

# **The Haryana Home Guards and Defence Services (State Service Class II) Rules, 1975**

HARYANA

India

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### **Rule**

### **THE-HARYANA-HOME-GUARDS-AND-DEFENCE-SERVICES-STATE-SERVICE-CLASS-II-RULES-1975**

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## **Part I – General**

### **1. Short title, commencement and application.**

- (i) These rules may be called the Haryana Home Guards and Civil Defence Service (State Service Class II) Rules, 1975. (ii) They shall come into force at once.

### **2. Definitions.**

- In these rules context otherwise requires; (a) "Commission" means the Haryana Public Service Commission; (b) "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; (c) "Government" means the Haryana Government in the Administrative Department; (d) "Service" means Haryana Home Guards and Civil Defence Service (State Service Class II); (e) "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 15th August, 1947, the Punjab, Sind or Dacca University, or (iii) any other university which is declared by Government to be a recognised university for the purpose of these rules. (f) "Commandant General and Director, Civil Defence" means Commandant General, Home

Guards and Director, Civil Defence, Haryana.(g)"Deputy Commandant General and Deputy Director, Civil Defence" means Deputy Commandant General, Home Guards and Deputy Director, Civil Defence, Haryana.

## **Part II – Recruitment to Service**

### **3. Number and Character of posts.**

- 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 Government to make additions to, or reduction in, the number of such posts or to create new posts with different designations and scales of pay, either permanently or temporarily.

### **4. Nationality domicile and character of candidates appointed to the service.**

(1) No person shall be appointed to the service unless he is -(a) a citizen of India; or (b) a subject of Sikkim; or (c) a subject to Nepal; or (d) a subject of Bhutan; or (e) a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India; or (f) a person of Indian origin who has migrated from Pakistan, Burma, Ceylone and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanayanyika and Zanzibar) with the intention of permanently settling in India : Provided that a person belonging to Category (c), (d), (e) or (f) shall be a person in whose favour a certificate of eligibility has been issued by the Government and if he belongs to category (f), the certificate of eligibility will be issued for a period of one year, after which such person will be retained in the service subject to his having acquired Indian citizenship. (2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Haryana Public Service Commission or any other recruiting authority, on his furnishing proof that he has applied for the certificate and he may also provisionally be appointed subject to the necessary certificate being issued to him by the Government. (3) No person shall be appointed to 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. Age.**

- No person shall be appointed to the service by direct recruitment who is less than 18 years or more than 27 years of age on or before the first day of \_\_\_\_\_ the month next proceeding the last date of submission of applications to Commission.

## **6. Appointing authority.**

- Appointments to the posts in the service shall be made by the Government.

## **7. Qualifications.**

- No person shall be appointed to the service unless he is in possession of qualifications and experience specified in column 3 Appendix 'B' to the rules in the case of direct recruitment and those specified in column 4 of the aforesaid Appendix in the case of recruitment by promotion or deputation.

## **8. Disqualifications.**

- 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 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.

## **9. Method of recruitment.**

- Recruitment to the various posts in the service shall be made :-(i)25 per cent by direct recruitment; and(ii)75 per cent by promotion 25 per cent by transfer or deputation and 50 per cent by promotions keeping in view of the orders and rules issued by the Government from time to time. The promotion quota should not be less than 50 per cent.

## **10. Probation.**

(1)Person/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 service 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 of officiating appointment against a temporary or permanent post shall be reckon 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, 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 service; 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 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 his opinion satisfactory : (i) dispense with his services if appointed by direct recruitment if appointed otherwise, revert him to his former post 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 order as it could have passed on the expiry of the first period of probation : Provided that the total period of probation including execution if any, shall not exceed three years.

## **11. Seniority of members of the service.**

- 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, the seniority shall be determined separately for each cadre : Provided further that in the 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 following - (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 rate 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. Note. - In the case of members whose period of probation is extended under rule 10 the date of appointment for the purpose of this rule shall be deemed to have been deferred to the extent the period of probation is extended.

## **12. Liability to serve.**

- 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.

## **13. 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 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.

## **14. Discipline, Penalties and appeals.**

(1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as amended from time to time : Provided that the nature of penalties which may be imposed, authority empowered to impose such penalties and appellate authority, 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 said rules. (2) The Authority competent to pass an order under clauses (c) and (d) sub-rule (1) of rule 10 of the said rules and the appellate authority shall also be as specified in Appendix 'D' to these rules.

## **15. Vaccination.**

- Every member of the Service shall get himself vaccinated and re-vaccinated required if any when the Government so directs by a special or general.

## **16. 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.

## **17. 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 any of the provisions of these rules with respect to any class or category of person.

## **18. Reservation.**

- Nothing contained in these rules shall effect reservation and other concession required to be provided for Scheduled Castes and other Backward classes in accordance with the orders issued by the State Government in this regard from time to time, under clause (4) of Article 16 of the Constitution.

