

The Haryana Service of Engineers, Class I, Public Works Department (Building and Roads Branch), (Public Health Branch) and (Irrigation Branch) respectively Act, 1995

HARYANA

India

The Haryana Service of Engineers, Class I, Public Works Department (Building and Roads Branch), (Public Health Branch) and (Irrigation Branch) respectively Act, 1995

Act 20 of 1995

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The Haryana Service of Engineers, Class I, Public Works Department (Building and Roads Branch), (Public Health Branch) and (Irrigation Branch) respectively Act, 1995 Haryana Act No. 20 of 1995 Statement of Objects and Reasons. - There were separate rules regulating service conditions and fixation of seniority in the Engineering Services in P.W.D. B. & R., Public Health and PWD Irrigation Branch. These rules although different for the three branches were on identical lines with minor variations. These rules have been interpreted in the Supreme Court in the case of A.N. Sehgal v. R.R. Sheoran and S.L. Chopra v. B.D. Sardana. Subsequently, the judgment has been interpreted further in the case of A.N. Sehgal v. R.R. Sheoran by an order dated 31st March, 1995 of the Supreme Court in a Contempt Petition filed by Sh. R.R. Sheoran. In the Public Health side, the seniority list prepared under the directions of the Supreme Court in S.L. Chopra v. B.D. Sardana's case was challenged in the High Court which struck down the list. Thereafter, an appeal was filed by the State in the Supreme Court against the order of the High Court in the case of State v. B.D. Sardana. The appeal was admitted by the Supreme Court and the operative portion of the judgment of the High Court was stayed. The matter is pending for final decision in the Supreme Court, and meanwhile the seniority list prepared by the State is being operated by Public Health Branch.2. Meanwhile, consequent to the directions given by the Supreme Court in the case of A.N. Sehgal v. R.R. Sheoran and orders of the Supreme Court dated 31st March, 1995 in the Contempt Petition filed by R.R. Sheoran subsequently the seniority list had to be redrawn in the case of B&R Branch, which was totally at variance with the manner in which the seniority was drawn up in the case of Public Health Branch. Thus, the directions of the Supreme Court in the case of B&R Branch had created a lot of Administrative problems with certain very junior officers getting undue seniority and

becoming senior to the officers under whom they were previously working. This naturally resulted in severe groupism and tension between officers of the department in their day-to-day working.³ In order to have uniform rules for all the three branches of Engineering Services and to clarify the position in an unambiguous manner so as to have uniformity and clarity in interpretation, it became necessary to make certain amendments with retrospective effect. This was possible only by enacting a legislation in this regard. As the Haryana Vidhan Sabha was not in Session, it was decided to achieve the purpose through issue of an Ordinance on 13th May, 1995. The Ordinance replaced the existing rules for all the three branches of the PWD and the common enactment was to govern the service matters of Class-I service of B&R Branch, Public Health Branch and Irrigation Branch. The proposed bill now seeks to replace the Ordinance with Bill in the ensuing Session of the Haryana Vidhan Sabha. Published vide Haryana Government Gazette (Extraordinary), dated the 21st September, 1995, page 1726. Received the assent of the Governor on the 30th November, 1995 and was published in the Haryana Gazette, (Extraordinary), Legislative Supplement, Part I, dated 30th November, 1995. An Act to regulate the recruitment and conditions of service of persons appointed to the Haryana Service of Engineers, Class I, Public Works Department (Buildings and Roads Branch), (Public Health Branch) and (Irrigation Branch), respectively. Be it enacted by the Legislature of the State of Haryana in the Forty-sixth Year of the Republic of India as follows :-

1. Short title, Commencement and application.

(1) This Act may be called the Haryana Service of Engineers, Class I, Public Works Department (Building and Roads Branch), (Public Health Branch) and (Irrigation Branch), respectively Act, 1995. (2) It shall be deemed to have come into force on the 1st day of November, 1996.

