

(Published in the Haryana Government Gazettee, Legislative Supplement, dated the 23rd April, 1974)

<p>PART III</p> <p>HARYANA GOVERNMENT</p> <p>Education Department</p> <p>Notification</p> <p>the, 19th April, 1974</p>		
<p>No. G.S.R.43/Const./Art. 309/74 – In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules regulating the recruitment and conditions of service of persons appointed to Haryana Education Department (State Service, Class III), namely :-</p>		
<p>RULES</p>		
1.	(1) These rules may be called the Haryana Education Directorate (State Service, Class III) Rules, 1974 (2) They shall come into force at once.	Short title and commencement.
2.	In these rules, unless the context otherwise requires,-	Definition.
	<p>(a) ‘Board’ means the Haryana Subordinate Services Selection Board ;</p> <p>(b) ‘Commission’ means Haryana Public Service Commission;</p> <p>(c) ‘Direct recruitment’ means recruitment made otherwise than by promotion from within the Service or by transfer of an official already in the Service of Government of India or of a State Government;</p> <p>(d) ‘Director’ means Director of Public Instruction Haryana or such officer as may be authorized to exercise all or any of the powers of Director under these rules;</p> <p>(e) ‘Directorate’ means the office of the Director of Public Instruction, Haryana;</p> <p>(f) ‘Government’ means the Haryana Government in the Administrative Department;</p> <p>(g) ‘Recognised University’ means –</p> <p>(i) All Universities incorporated by Law in India ; or</p> <p>(ii) in the case of degrees, diplomas or certificate obtained as a result of examination held before the 15th August, 1947, the Punjab, Sind or Dacca University; or</p> <p>(iii) any other university which is declared by Government to be a recognised university for the purpose of these rules ;</p> <p>(h) ‘Service’ means the Haryana Education Directorate (State Service, Class III).</p>	
3.	The Service shall comprise the posts specified in Appendix ‘A’ to these rules: Provided that nothing in these rules shall affect the inherent right of Government to add to or reduce the number of such posts or to create new posts with different designations and scales of pay either permanently or temporarily.	Number and character of the posts.

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Nationality, domicile and character of candidates appointed to the Service.	4.	<p>(1) No Person shall be appointed to the Service, unless he is-</p> <p>(a) a citizen of India; or</p> <p>(b) a citizen of Sikkim; or</p> <p>(c) a subject of Nepal; or</p> <p>(d) a subject of Bhutan; or</p> <p>(e) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India; or</p> <p>(f) a person of Indian origin, who has migrated from Pakistan, Burma, Ceylon and East African Countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India; or</p> <p>Provided that a person belonging to categories (c), (d), (e) or (f) shall be a person in whose favour a certificate of eligibility has been issued by the Government 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 the service subject to his having acquired Indian citizenship.</p> <p>(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board or 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 issued to him by the Government.</p> <p>(3) No person shall be recruited to the Service by direct appointment, unless he produces a certificate of character from the Principal Academic Officer of the University, College, School or Institution last attended, if any, and a similar certificate from two other responsible persons, not being his relatives, who are well acquainted with him in his private life and are un-connected with his University, College, School or Institution.</p>
Age.	5.	<p>No Person shall be recruited to the Service by direct appointment who is less than 17 years or more than 27 years of age on or before the 15th day of the months next proceeding the last date of submission of application to the Commission or the Board:</p> <p>Provided that the maximum age limit in the case of Editor, Assistant, Statistical Assistant, Auditor and Junior Auditor shall be 30 years:</p> <p>Provided further that in the case of candidates belonging to Scheduled Castes, Scheduled Tribes and other Backward Classes and Ex-servicemen, the upper age limit shall be such as may be fixed by government from time to time:</p> <p>Provided further that there shall be no upper age limit for employees who are already in the service of any State Government or the Central Government:</p>
Appointing authority.	6.	<p>Appointments to the various posts in the Service shall be made by authority mentioned in Appendix 'C' to these rules.</p>
Qualifications	7.	<p>No person shall be appointed to the Service unless he is in the possession of qualifications and experience specified in column 3 of Appendix B to these rules in the case of direct appointment and these specified in column 4 of the aforesaid Appendix in the case of an appointment by promotion or by transfer.</p>
Disqualifications	8.	<p>No person,-</p> <p>(a) who has entered into or contracted marriage with a person having a spouse living ; or</p>

