

[Authorised English Translation]

**HARYANA GOVERNMENT
INDUSTRIES DEPARTMENT****Notification**

The 17th April, 1998

No. G.S.R. 105/Const./Art./309/98.—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 appointed to the Haryana Industries Department field (Group D) Service, namely :—

PART I—GENERAL**Short title and commencement :**

1. (1) These rules may be called the Haryana Industries Department field (Group D) Service Rules, 1998.
- (2) These rules shall come into force on the date of their publication in the official Gazette.

Definitions :

2. In these rules, unless the context otherwise requires,—

- (a) "Chief Inspector of Boiler" means Chief Inspector of Boiler of Haryana ;
- (b) "Director" means the Director of Industries, Haryana ;
- (c) "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 ;
- (d) "Employment Exchange" means the employment exchange in the State of Haryana ;
- (e) "General Manager" means General Manager, District Industries Centre ;
- (f) "Government" means the Haryana Government in Administrative Department ;
- (g) "Institution" means,—
 - (i) any institution established by law in force in the State of Haryana ; or
 - (ii) any other institution recognised by the Government for the purpose of these rules ;
- (h) "Service" means the Haryana Industries Department Field (Group D) Service.

PART II—RECRUITMENT TO SERVICE**Number and character posts :**

3. 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 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.

Nationality, domicile and character of candidates appointed to service :

4. (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 Director or General Manager or Chief Inspector of Boiler 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 his university, college, school or institution.

Age :

5. No person shall be appointed to any post in the Service by direct recruitment who is less than 17 years or more than 35 years of age, on the 1st day of the month in which the requisition is sent to Employment Exchange.

Appointing authority :

6. Appointments to the post in the Service shall be made by the authority is mentioned under column—3 of Appendix C.

Qualifications :

7. 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 persons appointed other than by direct recruitment :

Provided that in the case appointment by direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50% at the discretion of the appointing authority in case sufficient number of candidates belonging to Scheduled Castes, Backward Classes, Other Backward Classes, ex-servicemen and physically handicapped categories possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

Disqualifications :

8. 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 or contracted a marriage with any person, shall be eligible for appointment to any post in 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 to this rule.

Method of recruitment :

9. (1) Recruitment to the Service shall be made,—

A. DISTRICT INDUSTRIES CENTRE

(a) in the case of Process Server ;—

- (i) by promotion from amongst Peon/Chowkidar or Sweeper-cum-Chowkidar or Mali ; employee of District Industries Centre.
- (ii) by transfer or deputation of an official already in the service of any State Government or the Government of India.

(b) in the case of Peon ;—

- (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.

(c) in the case of Chowkidar,—

- (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.

(d) in the case of Sweeper-cum-Chowkidar,—

- (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.

(e) in the case of Mali.—

- (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.

B. CHIEF INSPECTOR OF BOILER

(a) in the case of Peon,—

- (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.

(b) in the case of Chowkidar,—

- (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.

C. QUALITY MARKING CENTRE

(a) in the case of Peon,—

- (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 .

(b) in the case of Messenger,—

- (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.

(c) in the case of Chowkidar,—

- (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.

(d) in the case of Lab Boy,—

- (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.

(e) in the case of cleaner,—

- (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.

(f) in the case of Helper,—

- (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 .

- (g) in the case of Sweeper-cum-Chowkidar,—
 - (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 .
- (h) in the case of Peon-cum-Chokidar,—
 - (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 ;
 - (i) in the case of Sweeper ;
 - (ii) by direct recruitment ; or
 - (iii) 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 confer be made on seniority-cum-merit basis and seniority alone shall not confer any right to such promotions.

Probation :

10. (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 on a corresponding or a higher post shall count towards the period of probation ; and
- (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 in the service 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 posts ; 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 Services, 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 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.

Seniority :

11. 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 Commission 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 members 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.

Liability to serve :

12. (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 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 or any organisation or body referred to in clause (ii) or clause (iii) except with his consent.

Pay, leave, pension and other matters :

13. 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.

Discipline, penalties and appeals :

14. (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 appellate authority shall be as specified in Appendix D to these rules.

Vaccination :

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

Oath of allegiance :

16. 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.

Power of Relaxation :

17. 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.