2. Definitions.

- In this Act, unless the context otherwise requires, -(1) "appointment to the Service" means an appointment made to the post in service and includes an appointment, made according to the terms and provisions of this Act, to an officiating vacancy of a post in Service; (2) "Assistant Executive Engineer" means a member of the Service in the junior scale of pay; (3) "Cadre post" means a permanent post in the service; (4) "Class II Service" means the Haryana Service of Engineers, Class II, Public Works Department in the Buildings and Roads Branch, Public Health Branch or Irrigation Branch, as the case may be; (5) "Commission" means the Haryana Public Service Commission; (6) "Competent Authority" means such Government officer or authority as the Government may, by notification in the Official Gazette, appoint to perform the functions of a competent authority under this Act; (7) "Department" means the Public Works Department of the Government in the Building and Roads Branch, Public health Branch or Irrigation Branch, as the case may be; (8) "Direct appointment" means an appointment by open competition but does not include -(a) an appointment made by promotion; and (b) an appointment by transfer of an officer already in the Service of a State Government or of the Union. Explanation. - A Class II Officer who enters the Service by open competitive selection, shall, for the purposes of this Act, be deemed to have entered the service by direct appointment; (9) "Engineer-in-Chief" means an Engineer-in-Chief of the Haryana Public Works Department in the Buildings and Roads Branch, Public Health Branch or Irrigation Branch, as the case may be, and includes a post declared by the Government as of

equivalent responsibility;(10)"Executive Engineer" means an officer-in-charge of a division and includes an officer holding a post of equivalent responsibility;(11)"Government" means the Haryana Government in the Administrative Department of Public Works Department in the Building and Roads Branch, Public Health Branch and Irrigation Branch, as the case may be;(12)"Member of the Service" means an officer appointed substantively to a cadre post, and includes, -(a)in the case of a direct appointment an officer on probation, or such an officer who, having successfully completed his probation, awaits appointment to a cadre post;(b)in the case of an appointment by transfer an officer who is on probation or who, having successfully completed his probation, awaits appointment to a cadre post, provided such officer does not have a lien on a substantive post in any Government Department.(c)in the case of an appointment by promotion an officer on probation or such an officer who having successfully completed his probation awaits appointment to a cadre post.Explanation. - It is not necessary that a member of the Service shall at any given time be actually doing the work of a cadre post. He may be working in an ex-cadre post for reasons of administrative convenience. Conversely, an officer officiating against an ex-cadre post may in fact perform the duties of a cadre post;(13)"Prescribed" means prescribed by rules made under this Act;(14)"Superintending Engineer" means an officer-in-charge of an area known as a Circle or whose duties are of equivalent responsibility to the charge of a Circle;(15)"Service" means the Haryana Service of Engineers, Class I, Public Works Department in the Buildings and Roads Branch, Public Health Branch or Irrigation Branch, as the case may be; and(16)"University" means -(a)any University incorporated by law in any of the States of India; and(b)in the case of degree or diplomas obtained as a result of examinations held before the 15th August, 1947, the Punjab, Sind or Dacca University; and(c)any other University, which is declared by the Government to be a recognised University for the purposes of this Act.

3. Strength of Service.

(1)The number of posts in the Service shall comprise such number of posts of Assistant Executive Engineers, Superintending Engineers, Chief Engineers and Engineer-in-Chief, as may be determined each year on the 1st day of January or as soon thereafter as may be practicable according to the provisions of Appendix A. The strength so determined shall remain in force till it is revised.(2)Notwithstanding anything contained in sub-section (1), Government may appoint a member of the Service to an ex-cadre post not included in the Service in accordance with the provisions of this Act, provided such post has been sanctioned.

4. Nationality and domicile of candidates.

(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 of Nepal; or(d)a subject of Bhutan; or(e)a Tibetan refugee who came over to India before the 1st day of January, 1962, with the intention of permanently settling in India;(f)a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India :Provided that a candidate belonging to categories (c), (d), (e) and (f) shall be a person in whose favour a certificate of eligibility has been given by the competent authority and if he belongs to category (f) the certificate of eligibility will be issued for a period of one year, after which such a candidate will be retained in Service subject to his having acquired Indian Citizenship.(2)A

candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the 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 given to him by the competent authority.

