

[Authorised English Translation]

HARYANA GOVERNMENT
HEALTH DEPARTMENT

Notification

The 25th January, 1990

No. G.S.R. 9/Const./Art. 309/90.—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 the Haryana Ayurvedic Department (Ministerial) Group C Service, namely :—

PART I—GENERAL

- | | |
|--|--------------|
| 1. These rules may be called the Haryana Ayurvedic Department (Ministerial) Group C Service Rules, 1990. | Short title. |
| 2. In these rules, unless the context otherwise requires,— | Definitions. |
| (a) "Board" means the Subordinate Services Selection Board, Haryana ; | |
| (b) "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 ; | |
| (c) "Director" means the Director of Ayurvedic Department, Haryana ; | |
| (d) "Government" means the Haryana Government in the Administrative Department ; | |
| (e) "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. | |
| (f) "recognised University" means,— | |
| (i) any University incorporated by law in India ; or | |
| (ii) in the case of a degree, diploma, or certificate obtained as a result of an examination held before the 15th August, 1947, the Punjab, Sind or Dacca University ; or | |
| (iii) any other University which is declared by the Government to be a recognised University for the purpose of these rules ; | |

(g) "Service" means the Haryana Ayurvedic Department (Ministerial) Group C Service.

PART II—RECRUITMENT TO SERVICE

Number and character of 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 the Government to make additions to, or reductions in, the number of such posts or to create new posts with different designations and scales of pay, either permanently or temporarily.

Nationality, domicile and character of candidates appointed to the 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 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 Board or any other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

(3) No person shall be appointed to any post in the Service by direct recruitment, unless he produces a certificate of character from the principal academic officer of the University, College, School or institution last attended, if any, and similar certificate from two other responsible persons, not being his relatives who are well acquainted with him in his private life and are unconnected with 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 seventeen years or more than thirty years of age on the last date of submission of application to the Board.

6. Appointments to the posts in the Service shall be made by the Director.

Appointing authority.

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 appointment other than by direct recruitment :

Qualifications.

Provided that in the case of direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50 per cent at the discretion of the Board or any other recruiting authority in case sufficient number of candidates belonging to scheduled castes, backward classes, Ex-Servicemen, and physically handicapped candidates, possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

8. No person,—

Disqualification.

(a) who has entered into or contracted a marriage with a person having a spouse living, or

(b) who having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to any post in the service:

Provided that the Government may, if satisfied, that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

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

Method of recruitment.

(a) in the case of Deputy Superintendent—

(i) by promotion from amongst Assistants, Accountants and Senior Scale Stenographers ; 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 Assistants/Accountants,—

(i) by promotion from amongst clerks and steno-typist ; 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 Senior Scale Stenographer,—

- (ii) 50 per cent by promotion from amongst Junior Scale Stenographer and Steno-typist ; or
- (iii) 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 Driver,—

- (i) by direct recruitment ; or
- (ii) by promotion from amongst Group D employees ; or
- (iii) 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 Steno-typist,—

- (i) 50 per cent by promotion from amongst clerks ; and
- (ii) 50 per cent 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 ;

(f) in the case of Clerks,—

- (i) 80 per cent by direct recruitment ; and
- (ii) not more than 20 per cent by promotion on the basis of seniority-cum-fitness from amongst Group-C employees whose scale of pay is less than that of a clerk or whose duties and responsibilities are lower than that of a clerk or from amongst Group-D employees ; or
- (iii) by transfer or deputation of an official already in the service of any State Government or the Government of India ;

Provided that the next annual increment shall be granted on qualifying a test in type writing in Hindi or English at a speed of 25 or 30 words per minute respectively within a period of one year from the date of promotion as clerk.

(2) All promotions unless, otherwise provided, shall be made on seniority-cum-merit basis and seniority alone shall not give 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,—

- (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 these rules; and
 - (c) any period of officiating appointment shall be reckoned as period spent on probation, but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.
- (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may,—
- (a) if such person is appointed by direct recruitment, dispense with his services; and
 - (b) if such person is appointed otherwise than by direct recruitment,—
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may,—
- (a) if his work or conduct has, in its opinion, been satisfactory,—
 - (i) Confirm such person from the date of his appointment, if appointed against a permanent vacancy; or
 - (ii) Confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or
 - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy; or
 - (b) if his work or conduct has, in its opinion, been not satisfactory,—
 - (i) dispense with his services, if appointed by direct recruitment, 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.

Seniority.

11. Seniority, *inter se* of 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 Board 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 member appointed by promotion or by transfer ;
- (b) a member appointed by promotion shall be senior to a member appointed by transfer ;
- (c) in the case of member 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 appointment, 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

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.

Pay, leave, pension and other matters.

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 :

Discipline, penalties and appeals.

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 369 of the Constitution of India, be such as are specified in Appendix C to these rules.

(2) The authority competent to pass an order under clause (c) or clause (d) of sub-rule (1) of rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987, and appellate authority shall be as specified in Appendix D to these rules.

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

Vaccination.

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.

Oath of Allegiance.

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.

Power of relaxation.

18. Notwithstanding any thing 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.

Special provision.

19. Nothing contained in these rules 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 issued by the State Government in this regard, from time to time :

Reservations

Provided that the total percentage of reservations so made shall not exceed fifty per cent at any time.

20. The Punjab Ayurvedic Department (Class-III) Ministerial Services, Rules, 1963, are hereby repealed :

Repeal and Savings.