Special provisions :

18. 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.

Reservations :

19. Nothing contained in these rules shall affect reservations and other concessions required to be provided for Scheduled Castes, Backward Classes, Other 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 reservations so made shall not exceed fifty per cent, at any time.

Repeal and Savings :

20. Punjab State (Class-IV) Service Rules, 1963 which are 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)

Sr. No.	Designation of posts	Number of posts			Scale of pay
		Perma- nent	Tempo- rary	Total	
1	2	3	4	5	6
A. District Industries Centre					
1.	Process Server	12	—	12	Rs. 775-12-955-EB-14-1025
2.	Peon	67	121	188	Rs. 750-12-870-EB-14-940
3.	Chowkidar	3	10	13	Rs. 750-12-870-EB-14-940
4.	Sweeper-cum-Chowkidar	4	2	6	Rs. 750-12-870-EB-14-940+ 65 Spl. Pay.
5.	Mali	1	—	1	Rs. 750-12-870-EB-14-940
B. Chief Inspector of Boilers					
1	Peon	2	—	2	Rs. 750-12-870-EB-14-940
2.	Chowkidar	1	—	1	Rs. 750-12-870-EB-14-940
C. Quality Marking Centre					
1.	Peon	13	6	19	Rs. 750-12-870-EB-14-940
2.	Messenger	1	—	1	Rs. 750-12-870-EB-14-940
3.	Chowkidar	11	—	11	Rs. 750-12-870-EB-14-940
4.	Laboratory Boy	8	—	8	Rs. 750-12-870-EB-14-940
5.	Cleaner	3	—	3	Rs. 750-12-870-EB-14-940
6.	Helper	4	3	7	Rs. 750-12-870-EB-14-940
7.	Sweeper-cum-Chowkidar	2	—	2	Rs. 750-12-870-EB-14-940+65 Spl. Pay.
8.	Peon-cum-Chowkidar	—	1	1	Rs. 750-12-870-EB-14-940+65 Spl. Pay.
9.	Sweeper	—	1	1	Rs. 750-12-870-EB-14-940

APPENDIX B

(See rule 7)

Sr. No.	Designation of posts	Academic qualification and experience if any for direct recruitment	Academic qualifications and experience if any for appointments other than by direct recruitment
1	2	3	4

A. District Industries Centre

1.	Process Server		(1) Three years experience as Peon or Chowkidar or Sweeper-cum-Chowkidar or Mali. (ii) Can read and write Hindi and should know cycling.
2.	Peon	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as peon
3.	Chowkidar	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as chowkidar
4.	Sweeper-cum-Chowkidar	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Sweeper-cum-Chowkidar.
5.	Mali	Can read and write Hindi and should know cycling.	Can read and write Hindi and should know cycling having three years experience as Mali

B. Chief Inspector of Boilers

1	Peon	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as peon
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1	2	3	4
2	Chowkidar	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Chowkidar
C. Quality Marking Centre			
1.	Peon	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as peon
2.	Messenger	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Messenger
3.	Chowkidar	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Chowkidar
4.	Laboratory Boy	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Laboratoty boy
5.	Cleaner	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Cleaner
6.	Helper	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Helper
7.	Sweeper-cum-Chowkidar	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Sweeper-cum-Chowkidar
8.	Peon-cum-Chowkidar	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Peon-cum-Chowkidar
9.	Sweeper	Can read and write Hindi and should know cycling	Can read and write Hindi and should know cycling having three years experience as Sweeper.

APPENDIX C

[See rule 14 (1)]

Sr. No.	Designation of posts	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate Authority	Second and final appellate authority
1	2	3	4	5	6	7

A. District Industries Centre

1	Process Server	General Manager	(1) Minor Penalties—	General Manager	Director	Government
2.	Peon		(i) warning with a copy in the personal file (Character roll) ;			
3.	Chowkidar		(ii) censure ;			
4.	Sweeper-cum-Chowkidar		(iii) withholding of promotion ;			
5.	Mali		(iv) recovery from pay of the whole or part of any pecuniary loss caused. By negligence or breach or order, to the Central Government or State Government or to 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 set up by an act of Parliament or of the Legislature of State ; and			
			(v) withholding of increments of pay without cumulative effect.			
			(2) Major Penalties:			
			(vi) withholding of increments of pay with cumulative effect :			

