

Haryana Affiliated Colleges (Security of Service) Rules, 1993

HARYANA

India

Haryana Affiliated Colleges (Security of Service) Rules, 1993

Rule

HARYANA-AFFILIATED-COLLEGES-SECURITY-OF-SERVICE-RULES- of 1993

- Published on 14 March 1993
- Commenced on 14 March 1993
- [This is the version of this document from 14 March 1993.]
- [Note: The original publication document is not available and this content could not be verified.]

Haryana Affiliated Colleges (Security of Service) Rules, 1993Published vide Haryana Notification No. No. S.O. 44/H. A. 15/79/Sections 4 and 5, 16/93 dated 14.3.1993.Education DepartmentNo. S.O. 44/H. A. 15/79/Sections 4 and 5, 16/93 Dated 14.3.1993. - In exercise of the powers conferred by section 16 read with Sections 4 and 5 of the Haryana Affiliated Colleges (Security of Service) Act, 1949, the Governor of Haryana hereby makes the following rules regulating the recruitment, and conditions of service and conduct of the employees appointed to the Haryana Affiliated Colleges (Security of Service), namely :-

Chapter I

1. Short title and commencement

. - (1) These rules may be called the Haryana Affiliated Colleges (Security of Service) Rules, 1993.

2. Definitions.

- In these rules, unless the context otherwise requires :-(a)"Act" means the Haryana Affiliated College (Security of Service) Act, 1979;(b)"Director" means the Director of Higher Education, Haryana.(c)"Employee" means any person who is in the whole time employment of the Haryana Affiliated Colleges (Security of Service);(d)"Government" means the Haryana Government in the Administrative Department;(e)"section" means a section of the Act; and(f)"Service" means the Haryana Affiliated College (Security of Service);

Part II – Recruitment of Service

3. Number of Posts

- The Service shall comprise all or any of the categories of posts shown in Appendix A to these rules.

4. Age.

- No person shall be appointed to the service by direct recruitment who is less than 18 years of age and more than 35 years of age on or before the last date of submission of application to the Managing Committee. The age of superannuation will be 60 years.

5. Appointing authority.

- Appointment to any post in the Service shall be made by the Managing Committee in the manner provided in rule 7. Peon and other Class-IV employees shall be appointed by the principal, in the manner provided in the said rules.

6. Qualification.

- No person shall be appointed to any post in the service unless he is in possession of qualification and experience as specified by the University.

7. Method of recruitment.

(1) Recruitment to the Service shall be made, -(a) In the case of Principal, by direct recruitment through a Selection Committee comprising the Chairman, Managing Committee or in his absence the Vice Chairman or in the absence of both, the General Secretary of the Managing Committee. If none of them is able to attend then, the Chairman of the Managing Committee will nominate any other member of the Managing Committee and four other members, namely :-(i) One person to be selected by the Chairman of the Managing Committee from a panel prepared by the Vice-Chancellor of the University. (ii) A nominee of the Vice-Chancellor of the University. (iii) One person to be selected by the Chairman of the Managing Committee out of the panel prepared by the Director. (iv) The Director or his representative. Quorum (i) The quorum of the selection committee for the selection of principal shall be four members out of five. But the presence of the Vice-Chancellor's nominee and the representative of the Director shall be essential. (ii) If the Chairman of the Managing Committee or his nominee is unable to attend, the Vice-Chancellor's nominee shall be the Chairman of the Selection Committee. (iii) The recommendations of the Selection Committee shall be subject to the approval of the Vice-Chancellor. (b) In the case of lecturer, Director Physical Education and Librarian by direct recruitment through a Selection Committee comprising the Chairman, Managing Committee or in his absence the Vice-Chairman or in the absence of both the General Secretary of the Managing Committee. If none of them is able to attend then the Chairman of the Managing Committee will nominate any other member of the Managing Committee and four other