5. Recruitment to Service.

(1) Recruitment to the service shall be made by Government by any one or more of the following methods :-(a)by direct appointment;(b)by transfer of an officer already in the Service of a Government, or of the Union; or(c)by promotion from Class II Service.(2)Recruitment to the Service shall be so regulated that the number of posts filled by promotion from Class II Service shall not exceed 50% of the strength of Service excluding the posts of Assistant Executive Engineers :Provided that if adequate number of Assistant Executive Engineers who are eligible and fit for promotion are not available, the posts in Service even beyond 50% shall be filled up by promotion of members of Class II Service or by transfer as may be decided by Government :Provided further that in case of Irrigation Branch for the first eight years commencing from 1st day of November, 1996, for the word 50%, the word 75% be read.(3)In the case of a person who were members of the Service on the commencement of this Act it shall be assumed that the number recruited by promotion from Class II Service is in accordance with the provisions of sub-section (2) of Section 5, and future recruitment shall be based on this assumption.(4)All first direct appointments to the Service shall be made to the post of Assistant Executive Engineers :Provided that a direct appointment may, in exceptional circumstances, for reasons to be recorded in writing, be made to the post of Executive Engineer.(5)An officer promoted from Class II Service shall be appointed to the post of Executive Engineer.(6)Appointment by transfer of an officer will normally be made to the rank of Executive Engineer.(7)That in exceptional circumstances, for reasons to be recorded in writing, Government will have the power to alter the percentage specified in sub-section (2) of this section.

6. Qualifications.

- No person shall be appointed to the Service unless he, -(a)in case of appointment by direct recruitment, possesses one of the University degree or other qualifications as specified in Appendix B of this Act;(b)in the case of appointment by promotion from Class II Service, has, in addition to the qualifications provided in clause (a), eight years completed Service and has passed the prescribed departmental examination of the Class II Service :Provided that the Government may waive the requirement of qualifications mentioned in clause (a), for appointment to the Service by promotion from Class II Service, in the case of a particular officer :Provided further that the Government may relax the eight years Service in the case of an officer who has completed five years Service and in such a case the Officer shall earn the first increment as an Executive Engineer on the completion of nine years Service.Explanation. - For the purpose of computing eight years Service, the Service in Class II, as well as in Class I, shall be counted :Provided further that no officer of Class II Service working on the civil side in Buildings and Roads Branch shall be eligible for promotion to Class I Service, unless he has served for a total minimum period of two years on a post relating to design or planning or research or survey and investigation or teaching or training or purely office posting whether in Head Officer or in Circle Office or Research Laboratory under the Haryana

Government or while on deputation under any authority;(c)is a person with a satisfactory character and antecedents, verification in respect of which shall be arranged through appropriate Government agency, except in cases where such verification may have already been made at the time of his entry into Government Service;(d)has not more than one wife living or, in the case of a woman, is not married to a person already having a wife living :Provided that Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of this condition.

7. Age.

(1)The minimum and maximum age for direct appointment shall be such as may be notified by Government from time to time.(2)The selection of candidates shall be made by the Commission, after holding a competitive examination, the syllabus for which shall be such as may be prescribed by Government from time to time :Provided that a candidate shall not be considered qualified for appointment, unless he obtains not less than forty per cent marks in each subject and also not less than fifty per cent marks in the aggregate, and no candidate who does not obtain the qualifying marks shall be called for interview by the Commission.(3)Appointments to the Service shall be made according to the number of vacancies to be filled by direct appointment strictly in the order of merit indicated by the Commission.Explanation. - When so required by Government, the Commission may hold a combined competitive examination for selection to the Service as well as to any other Engineering Service or Services of the State and in such an event appointments shall be made in the order of merit indicated by the Commission, after allowing persons that are appointed to another Service.

8. Appointment by promotion.

(1)A Committee comprising of such members as may be notified by Government from time to time shall be constituted for Buildings and Roads Branch, Public Health Branch and Irrigation Branch, as the case may be, to prepare a list of officers suitable for promotion to the senior scale of the Service. The selection for inclusion in such list shall be based on merit and suitability in all respects with due regard to seniority.(2)The Committee shall meet at intervals ordinarily, not exceeding one year, and consider the cases of all eligible officers for promotion to the senior scale of the Service, as on the 1st day of January of that year.(3)The names of the officers included in this list shall be arranged in order of seniority in class II Service :Provided that any junior officer, who in the opinion of the Committee, is of exceptional merit and suitability, may be assigned a place in the list higher than that of officers senior to him.(4)The list so prepared shall be revised every year.(5)If in the process of preparing the list or its revision, it is proposed to supersede any eligible candidate, the Committee shall draw up a list of such officers and may record its reasons for the proposed supersession.(6)The list prepared or revised in accordance with sub-sections (1), (3) and (4) shall then be forwarded to the Commission by Government along with -(i)the records of all officers included in the list;(ii)the records of all officers proposed to be superseded as a result of the recommendations made by the Committee;(iii)the reasons, if any, recorded by the Committee for the proposed supersession of any officer; and(iv)the observations, if any, of the Government on the recommendations of the Committee.(7)The Commission shall consider the list prepared by the Committee along with other documents received from the Government and, unless it considers any change necessary, approve