Provided that any order made or action taken under the rules so

APPENDIX A
(See rule 3)

Sl. no.	Designation of posts	Number of posts		Scale of pay	
		Permanent	Temporary	Total	
2		3	4	5	6
1	Deputy Superintendent	2	—	2	Rs. 1640-60-2600-EB-75-2800
2	Assistant/Accountant	8	1	9	Rs. 1400-40-1600-50-2300-EB-60-2600
3	Senior Scale Stenographer	—	1	1	Rs. 1400-40-1600-50-2300-EB-2600
4	Driver	1	—	1	Rs. 1200-30-1500-EB-40-2040
5	Steno-typist	1	—	1	Rs. 950-20-1150-EB-25-1500
6	Clerk	12	1	13	Rs. 950-30-1150-EB-25-1500

Note :—The posts of clerks include the posts of Ledger keepers, store-keepers and Accountants in the scale of clerk.

APPENDIX B
[See rule 7]

Designation of posts	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct recruitment
2	3	4
Deputy Superintendent	—	(i) Eight years experience as Assistant or Accountant; or (ii) Eight years experience as Senior Scale Stenographer which shall include a minimum of two years experience as Assistant as required under the Punjab Civil Services (Promotion of Stenographers and Steno-typists) Rules, 1981.
Assistant/Accountant	—	(i) Five years experience as Clerk. (ii) Five years experience as Junior Scale Stenographer or Steno-typist including experience as Clerk if any.
Senior Scale Stenographer	(i) Matric in Division or Higher Secondary 2nd Division or Intermediate 2nd Division or Graduate or its equivalent (For Ex-servicemen Matric only)	(i) One year experience as Junior Scale Stenographer; or (ii) Five years experience as Steno-typist.

2	3	4
Driver	(a) Knowledge of Hindi upto Matric Standard	(iii) Passed the test in English shorthand at the speed of 100 words per minute and transcription thereof at the speed of 20 words per minute and in Hindi shorthand speed of 80 words per minute and transcription thereof the speed of 15 words per minute.
	(ii) English shorthand at the speed of 100 words per minute and transcription thereof at the speed of 20 words per minute	
	(iv) Hindi shorthand at the speed of 80 words per minute and transcription thereof at the speed of 15 words per minute	
	(i) Possess a licence in heavy motor driving	(i) Possess a licence in heavy motor driving.
Steno-typist	(ii) Knowledge of Hindi upto Middle Standard and knowledge to maintain log book properly.	(ii) Knowledge of Hindi upto Middle Standard and knowledge to maintain log book properly.
	(i) Matric 1st Division or Higher Secondary 2nd Division or Intermediate 2nd Division or graduate or its equivalent ; (For Ex-servicemen Matric only)	Passed departmental test in English shorthand at the speed of 80 words per minute and transcription thereof at the speed of 15 words per minute and in Hindi shorthand at the speed of 64 words per minute and transcription thereof at the speed of 11 words per minute.
	(ii) Knowledge of Hindi upto Matric Standard ;	

1	2	3	4
		(iii) English shorthand at the speed of 80 words per minute and transcription thereof at the speed of 15 words per minute. (iv) Hindi shorthand at the speed of 60 words per minute and transcription thereof at the speed of 11 words per minute.	
5	Clerk	(i) Matric in Division of Higher Secondary Education, Haryana, and Division of Education, Punjab or its equivalent. (ii) Knowledge of Hindi upto Matric Standard; (iii) Shall qualify Hindi/English typing test at a speed of 25/30 words per minute respectively within one year of appointment shall not be released. In the case of Ex-Servicemen,— (i) Matric with Fifteen years service in the Army and Army Certificate Class-I. (ii) Shall qualify Hindi/English typing test at a speed of 25/30 words per minute within one year of appointment.	(i) Matric; (ii) Five years experience on any Group C post or any Group D post or combined experience on Group C and D posts. (iii) Knowledge of Hindi upto Matric Standard. (iv) Shall qualify test in Hindi/English typing at a speed of 25/30 words per minute respectively within one year of appointment.

APPENDIX C
[See rule 14(i)]

Sl. no.	Designation of the posts	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
(1) Minor penalties					
1	Deputy Superintendent	Director	(a) warning with a copy in the personal file (Character roll);	Director	Government
2	Assistant/Accountant		(b) censure;		
3	Senior Scale Steno-grapher		(c) withholding of promotion;		
4	Driver		(d) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders.		
5	Steno typist				
6	Clerks				

2	3	4	5	6
		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 substantially owned or controlled by the Government or to a local authority or to a Government servant or to a member of the Legislature of the State; and (e) withholding of increments of pay. (2) Major penalties (f) 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		

2	3	4	5	6
		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.		
		(3) 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 of service from which the Government employee was reduced, and his seniority and pay on such restoration to that grade, post or service;		
		(4) compulsory retirement;		

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

APPENDIX D
[See Rule 14(2)]

Serial Number	Description of post	Nature of order	Authority empowered to make order	Appellate authority
1	2	3	4	5
1 Deputy Superintendent				
2 Assistants/Accountants				
3 Senior Scale Stenographer			Director	Government
4 Driver		(i) reduction or withholding the amount of ordinary or additional pension admissible under the rules governing pension;		
5 Steno-Typist		(ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation.		
6 Clerks				

3409 CS(E)-Govt. Press, U.T., Chh.

M. K. MUKLANI,
Secretary to Government, Haryana,
Co-operation Department.

