The Housing Board, Haryana (Regulations of Business), Regulations, 1980

HARYANA India

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Rule

THE-HOUSING-BOARD-HARYANA-REGULATIONS-OF-BUSINESS-REG of 1980

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The Housing Board, Haryana (Regulations of Business), Regulations, 1980Published vide Haryana Government Notification No. 66/12/B dated 16th October, 1981. Haryana Government Gazette Part 3 page 376.No. 6612/B - 16th October, 1981. - In exercise of the powers conferred by clause (c) of Section 74 of the Haryana Housing Board Act, 1971 (Haryana Act No. 20 of 1971), and with the previous sanction of the State Government conveyed vide their Memo. No. 3-9-80-1 HG, dated the 22nd July, 1981 and 30th September, 1981, the Housing Board Haryana, hereby makes the following regulations, namely:-

1. Short Title.

- These regulations may be called Housing Board, Haryana (Regulations of Business), Regulations, 1980.

2. Definitions.

- (i) In these regulations unless there is anything repugnant to the subject or context :-(a)"Act" means the Haryana Housing Board Act, 1971 (Act 20 of 1971), and shall include any statutory amendment, modification or enactment thereof for the time being in force.(b)"Government" means the Government of the State of Haryana.(c)"Board" means the Housing Board Haryana, constituted by Government under section 3 of the Act and shall include its successors and assigns.(d)"Chairman" means the Chairman of the Board duly appointed by the Government under section 3 of the Act.(e)"Chief Administrator" means the Chief Administrator of the Board duly

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appointed by the Government under section 3 of the Act.(f)"Member" means a member of the Board duly appointed under section 3 of the Act.(g)"Section" means a branch of the administrative set up of the Board's Head Office dealing with a particular subject.(h)"Schedule" means a schedule appended to these regulations.(ii)Other terms and expressions used in these regulations shall have the meanings respectively assigned to them under the Act and the Rules framed thereunder as amended from time to time.(iii)[The employees of the Board shall be classified as class-I, II, III and IV on the pattern of Haryana Government.] [Added vide Haryana Government Notification - see Haryana Gazette Part III dated 26.4.1988 page 119.]

Part I – Allocation and Disposal of Business

3.

The Chief Administrator of the Housing Board shall be the Chief Executive Officer of the Board.

4.

(1)Subject to the provisions of regulation No. 10 of these Regulations, all cases referred to in the Schedule shall be brought before the Board in accordance with the provisions contained in part II of these regulations.(2)[(i) All cases referred to in Second Schedule "A" may be disposed of by the Chairman of the Board on its behalf.(ii)All cases referred to in Second Schedule "B" may be disposed of by the Chief Administrator of the Board on its behalf.]

5.

(1)No section shall without previous consultation with the Finance Section authorise any orders (other than orders pursuant to any general delegation made by the Board) -(a)which immediately or by the consequent repercussions in any manner affect the funds of the Board; or(b)relate to the number, grading or cadre of posts or the emoluments or other conditions of service of posts.(2)No appropriation shall be made by any section other than Finance Section, except in accordance with such general delegation, as the Board may have made.(3)Except to the extent that power may have been delegated to a section by the Board, every order of an Administrative Sections conveying sanction to be enforced in audit shall be communicated to the audit authority by the Finance Section.

6.

All orders or instruments made or executed by or on behalf of the Board shall be expressed to be made or executed in the name of the Board.

Every order or decision of the Board shall be authenticated by the signatures of the Chief Administrator and all other instruments issued or executed by or on behalf of the Board shall be authenticated by the signatures of Secretary or such other officer as may be specially empowered by the Board in this behalf. The orders or decisions of the Board after their due authentication by the Chief Administrator as above may be communicated by the Secretary or such other officer as may be specially empowered by the Board in this behalf.

Part II - Procedure of the Board

8.

The Secretary will put up cases in the meetings of the Board.

9.

All cases referred to in the first Schedule shall be submitted to the Chief Administrator with a view to obtaining his order for circulation of the case under Regulation 10 or for bringing it up for consideration at a meeting of the Board.

10.

Cases brought before the Board shall be accompanied by a memorandum, indicating with sufficient precision the salient facts of the case and the point for decision. Such Memorandum and such other relevant papers as are necessary to enable the case to be disposed of, shall be circulated to the Members.