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		<p>(b) who having a spouse living, has entered into or contracted marriage with any person, shall be eligible for appointment to any post in the Service :</p> <p>Provided that the Government may, if satisfied that such marriage is permissible under the personal level 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.</p>
Method of recruitment.	9	<p>(1) Recruitment to the Service shall be made :-</p> <p>(a) <u>In the case of Editor,-</u> (i) by direct appointment; or (ii) by transfer of an official from other departments of the State Government.</p> <p>(b) <u>In case of Deputy Superintendent :-</u> (i) by Promotion from amongst Assistants; or (ii) by promotion from amongst Senior Scale Stenographers and Statistical Assistant.</p> <p>(c) <u>In the case of Senior Scale Stenographers,-</u> (i) by promotion from amongst Junior Scale Stenographers; or (ii) by direct appointment; or (iii) by transfer of an official from other departments of the State Government.</p>
		<p>(d) <u>In the case of Assistants,-</u> (i) by promotion from amongst Clerks ; or (ii) by promotion from the amongst Junior Scale Stenographers or Steno-typists; or (iii) by direct recruitments; or (iv) by transfer of an official from other departments of the State Government.</p>
		<p>(e) <u>In the case of Statistical Assistant,-</u> (i) by promotion from amongst Computers or Clerks ; or (ii) by direct appointment; or (iii) by transfer of an official from other departments of the State Government.</p>
		<p>(f) <u>In the case of Auditor :-</u> (i) by direct appointment; or (ii) by promotion from amongst members of service; or (iii) by transfer of an official from other departments of the State Government.</p>
		<p>(g) <u>In the case of Junior Auditor,-</u> (i) by direct appointment ; or (ii) by promotion from amongst member of the Service; or (iii) by transfer of an official from the other departments of the State Government.</p>
		<p>(h) <u>In the case of Draftsman,-</u> (i) by direct appointment ; or (ii) by transfer of an official from the other departments of the State Government.</p>
		<p>(i) <u>In the case of Junior Scale Stenographers,-</u> (i) by promotion from amongst Steno-typists; or a. by direct appointment; or b. by transfer of an official from other departments of the State Government.</p>
		<p>(j) <u>In the case of Computers,-</u> (i) by direct appointment; or (ii) by promotion from amongst Clerks in the Service; or</p>

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		(iii) by transfer of an official from other departments of the State Government.
		(k) <u>In the case of Librarian,-</u>
		(i) by direct appointment; or (ii) by transfer of an official from other departments of the State Government.
		(l) <u>In the case of Steno-Typists;</u>
		(i) by promotion from amongst Clerks in the Service; or (ii) by direct appointment; or (iii) by transfer of an official from other departments of the State Government.
		(m) <u>In the case of Clerks,-</u>
		(i) by direct appointment; or (ii) by promotion from Restorers or Gestatner Operator in the Service and Class IV employees working in the Directorate; or (iii) by transfer of an official from other departments of the State Government.
		(n) <u>In the case of Driver,-</u>
		(i) by direct appointment; or (ii) by promotion from amongst the members of the Service or Class IV employees working in the Directorate; or (iii) by transfer of an official from other departments of the State Government.
		(o) <u>In the case of Restorer and Gestatner Operator,-</u>
		(i) by promotion from amongst Daftries or Jamadars ; or (ii) by direct recruitment ; or (iii) by transfer of an official from other departments of the State Government.
		(2) When any vacancy occurs or is about to occur in the Service, the Director shall determine in what manner such vacancy shall be filled.
		(3) All promotions whether from one grade to another or from one class of Service to another class of Service, shall be made by selection based on merit and taking into consideration seniority but seniority alone shall not give any right to such promotions.
Probation of persons appointed to service.	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 or a corresponding or a higher post shall count towards the period of probation; (b) any period of work in equivalent or higher rank prior to appointment to the Service may in the case of appointment by transfer, at the discretion of appointing authority, be allowed to count towards the period of probation . (c) any period of officiating appointment in the Service shall be reckoned as period spent on probation, but no member 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; (b) if such person is appointed 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 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