the list.(8)If the Commission considers it necessary to make any change in the list received from the Government, the Commission shall inform the Government of the changes proposed and after taking into account the comments, if any, of the Government, may approve the list finally with such modification, if any, as may, in its opinion, be just and proper.(9)Appointments to the Service shall be made by Government from its list in the order in which names have been placed by the Commission.(10)Appointments by promotion may be made to the post in Service, or to any post in the cadre in an officiating capacity from the list prepared under this section.(11)It shall not ordinarily be necessary to consult the Commission before appointments under sub-section (9) or (10) are made, unless during the period intervening between the inclusion of the name of the officer in the list and the date of the proposed appointment there occurs any deterioration in the work of the officer which in the opinion of the Government is such as to render him unsuitable for appointment to the Service.

9. Promotion within service.

(1)Subject to the provisions of sub-sections (2) and (3), members of the Service shall be eligible for promotion to any of the post in the Service namely, Executive Engineer, Superintending Engineer, Chief Engineer and Engineer-in-Chief within their respective branches :Provided that a member of the Service who does not possess one of the University degrees or other qualifications as specified in Appendix B of this Act, shall not be eligible for promotion to the post of Superintending Engineer or above, till he has acquired the requisite qualifications.Explanation. - Once an officer has been appointed as member of the Service, his promotion within it from one rank to another shall be regarded as promotion within the same cadre.(2)Promotions shall be made by selection on the basis of merit and suitability in all respects and a member of the Service shall not have any claim to such promotion as a matter of right or mere seniority.(3)A member of the Service shall not be eligible for promotion to the rank of-(a)Executive Engineer unless he has rendered five years Service as an Assistant Executive Engineer; and has passed the departmental examinations provided in Section 15 :Provided that an officer who has rendered six years or more Service as an Assistant Executive Engineer shall, unless he is considered unsuitable for promotion, be given preference for such promotion over an eligible Class II officer :Provided further that no member of the Service working on the civil side in Buildings and Roads Branch, shall be eligible for promotion as Executive Engineer unless he has served for a total minimum period of two years on a post relating to design or planning or research or survey and investigation or teaching or training or purely office posting whether in Head Office or Circle Office or Research Laboratory under the Haryana Government or while on deputation under any other authority.Explanation. - Any Service of the specified nature rendered in Class II by the member of the Service shall also be counted for computation of two years Service of such specified nature.(b)Superintending Engineer, unless he has rendered seven years Service as an Executive Engineer :Provided that in the case of promotion to the post of superintending Engineer working on the civil side in Buildings and Roads Branch, he has served for a total minimum period of two years on a post of Executive Engineer relating to design or planning or research or survey and investigation or teaching or training or purely office posting whether in Head Office or Research Laboratory under the Haryana Government or while on deputation under any other authority.(c)Engineer-in-Chief and Chief Engineer unless he has rendered three years Service as Superintending Engineer :Provided that, if it appears to be necessary to promote an

officer in public interest, the Government may, for reasons to be recorded in writing, either generally for a specified period or in any individual case, reduce the period specified in clause (a), (b) or (c) to such an extent as it may deem proper.

10. Appointment by transfer.

- Government may, in special circumstances, with the approval of the Commission, appoint an officer to the Service by transfer.

11. Probation.

(1) Officers appointed to the service shall remain on probation for a period of two years, if recruited by direct appointment and one year if recruited otherwise : Provided that -(a) any period after appointment to the Service spent on deputation on a corresponding or a higher post shall count towards the period of probation fixed under this section; (b) in the case of an appointment by transfer, any period of work in the rank of Executive Engineer or above, prior to appointment to the Service may, at the discretion of Government be allowed to count towards the period of probation fixed under this section; and (c) an officiating appointment in the Service shall be reckoned as a period spent on probation but no member who has thus officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a cadre post. (2) If the work or conduct of an officer appointed to the Service during the period of probation is, in the opinion of Government, not satisfactory, it may -(a) dispense with his services, if recruited by direct appointment; or (b) if recruited otherwise -(i) revert him to his former post; or (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit. (3) On the completion of the period of probation of an officer, the Government may -(a) confirm such officer in his appointment; or (b) if no cadre post is vacant for him, declare that he has completed his probation satisfactorily; or (c) if his work and conduct has, in its opinion, not been satisfactory, dispense with his services, if recruited by direct appointment; or (d) if recruited otherwise -(i) revert him to his former post; or (ii) deal with him within the terms and conditions of his previous appointment; or (e) 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. (4) On the satisfactory completion of the period of probation, Government shall confirm such officer in a cadre post, if one is available for him.