11.

The meetings of the Board will be held in accordance with the provisions of the Housing Board, Haryana (Conduct of Meeting) Regulations, 1980.

12.

(1)When a case has been decided by the Board after discussion at a meeting, the Secretary shall take action to give effect to the decision.(2)The decision of the Board relating to each case shall be separately recorded.

Part III – Departmental Disposal of Business

A - General

Except as otherwise provided, case shall ordinarily be disposed of by or under the authority of the Chief Administrator, may by means of standing orders, give such directions as he thinks fit for the disposal of cases in the Section concerned.

14.

The Chief Administrator shall by means of standing orders arrange what cases or classes of cases are to be brought to his personal notice.

15.

When the subject of a case concerns more than one Section no order shall be issued nor shall the case be laid before the Board until it has been considered by all the Sections concerned unless the case is considered to be one of extreme urgency by the Chief Administrator.

16.

All communications received from the State Government and the Government of India (including those from the Governor, the Chief Minister and other Ministers of the State) other than those of a routine or not intrinsically important character, shall as soon as possible after receipt, be submitted by the Secretary to the Chief Administrator for information. Such communications may also be circulated amongst other Members of the Board for information under orders of the Chief Administrator.

17.

Any matter likely to bring the Board into controversy with the Government shall as soon as the possibility of such controversy is envisaged be brought to the notice of the Board.B - Finance Section

18.

The Finance Section of the Board shall be consulted before the issue of orders relating to all proposals which affect the funds of the Board and in particulars -(a)subject to financial delegation made in favour of Chief Executive Officer and other officers of the Board, proposals to add any post or abolish any post from the Board's service or to vary the emoluments of any posts;(b)proposals to sanction an allowance or special or personal pay for any post or class of posts to any servant of the Board.(c)proposals involving abandonment of revenue or involving an expenditure for which no provision has been made in the budget.

The view of the Finance Section shall be brought on to the permanent record of the Section to which the case belongs and shall form part of the case.

20.

The Finance Section may prescribe cases in which its assent may be presumed to have been given.

21.

The Finance Section may issue instructions to govern financial procedure in general in all Sections and to regulate the business of the Finance Section and the dealing of other Sections with the Finance Section.C - Legal Section

22.

Whenever it is proposed:-(i)to issue a statutory regulation, notification or order; or(ii)to sanction under a statutory power the issue of any regulation, bye-law, notification or order by a subordinate authority; or(iii)to submit to Government any draft statutory regulation, notification or order for issue by them. The same shall be referred to the Legal Section - for opinion and advice.

23.

(1)All sections shall consult the Legal Section -(a)the construction of Statutes, Acts, Regulations, Statutory Regulations, Orders and Notifications;(b)any general legal principles arising out of any case; and(c)the institution or withdrawal of any prosecution or any other legal proceedings at the instance of any section.(2)Every such reference shall be accompanied by an accurate statement of the facts of the case and the point or points on which the advice of the Legal Section is desired.

Part IV – Delegation of Financial Powers

[24. The financial powers given in the Third Schedule are delegated to the Chairman, Chief Administrator and Officers of the Board to the extent indicated against each. These delegations are subject to the provision in the relevant project or works estimates in the budget.] [Substituted vide Haryana Government Notification - see Haryana Gazette Part III dated 26.4.1988 Page 119.]

Part V – Accounting Work Procedure

The accounts will be maintained on the commercial pattern unless otherwise specified by the Government.

26.

P.W.D. code will be applicable along with relevant financial hand books and manual of order except and to the extent modified otherwise.

27.

All works upto Rs. 1,00,000 will be considered as minor works for purpose of maintaining work abstracts and submission of accounts.

28.

The monthly accounts as compiled by the various Divisions will be consolidated at Headquarters by the Chief Accounts Officer. However, for the first three months all the bills will be got pre-audited by the Chief Accounts Officer with the purpose of training the officials regarding accounting procedure to be adopted in the Board. Thereafter there will be no pre-audit system and correctness of accounts bills as well as payments thereof will be ensured at the divisional level.

29.

The strength of the staff in the offices of C.E.S.Es. and XENs. will be as per pattern of P.W.D. branches of the State Government provided that the staffing pattern can be modified by the Board from time to time without exceeding the P.W.D. norms.

