

The Haryana Public Service Commission (Additional Functions) Act, 1974

HARYANA

India

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Act 21 of 1974

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The Haryana Public Service Commission (Additional Functions) Act, 1974 Haryana Act No. 21 of 1974 Statement of Objects and Reasons - Haryana Act 7 of 2005. - The Haryana Public Service Commission (Additional Functions) Amendment Act, 2004 - Haryana Act No. 8 of 2004 provides that the Haryana Public Service Commission shall select suitable candidates for such posts as carry an initial pay of Rs. 8,000/- or above per month under a Local Authority or under a Body Corporate as the State Government may by Notification in the official Gazette direct. The Haryana Electricity Regulatory Commission is covered under a Central Act namely, Electricity Act, 2003 and any selection of candidates for appointment under it cannot be done by Haryana Public Service Commission. The request of the Haryana Regulatory Commission has been considered and it is felt that with the Amendment Act of 2004 a provision was made which tends towards the centralization of powers at one source which is not desirable. The Government has considered the matter and it has been decided that the centralization of powers be done away with and the Boards/Corporations under the Government should be free to have their own system of selection of candidates for recruitment. Therefore, it is proposed that the Haryana Act No. 8/2004 i.e. the Haryana Public Service Commission (Additional Functions) Amendment Act, 2004 be amended accordingly. With a view to achieve this objective, an Ordinance was issued on 16th May, 2005 as the Legislative Assembly of the State was not in Session. The Bill seeks to replace the said Ordinance. Haryana Government Gazette (Extra) dated June 9, 2005, page 2613. Received the assent of the Governor of Haryana on the 30th July, 1974, and first published for General Information in Haryana Government Gazette (Extraordinary), Legislative Supplement Part I of August 1, 1974. An Act to provide for the recruitment of certain local bodies' officers through the Haryana Public Service Commission. Be it enacted by the Legislature of the State of Haryana in the Twenty-fifth Year of the Republic of India as follows :-

1. Short title and extent.

(1) This Act may be called the Haryana Public Service Commission (Additional Functions) Act, 1974. (2) It extends to the whole of the State of Haryana.

2. Definitions.

- In this Act, unless the context otherwise requires - (a) ["Commission" means the Haryana Public Service Commission;] [Substituted by Haryana Act 7 of 2005.] (b) "local authority" means a municipal committee, notified area committee, Town Improvement Trust, Panchayat Samiti or any other authority legally entitled to, or entrusted by the State Government with, the control or management of a municipal or local fund; and (c) "recruitment" means direct appointment or appointment of an official by transfer or promotion other than transfer or promotion in the cadre of the same service. [3. Additional Functions. - Notwithstanding anything contained in any other law for the time being in force, recruitment to all posts carrying an initial pay of eight thousand rupees or above per mensem under a local authority shall be made through the Commission : Provided that it shall not apply to the - (i) recruitment made for a period not exceeding six months; and (ii) recruitment of an Executive Officer of a municipal committee under the Haryana Municipal Act, 1973.]

4. Repeal.

- The Punjab Public Service Commission (Additional Functions) Act, 1955 (Punjab Act 9 of 1955), in its application to the State of Haryana, is hereby repealed. Notifications No. G.S.R.3/Const./Art.320/2005. dated 15.6.2005. - In exercise of the powers conferred by the proviso to Clause (3) of Article 320 of the Constitution of India, the Governor of Haryana hereby makes the following regulations further to amend the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, namely :-

1. These regulations may be called the Haryana Public Service Commission (Limitation of Functions) Amendment Regulations, 2005.

2. In the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, in Part-II Limitations, in Regulation 3, for Clause (a), the following clause shall be substituted, namely

"(a) initial appointments to all Group B (Gazetted), Group C and Group D (Non-Gazetted) posts;" No. GSR 5/Const./Art. 320/2005. Dated the 20th June, 2005. - In exercise of the powers conferred by the proviso to clause (3) of article 320 of the Constitution of India, the Governor of Haryana hereby makes the following regulations further to amend the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, namely :-

1. These regulations may be called the Haryana Public Service Commission (Limitation of Functions) Amendment Regulations, 2005.

2. In the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, in Schedule A1, after item (114), the following item shall be added at the end, namely :-

"(115) One post of Director, in the pay scale of 22400-24500+Non Practising Allowance and other facilities in the Pandit Bhagwat Dayal Sharma Post Graduate Institute of Medical Science, Rohtak (Health Department)".No. G.S.R. 9/Const./Art.320/Amd.(I)/2002. dated 30th May, 2002 - In exercise of the powers conferred by the proviso to clause (3) of article 320 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following regulations further to amend the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, namely :-

1. These regulations may be called the Haryana Public Service Commission (Limitation of Functions) Amendment Regulations, 2002.

2. In the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, in Schedule A , items 13, 14, 32, 43 and 48 and entries thereagainst shall be omitted.

No G.S.R. 31/Const./Art. 320/Amd(86)/2003. dated The 27th June, 2003. - In exercise of the powers conferred by the proviso to clause (3) of article 320 of the Constitution of India and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following regulations further to amend the Punjab Public Service Commission (Limitation of Functions) Regulations. 1955, namely :-

1. These regulations may be called the Punjab Public Service Commission (Limitation of Functions) (First Amendment) Regulations, 2003.

2. In the Punjab Public Service Commission (Limitation of Functions) Regulation, 1955, in Schedule A' after entry (103), the following entry shall be added, namely :-

"(104) Sixty posts of P.C.S. (Judicial Branch) in the Department of Home Affairs and Justice."[Substituted by Haryana Act 7 of 2005.]