12. Seniority.

(1) In the case of Assistant Executive Engineers the order of merit determined by the Commission shall not be disturbed in fixing the inter se seniority amongst them. (2) Inter se seniority of the members of the Service appointed as Executive Engineers in the Buildings and Roads Branch, Public Health Branch and Irrigation Branch shall be determined by the length of continuous service on the post of Executive Engineer : Provided that seniority shall be determined separately for Buildings and Roads Branch, Public Health Branch and Irrigation Branch : Provided further that in case of Executive Engineers directly appointed or promoted from Assistant Executive Engineers or

promoted from Class II Service or appointed by transfer on the same day, their inter se seniority shall be in the following order :-(i)Executive Engineer directly appointed shall be senior to all;(ii)Executive Engineer promoted from Assistant Executive Engineer shall be senior to the Executive Engineer promoted from Class II Service or appointed by transfer;(iii)Executive Engineer promoted from Class II Service shall be senior to the Executive Engineer appointed by transfer.(3)In the case of the Executive Engineers 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 appointment; and if the length of such service is also the same, the older member shall be senior to the younger member.(4)Where a member of the Service, for a cause which Government considers to be sufficient, is unable to join the Service or continues with Government's approval on deputation outside the Service, it shall be open to Government to allow him credit for such service as if it was service rendered under this Act for purposes of the fixation of his seniority.Explanation. - All employment on deputation after a member has joined the Service and has had his seniority fixed under this Act, shall count as if it was employment in the Service and shall not in any way affect the seniority already fixed, except to the extent that such seniority would in any case have been affected had the member of the Service continued to work in the department.

13. Payment of members of Service.

- Members of the Service will be entitled to such scales of pay including special pay, as may be notified by Government from time to time.

14. Leave, pension and other matters.

- In respect of leave, pension and other cognate matters not expressly provided for in this Act, the members of the Service shall be governed by such rules and regulations as may have been or may hereafter be, framed by competent authority under article 309 of the Constitution of India.

15. Departmental examination.

(1)Officers appointed to the Service, unless they have already done so, shall pass such departmental examination and within such period, as may be prescribed by Government :Provided that Government in addition to such departmental examination may, from time to time, prescribe any other test or examination to be passed before an officer can be considered eligible for promotion or appointment to any rank in the Service :Provided further that Government may, for any sufficient cause extend the period within which any member is required to pass the departmental examination.(2)If an officer fails to pass the departmental examination within the prescribed period or within the extended period, if any, he shall not earn his future grade increments till such time as he passes it when the increments shall be released retrospectively :Provided that he shall not be entitled to get any arrears of the released grade increments for the period during which he could not pass the examination.(3)If an officer passes the departmental examination before the prescribed period, he shall be given all increments which would have otherwise fallen due to him at the end of the prescribed period with effect from the last day on which the departmental examination were

completed. The above advantage conferred by this stipulation is not of cumulative nature and later increments will become due on the dates on which they would have become otherwise due.

16. Vaccination.

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

17. Discipline, penalty and appeal.

- In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punishment and Appeal Rules as may be framed by the Government from time to time.

18. 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.

19. Liability to service.

(1)A member of the Service shall be liable to serve under the Government at any place whether within or outside the State of Haryana.(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 Government, a municipal corporation or a local authority within the State of Haryana;(ii)the Central Government or 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 the Central or any other State Government of any organisation or body referred to in clauses (ii) and (iii) except with his consent.(3)Every person appointed to the Service shall, if so required, serve in any defence service or post connected with the defence of India for a period of not less than 4 years including the period spent or training, if any :Provided that such person -(a)shall not be required to serve as aforesaid after the expiry of 10 years from the date of appointment to the Service; and(b)shall not ordinarily be required to serve as aforesaid after attaining the age of 40 years.