Part VI - Supplementary

30.

The Secretary shall be responsible for the careful observance of these regulations and when he considers that there has been any material departure or deviation from them, shall personally bring the matter to the notice of the Chief Administrator. First Schedule The following cases shall be referred to the Board for decision: -(1) Annual financial statement and demand for supplementary additional and excess grants. (2) Unbudgeted expenditure required to be expended by the Board. (3) Consideration of the annual audit report on the accounts of the Board. (4) Consideration of the annual report, required to be submitted to the State Government. (5) Proposal relating to regulations and bye-laws to be made by the Board under sections 74-75 of the Act including any proposal for amendment of such regulations and bye-laws. (6) Recommendations to the State Government regarding any draft rules or amendment thereto required to be made by the State

Government under section 73 of the Act.(7)Any dispute arising between the Board and the State Government in respect of any direction given by the State Government. (8) Loans and borrowings, investment and reserves.(9)Sanction of project estimates.(10)Sanction of budget estimates.(11)Contribution to reputed national and international associations.(12)Delegation and modification in the financial powers of the officers of the Board.(13)All important audit objections and inspection reports etc. involving a loss/recovery of Rs. 1,000 and above, in which conduct of officers/officials involved and responsibility for lapses/losses is to be determined.(14)[Direct recruitment to all the posts other than class (IV) post - powers of the Board shall be exercised by the Selection Committee consisting of Chairman, Chief Administrator and one or more Technical or Administrative Officer to be nominated by the Chairman.] [Substituted vide Haryana Government Notification - see Haryana Gazette Part III dated 26.4.1988 page 119.](15)Proposals for the creation of posts. (16) Direct recruitment to the posts with a minimum of pay scales of above Rs. 500 per mensem (Powers of the Board shall be exercised by the Selection Committee constituted by the Board for the purpose).(17)Appointment of consulting Engineers.(18)Cases of pay fixation and advance increments in relations of rules.(19)Grant of advance from CPF in relaxation of rules.(20)Reimbursement of medical claims in relaxation of rules. The cases of the following categories relating to subordinate staff shall also be referred to the Board for orders :-(1)[Appeals in establishment matters in respect of Class I and Class II employees, if impugned orders have been passed by the Chief Administrator.] [Substituted vide Haryana Government Notification - see Haryana Gazette Part III dated 26.4.1988 Page 119.](2)Grant of special/additional, or personal pay/allowances for staff with a minimum of pay scales of above Rs. 300 per mensem. Second Schedule["A" The following cases shall be referred to the Chairman for decision: - [Substituted vide Haryana Government Notification - see Haryana Gazette Part III dated 26.4.1988 Page 119.](i)Recruitment in respect of Class IV employees.(ii)Appeals in establishment matter in respect of Class III and Class IV employees if the impugned order has been passed by the Chief Administrator."B" The following cases shall be referred to the Chief Administrator for decision :-(i)Appointments on deputation and promotions.(ii)Posting and transfer of the officers and staff.(iii)Grant of honorarium for holding deal charge.(iv)Except as otherwise provided, all other allied establishment matters in respect of officers/staff of the Board.(v)Grant of leave where a substitute is to be appointed.(vi)All cases regarding disciplinary action against the employees of the Board.]Miscellaneous Cases(i)Banking arrangement.(ii)Grant of permission to perform journeys beyond sphere of duties by the officers and staff.(iii)To permit employees to travel on duty by air.Sanction of Loan/Advances(a)To declare that the possession of the conveyance by an employee of the Board is in the interest of the Board as per policy of the Board.(b)To sanction any other advance in accordance with the policy of Board.(c)To sanction conveyance allowance.(d)Granting or permitting an employee to receive honorarium. (e) Sanctioning the taking of work by an employee for which a fee is offered.(f)To sanction permanent advances for subordinate officers up to Rs. 2,000.(g)Re-appropriation of funds with the same budget head.(h)To institute, conduct and defend any legal proceedings, by or against Board or its officers in connection with the affairs of the Board.(i)To incur expenditure where there is no specific provision in the budget in emergency. Notes. - (i) In an emergency, the Chief Administrator may, if he considers it to be essential in the interest of the Board, exercise powers beyond the scope of these delegation subject to a report to the Board, for approval in the next meeting.(ii)Where not specifically provided in the delegations, the Chief Administrator will exercise powers in respect of such items to the extent

considered essential by him in the interest of the Board subject to report in the Board for approval in the next meeting. Third Schedule

of delegation of financial powers to the Chief Administrator and officers

Housing Board, Haryana

SI. No.	Nature of Power	To whomdelegated	Extent ofdelegation	Remarks
1	2 WORKS	3	4	5
*[1.		State Government Board Chairman ChiefAdministrator Chief Engineer Superintending Engineer ExecutiveEngineer]	Full Powers	Subject to Bud provisions.

