

Haryana Panchayats Department (Group D) Service Rules, 1993

HARYANA

India

Haryana Panchayats Department (Group D) Service Rules, 1993

Rule

HARYANA-PANCHAYATS-DEPARTMENT-GROUP-D-SERVICE-RULES of 1993

- Published on 10 December 1993
- Commenced on 10 December 1993
- [This is the version of this document from 10 December 1993.]
- [Note: The original publication document is not available and this content could not be verified.]

Haryana Panchayats Department (Group D) Service Rules, 1993Published vide Haryana Notification No. G.S.R. 65/Const. Article 309/9 dated 10-12-1993Haryana Government Panchayats DepartmentNo. G.S.R. 65/Const. Article 309/93. - 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 Panchayats Department (Group D) Service, namely :-Part-I General

1. Short title.

- These rules may be called the Haryana Panchayats Department (Group D) Service Rules, 1993.

2. Definitions.

- In these rules, unless the context otherwise requires :-(a)"Director" means the Director of Panchayats Haryana;(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 the Haryana Panchayats Department (Group D) 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 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. Nationality, domicile and character of candidates appointed to the Service.

(1) No person shall be appointed to any post in the service unless he is : (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 recruiting authority but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

5. Age.

- No person shall be appointed to any post in the Service by direct recruitment who is less than 16 years or more than 35 years of age on or before the last date of submission of applications to the recruiting authority.

6. Appointing authority.

- Appointments to the posts in the Service shall be made by the Director.

7. Qualifications.

- 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 appointment other than by direct recruitment.

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.

(1) Recruitment to the Service shall be made, -(a) In the case of Daftri, Jamadar and Machineman, -(i) by promotion from amongst the peons; or (ii) by transfer or deputation of an official already in the service of any State Government or the Government of India; and (b) In the case of Peon, Chowkidar-cum-Mali, Chowkidar and Sweeper -(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-fitness basis and seniority alone shall not confer any right to such promotion.

10. Probation.

(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 or 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 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 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 :- (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 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) 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 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 three years.

11. Seniority.

- 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 members appointed by direct recruitment, the order of merit determined by the recruiting 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 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.

12. Liability to service.

(1)A member of the service shall be liable to service at any place, whether within or outside the state of Haryana, on 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 as 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, an autonomous body not controlled by the Government or a private body:Provided that no member of the Service shall be deputed to serve Central or any other State Government or any organisation or body referred to in clause (ii) or clause (iii) except with his consent.

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

15. Vaccination.

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

16. Oath of allegiance.

- Every member of 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 persons.

18. Special provisions.

- 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.

19. Reservations.

- 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 or 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 fifty percent at any time.

20. Repeal and Savings.

- Any rule including the Punjab State (Class IV) Service Rules, 1963, applicable to the Service and corresponding to any of these rules which is in force immediately before the commencement of these rules are 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 of these rules. Appendix 'A' (See Rule 3)

Number of Posts

Serial No.	Designation of posts	Permanent	Temporary	Total	Scale of Pay
1	2	3	4	5	6
1 Daftri (Head Office)	1	-	1 Rs. 800-15-1,010- EB-20-1,150		

2 Zamadar (Head Office)	1	-	1 Rs. 800-15-1,010- EB-20-1,150
3 Machineman (Head Office)	-	1	1 Rs. 800-15-1,010- EB-20-1,150
4 Peon(i) Head Office(ii) Distt. Level(iii)Block Level	-914	338199	12 Rs. 750-12-870-EB-14-94052 Rs. 750-12-870-EB-14-940199 Rs. 750-12-870-EB-14-940
5 Chwkidar-cum-Mali (Head Office)	1	-	1 Rs. 750-12-870-EB-14-940
6 Chowkidar (Distt. Level)	-	12	12 Rs. 750-12-870-EB-14-940
7 Sweeper (Head Office)	1	-	1 Rs. 750-12-870-EB-14-940

Appendix 'B'(See Rule 7)

Serial No.	Designation of Posts	Academic qualifications and experience, if any, for direct recruitment	Academic qualification and experience, if any, for appointment other than by direct recruitment
1	2	3	4
1 Daftri (Head Office)	-	(i) Can read and write Hindi(i) Five years experience as Peon	
2 Zamadar (Head Office)	-	(i) Can read and Write Hindi(ii) Five years experience as Peon	
3 Machineman (Head Office)	-	(i) Can read and write Hindi(ii) Five years experience as Peon	
4 Peon -(i) Head Office(ii) District Level(iii)Block Level	Can read and write Hindi	Can read and write Hindi(ii) One year experience as Mali	
5 Chowkidar-cum-Mali (Head Office)	(i) Can read and write Hindi(ii) One year experience as Mali	(i) Can read and write Hindi(ii) One year experience as Mali	
6 Chowkidar (District Level)		Can read and write Hindi	Can read and write Hindi
7 Sweeper (Head Office)		Can read and write Hindi	Can read and write Hindi

Appendix 'C'[See Rule 14(1)]

Serial No.	Designation of post	Appointing Authority	Nature of penalty	Authority empowered	Appellate authority	Second appellate authority
------------	---------------------	----------------------	-------------------	---------------------	---------------------	----------------------------

1	2	3	4	5	6
Minor Penalties					
1 Daftri (Head Office)	Director	(i) Warning with a copy in the personal file (Characterroll);			
2 Zamadar (Head Office)	Director	(ii) Censure;			
3. Machineman (Head Office)		(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 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 or Act of Parliament or of the Legislature of a State ; and			
4 Peon -(i) Head Office(ii) District Level(iii) Block Level5 Chowkidar-cum-Mali (Head Office)		(v) withholding of increment of pay; Major Penalties(vi) reduction to a lower stage	Director	Secretary to Government Haryana, Panchayats Department	Government
6 Chowkidar (District Level)					

in the time scale
of pay for
aspecified
period, with
further direction
as to whether or
notthe
Government
employee will
earn increments
of pay during
theperiod of
such reduction
and whether on
the expiry of
suchperiod, the
reduction will or
not have the
effect of
postponingthe
future
increments of
his pay

7 Sweeper (Head
Office)

(vii) reduction to Director Secretary to Government
a lower scale of Government
pay, grade, cost Haryana,
orservice which Panchayats
shall ordinarily Department
be a bar to the
promotion of
theGovernment
employee to the
time scale of
pay, grade, post
orservice from
which he was
reduced, with or
without
furtherdirections
regarding
conditions of
restoration to
the grade orpost
of service from

which the
Government
employee was
reduced and his
seniority and
pay on such
restoration to
that grade, post
or service :

(viii)
Compulsory
retirement;
(ix) removal
from service
which shall not
be
a disqualification
for future
employment
under the
Government ;
(x) Dismissal
from service
which shall
ordinarily be
a disqualification
for future
employment
under the
Government.

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

Serial Number	Designation of post	Nature of order	Authority empowered to make the order	Appellate Authority	Second Appellate Authority	Final, if any
1	Daftri (Head Office)	(i) reduction or withholding the amount of ordinary or additional pension admissible under the rules	Director	Secretary to Government of Haryana, Panchayats Department	Government	

governing pension

- | | | |
|---|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| 2 | Zamadar (Head Office) | |
| 3 | Machineman (Head Office) | (ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation. |
| 4 | Peon -(i) Head Office (ii) District Level (iii) Block Level | |
| 5 | Chowkidar-cum-Mali (Head Office) | |
| 6 | Chowkidar (District level) | |
| 7 | Sweeper (Head Office) | |