20. Publication of grounds of dismissal.

- If a member of the Service is dismissed by Government or other competent authority as a result of a departmental enquiry or an enquiry under the Public Servants (Inquiries) Act, 1950 or on conviction on a criminal charge by a Court, Government may publish in the Official Gazette the reasons for such dismissal, if it is of the opinion that such publication is desirable in the public interest.

21. General.

- In all matters not expressly provided for in this Act, the members of the Service shall be governed by such general or special rules as may have been, or may hereafter be, framed by Government from time to time.

22. Power to relax.

(1)Where Government is satisfied that the operation of any of the provisions of this Act causes undue hardship in any particular case, it may, by order dispense with or relax the requirement of that provision to such an extent, and subject to such conditions, as it may consider necessary for dealing with the case in a just and equitable manner.(2)Notwithstanding anything contained in this Act, it shall be open to Government to recruit a person other than an Indian citizen to the Service, in which event it shall, in consultation with the Commission, pass such orders as it considers appropriate in respect of all other matters which arise in connection with such an appointment.

23. Reservations.

- Nothing contained in this Act, 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 of persons in accordance with the orders by the Government in this regard, from time to time.

24. Power to make rules.

- The Government may by notification make rules for carrying out the purposes of this Act.

25. Repeal and savings.

- The Haryana Service of Engineers, Class I, Public Work Department (Buildings and Road Branch), (Public Health Branch) and (Irrigation Branch) Respectively Ordinance, 1995 (Haryana Ordinance No. 6 of 1995), is hereby repealed. The Punjab Service of Engineers, Class-I, Public Works Department (Buildings and Roads Branch) Rules, 1960, the Punjab Service of Engineers, Class I, Public Works Department (Public Health Branch) Rules, 1961 and the Punjab Service of Engineers, Class I, Public Works Department (Irrigation Branch) Rules, 1964, in their application to the State of Haryana, are hereby repealed to the extent that these rules shall continue to apply to the persons who were members of the Service before 1st day of November, 1966 :Provided that such repeal shall not affect -(a)any penalty or punishment imposed as a result of disciplinary proceedings;(b)any disciplinary action or proceedings initiated or pending under the rules so repealed;(c)any relaxation in qualifications granted to any member of the Service under the rules so repealed;(d)the benefits accrued to the persons who have retired from service during a period commencing from the 1st day of November, 1966 and ending with the date of promulgation of the Haryana Service of Engineers Class I, Public Works Department (Buildings and Roads Branch), (Public Health Branch) and

(Irrigation Branch) respectively Ordinance, 1995; and the Punjab Service of Engineers, Class I, Public Works Department (Buildings and Roads Branch) Rules, 1960, the Punjab Service of Engineers, Class I, Public Works Department (Public Health Branch) Rules, 1961 and the Punjab Service of Engineers, Class I, Public works Department (Irrigation Branch) Rules, 1964, shall continue to be in force as if the same had not been repealed. Appendix A (See Section 3) The strength of the Service shall be determined each year in the following manner:-(1) Senior posts (Executive Engineers and above) - The number of senior posts shall be calculated as under :-(a) First add - (1) Three years and over posts, i.e. posts which have existed continuously for three years or more prior to January 1st. (2) National posts. - These shall be determined as follows :-(i) Enumerate posts which have existed during the last three years, preceding January 1, giving for each, the number of months for which it has existed; all periods of 15 days or above counting as a whole month. (ii) Add the total number of months involved at (a) above. (iii) Divide (b) by 36 to the nearest whole number, to obtain the number posts to be included. (3) Deputation posts. - These shall be equivalent to the number of officers on deputation, whether in the State or outside, on January 1. (b) To the total of items (1), (2) and (3) (to be called 'X') further add 7- 1/2 per cent of 'X' as Leave Reserves (the total thus arrived to be called 'Y'). (c) The strength of the Service (Senior Posts) shall, for the year in question be 'Y' minus fifteen per cent of 'Y' calculated to the nearest whole number. The balance of 'Y' minus senior posts as calculated above shall represent ex-cadre posts: Provided that -(i) the number of senior cadre posts for the year shall in no case be less than the number of officers confirmed against such post. (ii) where a result of the application of clause (i) of the proviso the number of senior cadre posts becomes larger than the number worked out under I(c) above, the excess number shall be reduced as and when confirmed officers retire or leave the Service otherwise; (iii) a number of ex-cadre senior posts corresponding to the excess number, if any, arrived at under clause (i) of the proviso, shall be reduced. Explanation. - The Government shall not appoint officers against ex-cadre posts except to the extent that divisional or higher charges exist at any given time; and (d) of the senior posts thus determined, the number of cadre posts of Superintending Engineers and above shall be determined from time to time by the Administrative Department, in consultation with the Finance Department. All other senior cadre posts shall be in the rank of Executive Engineer : Provided that there may be ex-cadre posts of Executive Engineer or of higher ranks depending upon the actual requirements of the Department. II. Junior Scale Posts (Assistant Executive Engineers) :- The number of junior posts for the year shall be -(a) Cadre posts determined by dividing the figure 'Y' as calculated according to the provisions of Part I above by figure 2 and multiplying the resulting figure by the fraction 7/23 : Provided that the number of cadre posts for the year shall not be less than the number of cadre posts of the preceding it. (b) Ex-cadre posts. - The number of posts shall be increased by such number as may be necessary to ensure at least one direct appointment to the post of Assistant Executive Engineer each year. Appendix B (See Section 6)

