of Pay
		Permanent	Temporary	Total	
1	Daftri	3	1	4	Rs. 800-15-1010-EB-20-1150
2	Peon	98	45	143	750-12-870-EB-14-940
3	Chowkidar	3	—	3	750-12-870-EB-14-940
4	Chowkidar-cum-Water Carrier	25	48	73	750-12-870-EB-14-940

APPENDIX B

(See rule 7)

Sr. No.	Name 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	Daftri	—	Five years experience Peon, Chowkidar, Chowkidar-cum-Water Carrier
2	Peon	Middle pass with Hindi	Middle pass with Hindi
3	Chowkidar	Middle pass with Hindi	Middle pass with Hindi
4	Chowkidar-cum-Water Carrier	Middle pass with Hindi	Middle pass with Hindi