For works upto Rs.

40 lacs

For works upto Rs.

3 lacs

For works upto Rs.

1 lac

For works upto Rs.

50,000

For works upto Rs.

20,000

For works upto Rs.

5,000

2.	To accord technical sanction to the detailedestimates for original work	Chief Engineer	Full powers upto 5 per cent of the amount ofadministrative approval
S.E.	Upto Rs. 1 lac for each works providedadministrative approval is not exceeded by more than 5 per cent		
Executive Engineer	Upto Rs. 20,000 for each work		

provided administrative approval is not exceeded by more than 5 per cent.

Note. - (i) The option to call tenders either onper contractive item rate base lumpsum contwill rest withth Executive Engineer of authority competent to accept tenders per the suitabilin the interest progress of wo

To accept tender for execution of works

State Government

Full powers

C.E. Upto Rs. 20 lacs
S.E. Upto Rs. 5 lacs
XEN Upto Rs. 1 lac

(ii) Tender forms of P.W.D., B.&R of HaryanaState will be modified to suit the Board's working. (iii) The Chief Administrator, Housing Board, Haryana, will appoint arbitrator to resolve disputes arising outof various contracts and the decision of the arbitrator shall bebinding. (iv) The Executive Engineer will be empowered toget any sample made upto the cost of Rs. 1,000 withoutquotations provided he has satisfied himself after

makingqueries from the market as to the reasonability of the rates.

Full powers up to reserve

Upto Rs. 50 at any time for any single item atthe

stock limit.

To purchase stores for sanctioned works or 4. for supply of materials for

works / stock.

(a) Against D.G.S. & D.C.O.S.R.

ratescontacts steel through, B.R.C.,

T.P.C., Cement C.E. throughrecognised

sources, bricks/tiles on D.P.C. rates

S.E. Ditto

Full powers upto reserve XEN

stock limits

(b) From open market local purchase.

(i) Assistant Engineer

lowest rate on quotations obtained from the differentindependent sources. In the case purchase is to be made at arate higher than the lowest approval of the higher authority isto be obtained. He will also be competent to purchase any singleitem upto Rs. 20 without calling quotations, but aftersatisfying himself by rental inquiries that the rates arereasonable.

Rs. 2,000 at a time subject to ceiling of

Rs.25,000 per annum (ii) XEN. and subject to condition

against (i) above.

(iii) S.E.

(iv) C.E.	Rs. 5,000 at a time subject to a ceiling of Rs.25,000 per annum and subject to the condition against (i) above. Rs. 500 at a time subject to a ceiling of Rs. 1Lac in a year and subject to condition against (i) above.	For purchase beyond Rs. 5000 from open market, there will be a purchase committee to be appointed by the Board.		
5.	To accord sanction to non scheduled/extra items	C.E.	Full power	These powers subject to the condition that total cost including extraitems do not exceed the powofthe concerns authority to accord technic sanction to the estimates b more than 5 powers.
S.E.	In respect of any contract accepted by anyauthority upto 20 per cent of the contract value subject to aceiling of Rs. 1,00,000.			cent.
6.	Award of work by acceptance of a tender otherthan the lowest	C.E.	Full powers subject to works acceptance oftender by the competent authority.	
7.	Award of work by negotiation	C.E.	Full powers.	
	S.E.	Full power with the approval of the ChiefAdministrator.		
8.	Write off of infructuous expenditure onconstruction	C.E.	Full powers but all cases involving anexpenditure of	