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| A. Punjab University | B.Sc. (Engg.) degree in Civil, Mechanical or Electrical. |
| Agra University | B.Sc. in Electrical or Mechanical Engineering from June, 1954 |
| Aligarh University | B.Sc. (Engg.) from 1948; also degree prior to 1948 after a full three years course. |
| Andhra University | B.E., Civil, Mechanical or Electrical from 1950. |
| Annamalai University | B.Sc. Civil, Mechanical or Electrical from April, 1949 |

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| Bihar University | B.Sc. (Civil Engineering). |
| Banaras Hindu University | B.Sc. in Electrical and Mechanical Engineering upto 1952. B.Sc. in Civil and Mechanical Engineering B.Sc. in Mechanical Engineering B.Sc. in Electrical Engineering |
| Baroda (Maharaja Sayajirao) University | B.E. in Civil, Mechanical or Electrical from 1952 |
| Bihar University | B.Sc. in Mechanical or Electrical Engineering. |
| Bombay University | B.E. in Civil, Mechanical or Electrical. |
| Calcutta University | B.E. in Civil, Mechanical or Electrical (College of Engineering, Sibpur) |
| Delhi University | B.E., Electrical and Mechanical with effect from April/May, 1955. |
| Gujarat University | B.E., Civil, Mechanical or Electrical. |
| Jabalpur University | B.E. (Honours or pass), Civil, Mechanical or Electrical from April, 1957. |
| Jadavpur University | B.M.E., E.E. and B.E.E. (Communication option) with effect from 1955. |
| Karnataka University | B.E. Civil. |
| Madras University | B.E., Civil, Mechanical or Electrical, Telecommunication or Highway Engineering from March, 1946. |
| Mysore University | B.E., Civil, Mechanical or Electrical B.E. (Chem.) from 1949-51. |
| Osmania University | B.E. |
| Patna University | B.C.E. (renamed as B.Sc. (Engg.). |
| Poona University | B.E. Civil, Mechanical, Electrical, Telecommunication or Metalurgy. |
| Rajputana University (Renamed as Rajasthan University) | B.E., Civil, Mechanical or Electrical |
| Roorkee University | Degree in Civil, Mechanical or Electrical Engineering. B.E. (Honours or pass), Civil, Mechanical, Electrical and Telecommunication, Electrical and Telecommunication from April, 1951 to April, 1957. |
| Sagar University | B.E. Civil, Mechanical or Electrical from March/April, 1958. |
| Sardar Vallabhai Vidyapeeth | B.Sc. (Engg.) |
| Travancore University (Renamed as Kerala University) | B.E. Degree in Civil, Electrical or Electrical Engineering |
| Shri Venkateswara University, Tirupati | B.Sc. Degree in Civil, Electrical or Mechanical Engineering. |
| Ranchi University | B.Sc. Degree in Civil, Electrical or Mechanical Engineering. |
| All India Council of Technical Education National Diploma in Civil, Mechanical or Electrical Engineering. Bengal Engineering College, Sibpur - Associateship in Mechanical or Electrical | |