members, namely :-(i)A nominee of the Vice-Chancellor who should be an expert on the relevant subject.(ii)a subject expert selected by the Chairman of the Managing Committee out of the panel of ten names for which 5 names will be nominated by the Vice-Chancellor of the concerned University and five names by the Director.(iii)Principal of the College.(iv)A representative of the Director.Quorum(i)The quorum of the Selection Committee for the selection of lecturers Director Physical Education and Librarians shall be four members out of five. But the presence of the Vice-Chancellor's nominee and the representative of Director will be essential.(ii)If the Chairman of the Managing Committee or his nominee is unable to attend, the Vice-Chancellor's nominee shall be the Chairman of the Selection Committee;(c)In the case of Head Clerk :(i)by direct recruitment; or(ii)by promotion from the post of stenographer/Clerk;(d)in the case of Typewriting Instructor :(i)by direct recruitment; or(ii)by promotion from the post of Junior Scale Stenographer;(e)in the case of Steno-typist :(i)by direct recruitment; or(ii)by promotion from the post of Clerk;(f)In the case of Clerk :(i)by direct recruitment; or(ii)by promotion from the post of Peon and other Class IV employees.(g)in the case of Laboratory Assistant :(i)by direct recruitment; or(ii)by promotion from the post of Laboratory Attendant;(h)in the case of Restorer :(i)by direct recruitment; or(ii)by promotion from the Library Attendant;(i)in the case of Junior Librarian :(i)by direct recruitment; or(ii)by promotion from the post of Restorer;(j)in the case of Tabla Player, Gasman Peon and other Class IV employees, Laboratory Attendant, Library Attendant by direct recruitment.(2)For Recruitment against the post mentioned at (c) to (i) a Selection Committee comprising the following members shall be constituted :-(i)Representative of the Managing Committee (Chairman);(ii)Principal of the College;(iii)One nominee of the University;(iv)One nominee of the Director.(3)Except otherwise provided, whenever any vacancy occurs or is about to occur the Managing Committee shall determine the manner in which the vacancy is to be filled in. If the vacancy is to be filled in by direct recruitment, the Managing Committee shall advertise the vacancy at least in two leading dailies, One English and One Hindi, out of which one should be National level. However, in case of non-teaching staff the vacancy can also be filled in through Employment Exchange.(4)Appointment orders to the posts in the Service shall be issued by the Managing Committee or the Principal, as case may be, in the form specified in Appendix B to these rules.

8. Probation.

(1)The persons appointed to any post in the Service shall remain on probation for a period of two years in the first instance, if appointed by direct recruitment and one year if appointed otherwise.(2)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, confirm such person from the date of completion of his probation period or if a permanent post is not available, declare that he has completed his probation satisfactory; or(b)if his work or conduct of a person in its opinion has not been satisfactory, -(i)dispense with his services, if appointed by direct recruitment, or revert him to his former post if appointed otherwise or deal with him in such other manner as the terms and conditions of his previous appointment permit.(ii)extend his period of probation and thereafter pass such orders 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 :Provided further that if it is proposed to take action under sub- clause (i) or (ii) then the case of the official shall be referred to a committee consisting of the following members :-(1)President or his nominee;(2)Dean

of Colleges of the University or his nominees;(3)Nominee of Government on the Managing Committee;(4)Principal of the College concerned;(5)Principal of another College not under the same Managing Committee. The Managing Committee shall take a final decision in the matter in accordance with the recommendations of this Committee;(iii)if the Managing Committee does not agree with the report of the Committee constituted under rule 8(b)(ii) or the committee is unable to come to a decision by majority then the matter will be referred by the Principal to the Director whose decision will be final. However, an employee against whom an order of termination of services has been passed without complying with the provision of these rules, may, within period of thirty days of the date of communication of orders make an application to the Director whose decision will be final in the matter.

9. Seniority.

(1)The seniority of the employees shall be determined by the length of continuous service on a post in the college. If there are different cadres in the services the seniority shall be determined separately for each cadre :Provided that in the case of an employee appointed directly the order of merit determined by the Selection Committee shall not be disturbed in fixing their seniority. However, if person appointed in different subjects/categories join on the same date seniority will be determined according to their seniority in age; and the elder employee shall be senior to the younger employee:Provided further that in case of two employees appointed on the same date, their seniority shall be determined as follows :-(a)an employee appointed by direct recruitment shall be senior to an employee appointed otherwise.(b)in the case of employees who are appointed by promotion their inter se seniority shall not be disturbed.(2)The Seniority lists of the employees shall be prepared by the Managing Committee in the form prescribed in Appendix C to these Rules and circulated to the employees. This list will be finalised after inviting objections from the employees and considering the same. In the case of any dispute regarding fixation of seniority, the matter shall be decided by the Director.