## **19. Repeal and savings.**

- 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 rule so repealed shall be deemed to have been made or taken under the corresponding provision of these rules. Appendix 'A' (See rule 3)

SerialNo. Designation of Posts	Number of posts		
	Permanent	Temporary	Total Scale of pay

				*Rs.
1.	District Commandants Home Guards	5	1	6 450-25-500-30-590-30-830/35-900 OR Rs. (Consolidation)for re-employed Pensioners
2.	Chief Instructor, Combined Training Institution of HomeGuards and Civil Defence		1	1 Ditto
3.	Junior Staff Officers	3	—	3 Ditto
4.	Accounts-cum-Administrative Officer	—	1	1 Rs. 350-25-500/30-590-30-830/35-900
5.	Public Relations Officer		1	1 Ditto
6.	Medical Officer		2	2 Rs. 400-30-700/40-12 plus 33 per cent non practice allowance
7.	Deputy Controller Civil Defence		4	4 Rs. 350-25-500/30-650-30-800

\*Note. - The Deputy Superintendents of Police taken on deputation will be eligible to retain the pay scale and will draw the same pay to which they were eligible before coming on deputation. Appendix 'B'(See Rule 7)

Serial No.	Designation of posts	Academicqualifications and experience if any for direct recruitment	Academicqualifications and experience, if any for appointment other thanby direct recruitment
1	2	3	4
1.	District Commandant, Chief Instructor, Combined StateTraining Institute and Junior Staff Officer (Rs. 450-900)	(i) The recruitment will be made from amongst Graduateshaving Home Guards/Civil Defence or N.C.C. Certificates, orMilitary Service	(i) Company Commander and other Officers of equivalent rankof Haryana Home Guards/Civil Defence (State Service Class III)with atleast 8 years experience as such preferably Graduatesfrom a recognised university will be eligible for promotion.Selection will be made on the basis of merit tempered withseniority. During the period of Probation they will have toqualify in a special Training Course to be prescribed by theCommandant General Home Guards.  (ii) Deputy Superintendent of Police with 4 years of serviceor above and Inspector of Police with 8 years service asInspector of

- police or above will be taken on deputation.
- Provided further that one of the post of Junior Staff officer at State Headquarters, shall be filled in by promotion from the rank of office Superintendent with at least three years service in the rank.
- Note.- In case of Army N.C.C.s/Ex-Servicemen already serving in Home Guards, educational qualifications may be relaxed by Commandant General, Home Guards and Director, Civil Defence, if found otherwise suitable and fit for promotion. The minimum educational qualification in their case will be Matriculation.
- (i) From Office Superintendent (Class III) having three years experience as such. Should be a graduate from a recognised University.
- (ii) Superintendents from other Departments with four years service as such, 5 years experience in Accounts and Administration in not below the rank of an Assistant should be graduate from a recognised university.
- Officers of the rank of Tehsildar already holding the posts of Deputy Controllers, Civil Defence in Karnal, Rohtak, Hissar and Gurgaon will continue holding these posts till the Government upgrades these posts equivalent to S.D.M.s status (H.C.S.) as per pattern of Government of India.
2. Accounts-cum-Administrative Officer. (Rs. 350-900) B. Com. with three years experience in a supervisory capacity.
  3. Deputy Controller Civil Defence
  4. Medical Officer M.B.B.S. with two years experience A person already working as a Medical Officer in the

Health Department, of the State Government, or the Union of India having at least 2 years experience.

5. Public Relations Officer
- Graduates from a recognised university with Diploma in Journalism and a certificate of training in N.C.C./Home Guards/Civil Defence.
1. From Superintendent (Class III) with 4 years experience as such. Should be a graduate from a recognised university.
2. From amongst Company Commanders having 8 years of experience as such. Should be a graduate.
3. Public Relations Officers under the State Government or the Union of India. Should be Graduate from a recognised University. Preference shall be given to the holders of "Diploma in Journalism".

Note. - A pass in Hindi up to Matriculation standard is essential for all candidates for recruitment to the above posts. Appendix 'C'

Serial No.	Designation of post	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority	Second or Final appellate authority
1	2	3	4	5	6	7
1.	District Commandant	Government	(a) Censure	Commandant General Home Guards and Director, Civil Defence.	Secretary to Government, Home Department	Secretary to Government, Home Department
2.	Chief Inspector, Combined Training Institute of Home Guards and Civil Defence		(a) Withholding of increments or promotion including stoppage of an efficiency bar			



3. Junior Staff Officer

4.	Accounts-cum-Administrative Officer	(i) for a period of not more than one year	(i) Commandant General Home Guards and Director Civil Defence	Secretary to Government Haryana, Home Department	State Government
5.	Deputy Controller (Tehsildar)				
6.	Medical Officer	(iii) for a period of exceeding one year	(iii) Secretary to Government, Home Department		
7.	Public Relations Officer	(c) Reduction to a lower post or scale or to a lower stage in a time scale (d) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders	(c) Secretary to Government, Home Department (i) Upto the extent of Rs. 1,000 - (i) Commandant General Home Guards and Director, Civil Defence	Secretary to Government, Home Department	State Government State Government

Appendix 'D'(See Rule 14(2))

Designation of posts	Nature of order	Authority empowered to make the orders	Appellate Authority	Second and final appellate authority, if
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	1	2	3	4	5
				any	
1.	District Commandants	(i) Reducing or with-holding the amount of ordinary/Additional Pension admissible under the rules governing pension	State Government	State Government	—
2.	Chief Inspector, Combined Training Institute of Home Guards and Civil Defence, Haryana			—	
3.	Junior-Staff Officer	(ii) Terminating the appointment of a member of the service otherwise than on his attaining the age fixed for superannuation	Ditto	Ditto	
4.	Accounts-cum-Administrative Officer				
5.	Deputy Controller, Civil Defence (Tehsildar)				
6.	Medical Officer				
7.	Public Relations Officer				
		(ii) beyond Rs. 1,000	(ii) Secretary to Government, Home Department		
		(e) Suspension	(i) Commandant General Home Guards and Director Civil Defence	Secretary to Haryana, Home Department	State Government
		(i) for not more than one year			
		(ii) for more than one year	(ii) Secretary to Government Home Department		
		(f) Removal from the service which	Secretary to Government, Home	State Government	State Government

does not disqualify Department  
from future  
employment

(g) Dismissal from

the Service, which Secretary to

ordinarily disqualifies Government, Home

from future

employment

Department

State

Government

State

Government