			more than Rs. 1,000 will be brought to the noticeof the Board.	
*[9.	Powers of advertisements	C.E.	Full powers	This power is in respect of issur- ofadvertiseme for tenders on
S.E.	-Do-			
XEN.	-Do-			
10.	Passing the first and final running accountsbills	XEN.	Full powers	
11.	Passing of bills of work-charge establishment	XEN.	Full powers subject to the condition that theappointment is made by the competent authority.	
12.	Write off of T. and P. and other articles of which part of value has been recovered	Chief Administrator	Full powers	All cases of mothan Rs. 1,000 bereported to Board.
S.E.	Up To Rs. 10,000 in a year			
XEN.	Upto Rs. 500 in a year			
13.	Sanction of payment under Workman's CompensationAct	C.E.	Full powers subject to the advice of LegalAssistant being first obtained.	
14.	To accord sanction of expenditure on ceremoniesconnected with laying of foundation stones and opening ofBoard's buildings	Chief Administrator	Full powers	Chief Administrator would give fullconsiderati to the recommendati and proposals theChairman of Housing Board the organisation ceremonies andfunctions.

15.	For fixing reserve stock limit.	Chief Administrator	Full powers	
16.	Grant of extension of time for completion ofworks.	S.E.	Full powers for works costing upto Rs. 20 lacs	Reasons for extension in ti be reported to theBoard in respect of all cases, preceding the meeting.
	C.E.	Full powers with prior costing upto Rs. 20 lacs.		
17.	To make advance payment of electricity supplyundertaking under Indian Electricity Act, 1910 for the executionof work.	XEN.	Full powers with prior approval of ChiefEngineer.	
18.	To accord sanction to journey beyondjurisdiction.	Chief Administrator	Full powers	
19.	To accord sanction to recruitment/termination ofwork-charged staff for the posts mentioned in the schedule ofrates.	C.E.	Upto scale with maximum of Rs. 1,000 per monthsubject to the following conditions:-(i) Provision existsin the sanctioned estimates to cover the cost of suchestablishment.	
	(ii) Order to commence the work have beenreceived from competent authority. (iii) Necessary funds either already exist orhave been provided for by the competent authority. (iv) The pay and allowance of such posts shallnot exceed the			

prescribed rates in case where such rates havebeen differently laid down by the higher authority.

Upto scale with

S.E.

XEN.

20.

21.

maximum of Rs. 400 per monthsubject to the conditions as above.

Position about the

Upto scale with recruitment/termination

maximum of Rs. 200 per ofwork-charge,

monthsubject to the work-charged staff for conditions as above. each quarter should bereported to the Board.

Assistant Engineer

Full powers for labour to be employed forexecution of

works

departmentally at the rate of wages mentioned in C.S.R. or approved fixed by the D.C. of the District subjectto

District subject to the condition that prior approval of employment of suchlabour along with wages proposed to be paid is obtained from the Executive

To sanction repairs and

To recruit/terminate

muster roll.

carriage estimates oftools S.E.

and plants

Full Powers

Engineer.

rates within the Schedule ofrate plus premium sanctioned from time to time.

Full powers at

XEN. Rs. 1,000 in each case

A.E. Rs. 25 in each case

To sanction cartage and

22. handling of stockmaterial XEN.

chargeable to stock.

Full powers

To sanction purely temporary increase or

23. tosanction decrease of C.E.

the reserve stock limits of

a Division

Full powers

Rs. 50,000

S.E. Upto 50 per cent

XEN. Upto 20 per cent

Provided further that these powers should beexercised only in consultation with Chief

Administrator

andAccounts Section.

To sanction sale of articles on the

24. stockaccounts for full C.E.

value plus usual charges

of 10 per cent.

S.E. Rs. 5,000

XEN. Rs. 5,000

Provided that -

(i) These powers

Indian Kanoon - http://indiankanoon.org/doc/176675594/

date of increas Copies of orde sanctioning th revised limitsa endorsed to th Board and the

limits not raise within sixmon

Provided that

increases are

absorbed with

6months from

from the date increased that the case of decreasecopie

orders sanction the revised limitate endorsed t

Board and the limits not increases with

six months from the date of

decrease.

will only be
exercised for saleof
material to
Government and
Semi-Government
institutions andto
such consumer
who might need it
in connection with
thecompletion of
their work under
the Board.

(ii) The addition of 10 per cent may, however, be waived by the authority empowered to sanction the sale in the case of stock declared surplus by competent authority and whichin his opinion would otherwise be unserviceable.

that the article of essentialcommodities or controlled articles shall not be sold by the S.E.and the Xen.