Part III – Pay, Allowances and Service Record

10. Scale of pay, dearness allowance and payment of salary.

- The scale of pay and allowances of the employee shall be specified by the Government from time to time.

11. Leave.

- The employees shall be governed by the leave rules as laid down by the Government from time to time.

12. Travelling allowance etc.

- If an employee is deputed by the Managing Committee or Principal for the business of college, he shall be entitled to get travelling and daily allowance in accordance with the rules as are applicable from time to time to Government employee.

13. Maintenance of service book.

(1) For every employee a service book shall be maintained in such form as is prescribed for Government employee, and personal file containing annual confidential reports and other important documents in relation thereto. (2) The service book and the personal file shall be maintained and kept in the safe custody by the Principal who shall be responsible to produce the same before the Director or any other officer authorised by him, if so required by him for inspection.

Part IV – Conduct

14. Privately trade or employment.

- No employee shall engage directly or indirectly in any trade or business or undertake any employment except :-(i) private tuition with the permission of the Principal for not exceeding one hour a day; (ii) honorary work purely social or charitable nature or occasional work of a literary, artistic or scientific character subject to the condition that his official duties do not thereby suffer. He shall not undertake or shall discontinue such work if so directed by the Principal of his college and in the case of Principal, so directed by the Managing Committee : Provided that no permission shall be necessary for examination work of the Universities when the total emoluments accruing from such work do not exceed Rs. 2400 per annum and for all examination work which additional emoluments may be accepted, the previous permission of the Principal shall be necessary.

15. Insolvency and habitual indebtedness.

- An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. Any such employee against whom any legal proceedings are instituted for the recovery of any debt due from him or for adjudging him as insolvent shall forthwith report the full facts of the legal proceedings to the Managing Committee through the Principal.

16. Appearance in examination.

- No employee shall, except with the Principal of the College and in the case of the Principal, the Managing Committee, appear in any examination.

17. Participation in activities.

- No employee shall take part in subversive activities or assist in any way, any movement which tends to promote feelings of disaffection, hatred or enmity between different classes or subject of India or disturb public peace.

18. Criticism of Managing Committee etc.

- No employee shall -(a)in any manner, whatsoever, criticise in a derogatory manner in public the actions of the Government and Managing Committee.(b)In the process of performance of his duties except in accordance with any general or specific orders of the Managing Committee communicate directly or indirectly any official document or information to any other employee or person to whom he is not authorised to communicate such documents or information.

19. Taking part in election.

- No employee shall stand for election to Parliament/State Legislature or any other local body.

20. Joining association by employees.

- No employee shall join or continue to be a member of an association unless such association satisfied the following conditions, namely :-(i)its membership if confined to a distinct class of employees and is open to all employees of that class;(ii)it is not in any way connected with any party or organisation engaged in any political activity; and(iii)it has, within a period of six months from its formation obtained the recognition of the Government or the Managing Committee

21. General.

(1)Every employee shall -(i)serve efficiently, act in a disciplined manner and maintain absolute integrity and devotion to duty;(ii)maintain cordial relations with the pupils and their parents, the Principal of the Institution, other employees, Managing Committee, University and the Government Officers concerned.(2)No employee shall -(i)without sufficient grounds refuse to undergo a course of training whenever required to do so; and(ii)take part in any activity which in the opinion of the Principal is calculated to lead to indiscipline in the college.(3)Unless otherwise expressly provided for, an employee shall at all times, be at the disposal of the College and shall serve the College in such capacity and at such places as he may, from time to time, be directed by the Principal or the Managing Committee.(4)No employee shall absent himself from his duty without the prior permission of the Principal or the Managing Committee.(5)No employee shall -(i)accept, or permit any member of his family or an other person acting on his behalf to accept any gift from a student, parent or any other person with whom he has come into contact by virtue of his position in the college.Explanation. - (1) The expression "Gift" shall include free transport, boarding, lodging or other services or any other pecuniary advantage when provided by a person other than near relation or a person friend not - any dealings with him in connection with the College.Note. - A casual meal,

lift or other social hospitality of a casual nature will not be a gift.Explanation. - (2) On occasions such as wedding anniversaries, oralsfunerals religious function when the making of a gift is in a conformity in the prevailing religious or social practice, an employee may accept a gift of a nominal value;(ii)practice, or incite any student to practice castism, communalism or untouchability;(ii)cause or incite any other person to cause any damage to the college property; and(iv)encourage violence or be guilty of any conduct which involves moral turpitude.