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	<p>(ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or</p> <p>(iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy ; or</p>
<p>Seniority. 11.</p> <p>Pay of members of the Service.</p> <p>Liability to serve</p>	<p>(b) if his work or conduct has, in its opinion, not been satisfactory, ---</p> <p>(i) dispense with his Services, if appointed by direct recruitment or 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</p> <p>(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 :</p> <p>Provided that the total period of probation, including extension, if any, shall not exceed three years.</p> <p>The seniority inter se of members of the Service shall be determined by the length of continuous Service on a post in the Service :</p> <p>Provided that where there are different cadres or categories of posts in the Service, the seniority shall be determined separately for each cadre or category of posts :</p> <p>Provided further that in the case of members appointed by direct recruitment, the order of merit determined by the Commission or Board shall not be disturbed in fixing the seniority and candidates recommended earlier shall be senior to the candidates recommended latter :</p> <p>Provided further that in case of two or more members appointed on the same date, their seniority shall be determined as follows :</p> <p>(a) a member appointed by direct recruitment shall be senior to a member appointed by promotion or transfer ;</p> <p>(b) a member appointed by promotion shall be senior to a member appointed by transfer ;</p> <p>(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</p> <p>(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 higher rate of pay in his previous appointment; and if the rate 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.</p> <p><i>Note 1- This rule shall not apply to members appointed on purely provisional basis, pending their passing the qualifying test.</i></p> <p><i>Note 2-In the case of members whose period of probation extended under rule 10, the date of appointment for the purpose of this rule shall be deemed to have been deferred to the extent the period of probation is extended.</i></p> <p>12. The member of the Service shall be entitled to such scales of pay, including special pay, if any, as may be authorised by Government from time to time.</p> <p>13. A member of the Service shall be liable to serve at any place whether within or out of the State of Haryana, on being ordered so to do by the appointing authority.</p>

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<p>Leave, pension and other matters</p>	<p>14. In respect of pay, leave, pension and all other matters not expressly provided for in these rules, the member 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 and the rules made thereunder.</p>
<p>Liability for Vaccination and re-vaccination Oath of allegiance.</p>	<p>15. Every member of the Service shall get himself vaccinated and re-vaccinated when the Government so directs by a special or general order.</p> <p>16. Every member of the Service, unless he has already done so, shall be required to take an oath of allegiance to India and the Constitution of India as by law established.</p>
<p>Discipline, penalties and appeals</p>	<p>17. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as amended from time to time :</p> <p>Provided that the nature of penalties, which may be imposed, the authorities empowered to impose such penalties and the appellate authorities shall subject to the provisions of any law or rules made under the Constitution of India, shall be as specified in Appendix C to these rules.</p> <p>(2) The authority competent to pass an order under clauses (c) and (d) of sub-rule (1) of rule 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, and the appellate authority shall be as specified in Appendix D to these rules.</p>
<p>Powers of relaxation.</p>	<p>18. Where the government is of the opinion that it is necessary or expedient so to do, it may, by order, for reason to be recorded in writing, relax any of the provisions of these rules, with respect to any class or category of persons.</p>
<p>Reservations.</p>	<p>19. Nothing contained in these rules shall affect reservations and other concessions required to be provided for Scheduled Caste and other Backward Classes in accordance with the orders issued by the State Government from time to time, under clause (4) of article 16 of Constitution of India.</p> <p>20. (1) The Punjab Education Department (Office of the Director of Public Instructions, Punjab) Clerical Services Rules, 1941, in so far as they relate to the posts specified in Appendix 'A' to these rules, are hereby repealed;</p> <p>Provided that anything done or any action taken under the rules so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.</p>
	<p>(2) Notwithstanding such repeal, the rules applicable to any member of the service immediately before the 1st day of November, 1966, in respect of his conditions of service to the extent to which any of these rules are to his disadvantage, shall continue to apply to such member.</p>

Repeal and Saving

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APPENDIX-A
(See Rules-3)