1	2	3	4	5	6	7
			(vii)	reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the Government employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay ;		
			(viii)	reduction to a lower scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the time scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the Government employee was reduced and his seniority and pay on such restoration to that grade, post or service ;		
			(ix)	compulsory retirement;		
			(x)	removal from service which shall not be a disqualification for future employment		

1	2	3	4	5	6	7
			under the Government; (xi) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.			
			B. Chief Inspector of Boiler			
1. Peon	Director	(1) Minor Penalties— (i) Warning with a copy in the personal file (Character roll) ;		Chief Inspector of Boiler	Director	Govern- ment
2. Chowkidar		(ii) censure ; (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 State Government or to company and association or a body, of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the Govern- ment or to a local authority set-up by an act of Parliament or of the Legislature of a State ; and (v) Withholding of incre- ments of pay without cumulative effect ; (2) Major Penalties : (vi) Withholding of incre- ments of pay with cumulative effect ; (vii) reduction to a lower stage in the time scale of pay for a specified period, with further				

1	2	3	4	5	6
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- service which shall not be a disqualification for future employment under the Government ;
- (xi) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

C. Quality Marking Centre

1. Minor penalties

- | | | | | |
|--------------------------|----------|--|----------|------------|
| 1. Peon | Director | (i) Warning with a copy in the personal file (Character roll) ; | Director | Government |
| 2. Messenger | | (ii) censure ; | | |
| 3. Chowkidar | | (iii) withholding of promotion; | | |
| 4. Laboratory boy | | (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 a State Government or to a company and association or a body of individuals whether incorporated or not which is wholly or sub-stantially own or controlled by the Government or ; | | |
| 5. Cleaner | | (v) Withholding of increments of pay without cumulative effect ; | | |
| 6. Helper | | (2) Major Penalties : | | |
| 7. Sweeper-cum-Chowkidar | | (vi) Withholding of increments of pay with | | |
| 8. Peon-cum-Chowkidar | | | | |
| 9. Sweeper | | | | |

1	2	3	4	5	6	7
			cumulative effect ;			
		(vii)	reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the Government employee will earn increments of pay during the period of such reduction and whether on the expiry of such period the reduction will or will not have the effect or postponing the future increments of his pay ;			
		(viii)	reduction to a lower scale of pay grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the time scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions or restoration to the grade or post or service from which the Government employee was reduced and his seniority and pay on such restoration to that grade post or service ;			
		(ix)	compulsory retirement;			
		(x)	removal from service which shall not be a disqualification for future employment under the Government ;			
		(xi)	dismissal from service which shall ordinarily be a disqualification for future employment under the Government.			

APPENDIX D

[See rule 14 (2)]

Sr. No.	Designation of posts	Nature of order	Authority empowered to make the order	Appellate Authority	Second Appellate Authority
1	2	3	4	5	6
A. District Industries Centre					
1	Process Server(i)	reducing or with-holding	General Manager	Director	Government
2	Peon	the amount of ordinary/			
3	Chowkidar	or additional pension			
4	Sweeper-cum-Chowkidar	admissible under the			
5	Mali	rules Governing pension ;			
		(ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation.			
B. Chief Inspector of Boiler					
1	Peon	(i) reducing or with-holding	Chief, Inspector of Boiler	Director	Government
2	Chowkidar	the amount of ordinary/			
		additional pension admissible under the rules Governing Pension ;			
		(ii) terminating the appointment otherwise than on its attaining the age fixed for superannuation.			
C. Quality Marking Centre					
1	Peon	(i) reducing or with-holding		Director	Government
2	Massanger	the amount of ordinary/			
3	Chowkidar	additional pension			
4	Laboratory boy	(ii) admissible under the			
5	Cleaner	rules Governing Pension ;			

1	2	3	4	5	6
6	Helper	(ii) terminating the appoint-			
7	Sweeper-cum-	ment otherwise			
	Chowkidar	than on its attaining			
8	Peon-cum-	the age fixed for			
	Chowkidar	superannuation.			
9	Sweeper				

M. L. TAYAL,

Commissioner & Secretary to Government, Haryana,
Industries Department.