22. Consumption of intoxicating drinks and drugs.

- An employee shall -(a)strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;(b)take due care that the performance of his duties is not affected in any way by the influence of any intoxicating drinks or drugs;(c)not consume intoxicating drinks or drugs in public;(d)not appear in a state of intoxication in a public place;(e)not be present on duty in state of intoxication; and(f)not habitually use any intoxicating drinks or drugs in excess.

Part V – Contributory Provident Fund

23. Contributory Provident Fund.

- The employees shall be governed by contributory provident fund regulations as laid down by the University concerned from time to time. However any change in the rate of contribution would be introduced after the approval of the Government.

24. Gratuity.

- The employees shall be governed by instructions issued by government from time to time, in respect of gratuity payable to them at the time of retirement.

25. Discipline, penalties and appeals.

- In matters relating to discipline, penalties and appeals employees shall be governed by the Haryana Affiliated Colleges (Security of Service) Act, 1979, as amended from time to time and rules framed thereunder.

26. Power of relaxation.

- When government is of the opinion that it is necessary or expedient to 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.Appendix A(See Rule 3)

1. Principal, 2. Lecturer, 3. Director Physical Education, 4. Librarian, 5. Head Clerk, 6. Clerk, 7. Steno Typist, 8. Junior Librarian, 9. Laboratory Assistant, 10. Type writing Instructors, 11. Tabla Player, 12. Restorer, 13. Laboratory Attendant, 14. Library Attendant, 15. Gasman, 16. Peon and other class IV employees.

However, the existing post of Superintendent, Accounts Officer, Accountant, Assistant, Steno-grapher, Junior Scale Steno-grapher, will be diminishing in character and these posts will stand abolished on the vacation of these posts by the present incumbent on retirement or otherwise. Appendix B[See Rule 7(4)]No.----- Dated the -----On the recommendations of the Selection Committee Shri/Smt.----- is hereby appointed as ----- in ----- with effect from the date he/she joins duty, in the grade of Rs. ----- plus usual allowances sanctioned by the Haryana Government from time to time on the following terms and conditions, namely :-Terms and conditions

1. (i) His appointment is to a purely temporary post which is liable to be abolished at any time and carries no promise or subsequent permanent employment. No offer of permanent vacancy can be made to him/her at present.

(ii)He/she shall be on probation for a period ----- year which can be extended for such further period as the competent authority under the rules may determine.

2. In case of resignation or discharge on grounds other than abolition of the post (except as a result of disciplinary action), one month's notice or one month's pay and allowance in lieu thereof will be required to be paid on either side.

3. No travelling allowances will be admissible for joining the post.

4. Before assuming the charge of duties, he/she will be required to produce the following certificates to the Head of the Institutions :-

(i)medical certificate of fitness from M.B.B.S. medical practioner;(ii)attested copies of academic and professional qualification and matriculation Certificate; and(iii)a certificate of good character from gazetted officer or Member of Legislative Assembly.

5. If he/she has not been vaccinated within the last 12 months, he/she should have it done before reporting for duty.

6. Before assuming the post he/she will have to (a) take an oath of allegiance to the Constitution of India and (b) affirm that he/she has not having more than one living spouse.

7. His/her seniority will be fixed in accordance with the rules and regulations on the subject.

8. He/she will be required to produce the original education and date of birth certificate.

If the above terms and conditions are acceptable to him/her, he/she should join his/her duty immediately but not later than -In case of failure to do so his/her candidature is likely to be cancelled and the post shall be offered to the next eligible candidate. Signature Appointing Authority, with seal of office. Appendix See rule 6(2)

Sr. No.	Name with Designation	Date of Birth	Home place on Family	(a) Date of entry into Government Service as of attaining age of 55 years (c) Date of retirement.	(a) Scale of pay (b) Present pay	Source of recruitment	Whether permanent or officiating	Remarks	
				(b) Date of attaining age of 55 years					
1	2	3	4	5	6	7	8	9	10