Engineering from 1924 to 1945. College of Engineering and Technology, Bengal - B.M.E, B.E.E., Special Degree upto March, 1952; Diploma in Mechanical, Electrical Engineering from 1941 provided passed the Inter-Science Examination with Mathematics, Physics and Chemistry; B.E.E. (Communication Option) from May, 1951. College Engineering, Guindy, Madras - Engineer Diploma in Civil, Mechanical or Electrical Engineering upto 1945; also if admitted prior to 1945 and passed out by 1948. Indian Institute of Science; Bangalore - Certificate of Proficiency in Electrical Technology or Electrical Communication Engineering (Renamed as D.I.E.Sc.) from 1946. Indian Institute of Technology, Kharagpur - B.E. (Tech.) in Civil, Mechanical, Electrical. Thomason Civil Engineering College, Roorkee - Diploma in Civil Engineering (formerly Assistant Engineer's Certificate). Parts 'A' and 'B' of the Association Membership Examination of the Institution of the Engineers (India) Civil, Mechanical or Electrical. B. Foreign Universities. - B.Sc. Engineering Degree or its equivalent in Civil, Mechanical or Electrical of any Universities must have passed any of the following:-(1)The examination for the Diploma of Farady House, London.(2)The examination for such Degree and Diploma as entitle their holders to exemption from Sections 'A' and 'B' of the Association memberships examinations of the Institute of Civil, Mechanical and Electrical Engineers, London.(3)B.A. with Honours in the Engineering Science, Final Honours School of Oxford University.(4)B.A. with Honours in Mechanical Science Tripose or Ordinary Degree (B.A.) in Engineering of Cambridge University provided the graduate has passed in the Principal subjects Engineering I, Engineering II and Engineering III.(5)B.Sc. in Engineering (Honours or Ordinary Degree) or St. Andrews University.(6)B.Sc. in Civil or Mechanical or Electrical Engineering in Naval Architecture (Honours or Ordinary Degree) of Glasgow University.(7)B.Sc. in Engineering (Honours or Ordinary Degree) of Edinburgh University.(8)B.A. I (Ordinary or with Honours in Engineering) of Dablin University.(9)B.Sc. in Civil or Mechanical or Electrical or Marine Engineering, or in Naval Architecture (Honours or Ordinary Degree) of Durban University.(10)B.Sc. (Internal Degree) in Engineering ordinary or with Honours (not including the B.Sc. in Engineering (Mining) or the B.Sc. in Engineering (Metallurgy of London University). The External Degree is also accepted to the same extent, provided it is recognised by the Institution of Civil Engineers as exempting from Sections 'A' and 'B' of the A.M.I.C.E. Examination.(11)B.Sc. in Engineering (Honours or ordinary Degree) or B.Sc. in Technical, in Mechanical Electrical or Municipal and Sanitary Engineering of Victories University (Manchester).(12)B.Sc. in Civil, Mechanical, or Electrical Engineering (Honours or ordinary Degree) of Birmingham.(13)B. Engineering in Civil, Mechanical, Electrical or Marine Engineering or Naval Architecture (Honours or ordinary Degree) of Liverpool University.(14)B.Sc. in Civil, Mechanical or Electrical Engineering (Honours or ordinary Degree) of Leeds University.(15)B. Engineering in Civil, Mechanical or Electrical Engineering (Honour or ordinary Degree with a first Class in the final examination) of Shaffield University. A 1st Calss in the final Examination will not be required in the cases of Degrees obtained on or after June, 1930.(16)B.Sc. in Civil or Mechanical or Electrical Engineering (Honours or ordinary Degree) of Bristol University.(17)B.Sc. in Civil, Mechanical or Electrical of University of Wales.(18)B.E. of National University of Ireland.(19)B.Sc. in Engineering of Queens University of Belfast.(20)B.Sc. in Engineering (Honours or ordinary Degree) of Aberdon.(21)Any of the other equivalent degrees as recognised by the Institution of Civil Engineers, London and Institute of Civil Engineers, India.(22)The Associateship Examination of the City and Guilds Institute (Imperial College of Science and Technology) South (Kemisington) in Engineering.(23)B.Sc. (Engineering) of Rangoon University.(24)'A' Class Diploma in Mechanical and Electrical Engineering of the Maclagan

Engineering College, Lahore, Punjab and College of Engineering and Technology, Lahore.C. The examination for such other Diploma or Distinction in Engineering as the Government of Haryana in the concerned Department on the advice of the Commission may specify in this behalf.Note. - The candidates to be appointed for Civil posts shall be recruited with qualification in Civil Engineering, whereas those recruited in the Electrical Engineering Unit shall possess qualification in Electrical Engineering candidates recruited for Mechanical charges will be required to possess degree in Mechanical Engineering.