

Haryana Co-operation Department Head Office and Sub-Offices (Group `D') Service Rules, 1991

HARYANA

India

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Rule

HARYANA-CO-OPERATION-DEPARTMENT-HEAD-OFFICE-AND-SUB-OFFICES (Group `D') Service Rules, 1991

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Haryana Co-operation Department Head Office and Sub-Offices (Group `D') Service Rules, 1991
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Part I – General

1. Short title and commencement.

(1) These rules may be called the Haryana Co-operation Department Head Office and Sub-offices (Group `D') Service Rules, 1991.

2. Definitions.

- 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 the service of the Government of India or any State Government. (b) `Government' means the Haryana Government in the Administrative Department; (c) `Head Office' means the office of the Registrar, Co-operative Societies, Haryana; (d) `Registrar' means the Registrar, Co-operative Societies, Haryana; (e) `Sub-Office' means all the offices under the Registrar, Co-operative Societies, Haryana; (f) `Service' means the Haryana Co-operation Department Head-Office and Sub-Offices (Group `D') Service.

Part II – Recruitment to Service

3. Number and character of posts.

- The Service shall comprise the posts shown in the 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. Notionality, 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 or 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 any 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.(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 university, college, school or institution.

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 the date of appointment.

6. Appointing authority.

- Appointment to the various posts in the Service shall be made as under :-Heal Office :In case of Daftri, Jamadar, Peon, Library Attendant, Chowkidar, Sweeper-cum- Chowkidar, Sweeper and Mali-cum-Chowkidar by the Additional Registrar (Administration), Co-operative Societies.Sub-Office :(1)In case of Peon, Chowkidar and Sweeper-cum-Chowkidar appointed in each circle of Deputy Registrar, Co-operative Societies by the respective Deputy Registrar, Co-operative Societies.(2)In case of Peon, Chowkidar and Sweeper-cum-Chowkidar appointed in the office of Co-operative Training Institute, Rohtak by the Principal, Co- operative Training Institute, Rohtak.(3)In case of Peon, Chowkidar and Sweeper-cum-Chowkidar appointed in each circle of Audit Officers, Co-operative Societies by the respective Audit Officer, Co-operative Societies.

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 :Provided that in the case of direct recruitment, the qualification regarding experience shall be relaxable to the extent of 50% at the discretion of the recruiting authority in case sufficient number of candidates belonging to scheduled castes, backward classes, ex-servicemen and physically handicapped candidates, possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

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;Head Office(a)In case of Daftri and Jamadar -(i)by promotion from amongst Peons;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(b)In case of Peon -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(c)In case of Library Attendant -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(d)In case of Chowkidar -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(e)In case Sweeper-cum-Chowkidar -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(f)In case of Sweeper -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(g)In case of Mali-cum-Chowkidar -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;Sub Office(a)In case of Peon -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(b)In case of Chowkidar -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(c)In case of Sweeper-cum-Chowidar -(i)by direct recruitment;(ii)by transfer or deputation of an official already in the service of any State Government or the Government of India;(2)When any vacancy occurs or is about to occur, the appointing authority shall determine the method by which such vacancy shall be filled in.(3)All promotions unless otherwise provided shall be made on seniority-cum- fitness basis and seniority alone shall not confer any right to such

promotions.

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 by 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 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, and 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 the total period of probation including extension, if any, shall not exceed three years.

11. Seniority.

(1)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 that in case of members recruited by direct recruitment the order of merit, if any, drawn up at the time of selection shall not be disturbed, and persons recruited as a result of an earlier selection shall be senior to those appointed as a result of subsequent selection :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.

(1) 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. (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 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 the Central or any other State Government or any organisation or a body referred to in clause (ii) or (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 thereafter be, adopted or made by 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 appeal, 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 appellate authority shall be as specified in Appendix D to these rules.

15. Vaccination.

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

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 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. Reservation.

- Nothing contained in these rules shall affect reservation 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 :Provided that the total percentage of reservation so made shall not exceed fifty percent, at any time.

20. Repeal and Savings.

- The Punjab State (Class IV) Service Rules, 1963, or any other rule applicable to the member of 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.