Sr. No.	Designation of Post	Scale of Pay	No. of sanctioned posts		Remarks
			Permanent	Temporary	
1	2	3	4	5	6
1.	Editor	Rs. 300-20-400/20-500	1	--	
2.	Deputy Superintendent	Rs. 225-15-360/20-500 <i>plus</i> Special Pay of Rs. 50 per mensem	3	3	
3.	Senior Scale Stenographers	Rs. 225-15-360/20-500	2	--	
4.	Assistants	Ditto	77	21	
5.	Statistical Assistants	Ditto	--	3	
6.	Auditor	Ditto	1	--	
7.	Junior Auditors	Rs. 160-10-280/15-400	--	3	
8.	Draftsman	Rs. 150-10-200/10-300	--	1	
9.	Junior Scale Stenographers	Rs. 140-6-170/8-210/10-300 with a start of Rs. 158 (with two advance increments to graduates).	5	9	
10.	Computers	Rs. 130-5-160/5-225	--	3	
11.	Librarian	Rs. 125-5-250/10-300	--	1	
12.	Steno-typist	Rs. 110-4-130/5-160/5-225 with Rs. 25/- Special pay (with two advance increments to graduates)	2	1	
13.	Clerks	Rs. 110-4-130/5-160/5-225 (with two advance increments to graduates)	91	25	
14.	Driver	Rs. 110-4-130/5-160/5-180	3	2	
15.	Restorers	Rs. 100-4-140/5-160	4	1	
16.	Gestetner Operator	Ditto	--	1	

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**Appendix-B
(See rule-7)**

Sr. No.	Designation of the Post	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct recruitment
1	2	3	4
1.	Editor	Second class M.A. in Hindi or Second class M.A. in any other subject with honours in Hindi and atleast three years experience in editing and journalism.	Second class M.A. in Hindi or Second class M.A. in any other subject with honours in Hindi and atleast three years experience in editing and journalism.
2.	Deputy Superintendent	--	(i) At least eight years service as Assistant in the service or (ii) At least eight years service as Senior Scale Stenographer or Statistical Assistant in the service which should also include a minimum of two years service as Assistant in the service and on qualifying such test as may be prescribed from time to time for promotion to the post of Assistant.
3.	Senior Scale Stenographers	Graduate of a recognised University or its equivalent and passes such test as may be prescribed by the Director.	At least five years service as Junior Scale Stenographer in the service.
4.	Assistants	Graduate of a recognised University in second division or its equivalent and passes such test as may be prescribed by the Director. Also possesses at least 5 years experience on a clerical post.	(i) At least five years regular service as clerk in the service and on qualifying such test, as may be prescribed from time to time for the post of Assistant. (ii) At least five years regular service as junior scale stenographer or steno typist including that of a regular clerk in the service, if any, and on qualifying such test as may be prescribed from time to time for the post of Assistant.
5.	Statistical Assistants	Graduate with Economics or Mathematics or Commerce or Statistics as one of the elective subject. Five years experience of collection, compilation and interpretation of statistical data in some government office or organization.	At least five years regular service as computer or clerk in the service and having passed B.A. with Economics or Mathematics or Commerce or Statistics as one of the elective subjects and on qualifying such test as may be prescribed from time to time for the posts of Assistant.
6.	Auditor	At least B.A./B.Com. second division with five years experience in accounts matters preference being given to a person having passed S.A.S. Part-I	At least B.A./B.Com. second division with five years experience as Clerk/Junior Auditor in the service

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7.	Junior Auditors	B.A. second division with two years experience in accounts matters or B.Com. with some experience in accounts matters.	At least B.A. second division/B.Com with two years experience as clerk in accounts matters in the service.
8.	Draftsman	(i) Matriculation or its equivalent with Drawing as one of the subjects; and (ii) Possesses diploma in Arts and Crafts from a recognised institution or a certificate in Civil Draftsman from any recognised Institution.	
9.	Junior Scale Stenographers	Matriculation or its equivalent and passes such test as may be prescribed by the Director.	At least one years regular service as Steno-typist in the service.
10.	Computers	Matric first division or its equivalent and knows tabulations of statistics and handling of calculating machine.	At least three years service as clerk in the service and knows tabulation of statistics and handling of calculating machine.
11.	Librarian	Graduate of a recognised University or its equivalent and holds diploma in library science of recognised University.	
12.	Steno-typist	Matriculation or its equivalent and passes such test as may be prescribed by the Director.	Passes such test as may be prescribed by the Director.
13.	Clerks	Matric first division or its equivalent or possesses any higher qualification.	(i) At least two years service as Restorer or Gestatner Operator or Class-IV employee working in the Directorate and having passed Matriculation or its equivalent examination. (ii) At least two years regular service as clerk in another Government Office or Institution.
14.	Driver	Possesses license in motor driving	Possesses license in motor driving.
15.	Restorer and Gestatner Operator	Matriculation of a recognised University or Board or its equivalent.	