Provided further

Provided further that these powers should beexercised in consultation with Chief Administrator and Accounts Section.

25. (i) Disposal ofmaterial C.A. borne on books without value by auction or by

Full powers

callingbids.(ii) Disposal of surplus, unserviceable obsolete material/T. and P. articlesborne on books with value:-(a) To declarestores/T. and P. articles surplus, unserviceable or obsolete andto fixed their resale prices and to prescribe the mode of disposal

C.E. Full powers

S.E. Rs. 5,000 (New) XEN. Rs. 1,000 (New)

Rs. 25,000

Provided that provisions of para 440 of the Punjab

P.W.D. Code are

complied with and it is certified thatthe material declared surplus will not be required to their resale prices for the execution of any of the Board's works in the forceable mode of disposal future and the material

declaredas unserviceable or obsolete is beyond

or obsolete is beyond repairs or renovation.

C.E. Rs. 10,000 S.E. Rs. 5,000 XEN. Rs. 1,000

Secv. Rs. 1,000

(b) To dispose of C.A. material. T. and P.

articlesdeclared

surplus,

C.A.

unserviceable or obsolete and sanctioning isnot loss therein, if any Rs. 15,000 in each case

this amount as also where,Store Purchase Committee is not unanimous or the

The cases exceeding

highest

bidproposed to be

accepted, whatever be the reason referable to the Board. The Authorities sanctioning the write-off shall satisfy themselves that the loss has not resulted from excess or injudicious purchase of stores.

C.E. Rs. 10,000 in each case
S.E. Rs. 5,000 in each case
XEN. Rs. 1,500 in each case
Secy. Rs. 1,500 in each case

While exercising the powers, the following points must also be kept in view:-(a) Reserve price should be fixed in accordance with the rules laid down by the Board.

(b) Material should be disposed of according to the prescribed procedure.

(c) The Board would be informed of the itemsdisposed off whether with their value.

C.E./S.E.

To sanction the sale of

grass, trees or

otherproduce in the

Board's lands

XEN. Rs. 500

26.

27. To sanction dismental of C.E.

temporary buildings andstructures when the purposes for which the Full powers

Full powers

construction

wasundertaken had been

fulfilled.

S.E. Rs. 5,000

XEN. Rs. 2,000

To sanction the writing

off finally of

theirrecoverable value of fraud or the negligence of C.E. 28.

individuals orother

causes.

S.E. Rs. 500

> (b) A report of all such cases is sent to the Board.

To write off articles of **T&P** Officefurniture rendered unserviceable

through wear and tear C.A. 29.

> theoriginal purchase value of the articles being

Estimated if notknown.

C.E. Rs. 10,000

S.E. Rs. 5,000

XEN. Rs. 1,500

Secy. Rs. 1,500

To write of actual losses C.E. Rs. 1,000 30.

of stock and T&Particles.

S.E. Rs. 500

XEN. Rs. 200

Secy. Rs. 200

To sanction write off of C.E. Full powers 31.

books lost or

renderedunserviceable in

their own and in

In each case provided that The lossdoes r disclose defect authority or serious negligo onthe part of s individual whi might possibly fordisciplinary action requiris the order of hi authority.

Rs. 5,000

Rs. 10,000

Provided that loss is not cau due theneglige and carelessne of the employe The Housing Board, Haryana (Regulations of Business), Regulations, 1980

C.A.

subordinate offices, if

any.

S.E. Full powers

XEN. Rs. 20 in each case Secy. Rs. 20 in each case

To write off irrecoverable

items outstanding

inmiscellaneous

advances

Upto Rs. 1,000 in

each case in consultation

withC.A.O.

Provided that amount has be outstandingfo more than 5 ye and is further declared as

irrecoverable.

*[33. Contingencies Board Full Powers

Chairman Upto Rs. 3 lacs

Chief

32.

Administrator Upto Rs. 1 lac

the Board in P.F.R.]

Other Officers of As per powers contained

^{*} Substituted vide Notification published in Haryana Gazette Part III dated 26.4.1988 Page 119.** Substituted vide Haryana Government Gazette Part III Dated 6.11.1990 Page 293.[Substituted vide Haryana Government Notification - see Haryana Gazette Part III dated 26.4.1988 Page 119.]