

[Authorised English Translation]

HARYANA GOVERNMENT  
PUBLIC WORKS DEPARTMENT  
PUBLIC HEALTH BRANCH

Notification

The 24th May, 1996

No. G. S. R. 39/Const./Art. 309/96.—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 of persons of appointed to the Haryana Public Works Department (Public Health Branch) Circle Cadre (Group B) Service, namely :—

PART I GENERAL

1. These rules may be called the Haryana Public Works Department (Public Health Branch) Circle Cadre (Group B) service Rules, 1996.

Short title.

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

Definitions.

- (a) "Commission" means the Haryana Public Service Commission;
- (b) "Engineer-in-Chief" means the Engineer-in-Chief of Haryana Public Works Department, Public Health Branch ;
- (c) "Government" means the Haryana Government in the Administrative Department ; and
- (d) "Service" means the Haryana Public Works Department (Public Health Branch) Circle Cadre (Group B) Service.

PART II-RECRUITMENT TO SERVICE

3. The Service shall comprise the posts shown in Appendix A to these rules ;

Number and character of posts.

Provided that nothing in these rules shall effect 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.

4. Appointment to the post in the service shall be made by the Government.

Appointing authority.

5. No person shall be appointed to any post in the Service, unless he is in possession of the qualifications and experience specified in column 3 of Appendix B to these rules.

Qualifications.

6. 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.

Method of recruitment.

7. (1) Recruitment to the Service shall be made in the case of Circle Superintendent, —

- (i) by promotion from amongst Deputy Superintendent ; or
- (ii) by transfer or deputation of an officer of equal rank already in service of any State Government or the Government of India.

(2) All promotions in the Service, unless otherwise provided shall be made on the basis of seniority-cum-fitness and seniority alone shall not confer any right to such promotion.

Probation.

8. (1) Persons appointed to any post in the Service shall remain on probation for a period of one year.

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 ;
- (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 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, in case such person is appointed otherwise than by direct recruitment it may—

- (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) 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
  - (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.

9. Seniority, inter se of members of the Service shall be determined by the length of continuous Service on any post in the Service :

Seniority.

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 two or more members appointed on the same date, their seniority shall be determined as follows :—

- (a) a member appointed by promotion shall be senior to a member appointed by transfer ;
- (b) in the case of a 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
- (c) 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.

10. (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 clauses (ii) and (iii) except with his consent.

Pay, leave,  
pension and  
other matters.

11. In respect of pay, leave, pension and 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.

12. (1) In matters relating discipline, penalties and appeals members of the Service shall be governed by the Haryana Civil Service (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 (f) or 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.

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

Oath of alle-  
giance.

14. 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.

15. 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.

16. 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.

Special provision.

17. 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 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 :

Repeal and savings.

18. Any rule applicable to the Service and corresponding to any of these rules which is in force immediately before the commencement of these rules is hereby repealed :

Provided that any order made or action taken under the rule so repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

## APPENDIX A

(See rule 3)

Designation of post	Number of posts		Total	Scale of Pay
	Perma- nent	Tempo- rary		
1	2	3	4	5
Circle Superintendent	6	3	9	2,000-60-2,300-EB-75- 2,900-100-3,500.

## APPENDIX B

(See rule 7)

Designation of post	Academic qualifications and experience, if any for direct recruitment	Academic qualification and experience, if any for appointment other than by direct appointment
1	2	3
Circle Superintendent		At least five years experience as Deputy Superintendent.

APPENDIX C

[See rule 12.(1)]

Designation of posts	Appointing authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5
Circle Superintendent	Government	<p style="text-align: center;"><b>Minor Penalty</b></p> <p>(i) Warning with a copy in the personal file (character roll) ;</p> <p>(ii) Censure ;</p> <p>(iii) withholding of promotion ;</p> <p>(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 substantially owned or controlled by the Government or to a local authority or university set up by an Act of Parliament or of the Legislative of a State ; and</p> <p>(v) withholding of increments of pay without cumulative effect ;</p> <p><b>Major Penalties:</b></p> <p>(va) withholding of increments of pay with cumulative effect ;</p>	Engineer-in-Chief	Government

1

2

3

4

5

(vi) 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;

(vii) 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;

(viii) Compulsory retirement

(ix) removal from service which shall not be a disqualification for future employment under the Government;

(x) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

Government ..



APPENDIX D

[See rule 12 (2)]

Designation of post	Nature of Order	Authority empowered to make the order	Appellate authority
1	2	3	4
Circle Superintendent	(i) reduction or withholding the amount of ordinary or additional pension admissible under the rules governing pension ; (ii) terminating the appointment otherwise than upon his reaching the age fixed for superannuation	Government	...

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