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**Appendix-C
(See rule-6 and 17 (1))**

Sr. No.	Designation of the Official	Appointing Authority	Nature of penatly	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
1.	Editor, Deputy Superintendent and Senior Scale Stenographer	Director	(a) Censure ; or (b) withholding the increments including stoppage at an efficiency bar; or (c) recovery from the pay of the whole or part of any pecuniary loss caused to Government by the negligence or breach of orders ; or (d) suspension ; or (e) reduction to a lower post or lower stage in a lower time scale; or (f) removal from service which does not disqualify for future employment; or (g) dismissal from service which does ordinarily disqualifies from future employment.	Director	Government
2.	Assistant, Junior scale Stenographer, Statistical Assistant and Auditor.	Administrative Officer Office of the Director of Public Instructions, Haryana	(a) Censure ; or (b) withholding the increments including stoppage at an efficiency bar ; or (c) recovery from the pay of the whole or part of any pecuniary loss caused to Government by the negligence or breach of orders ; or (d) suspension ; or (e) reduction to a lower post or to a lower stage in a lower time scale ; or (f) removal from service which does not disqualifies for future employment ; or (g) dismissal from service which does ordinarily disqualifies for future employment.	Administrative Officer Office of the Director of Public Instructions, Haryana	Government

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3.	Steno-typist, Draftsman, Librarian, Clerk, Driver, Computer, Junior Auditor, Restorer and Gestatner Operator	Administrative Officer Office of the Director of Public Instructions, Haryana	(a) Suspension ; or (b) Reduction to a lower post or to a lower stage in a lower time scale ; or (c) removal from service which does not disqualify for future employment; or (d) dismissal from service which does ordinarily disqualifies for future employment.	Administrative Officer Office of the Director of Public Instructions, Haryana.	Government
4.	Steno-typist, Draftsman, Librarian, Clerk, Driver, Computer, Junior Auditor, Restorer and Gestatner Operator	Administrative Officer Office of the Director of Public Instructions, Haryana	(a) Censure ; or (b) withholding the increments including stoppage at an efficiency bar ; or (c) recovery from the pay of the whole or part of any pecuniary loss caused to Government by the negligence or breach of orders ; or (a)	Registrar Office of the Director of Public Instruction Haryana	Government
<p>Note:- The power of infliction punishments of dismissal, removal from service, termination of appointment or reduction in rank shall not be exercisable by the Administrative Officer in respect of persons appointed by the authority higher in rank than that of him.</p>					

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APPENDIX-D
[See Rules-17(2)]

Sr. No.	Designation of the Official	Nature of the penalty	Authority empowered to impose penalty	Appellate authority
1.	Editor, Deputy Superintendent and Senior Scale Stenographer	(a) Reducing or withholding the amount of ordinary or additional pension admissible under the rules covering pension ; (b) Terminating the appointment of a member of the service otherwise than on his attaining the age of superannuation.	Director	Government
2.	Assistant, Junior Scale Stenographer, Stenotypist, Draftsman, Librarian, Statistical Assistant, Computer, Auditor, Restorer and Gestatner Operator	(a) Reducing or withholding the amount of ordinary or additional pension admissible under the rules Government pension ; (b) Terminating the appointment of a member of the service otherwise than on his attaining the age of superannuation	Administrative Officer Office of the Director of Public Instructions, Haryana	Government

KULWANT SINGH,
Education Commissioner and
Secretary to Government, Haryana,
Education Department