

2

PART III
HARYANA GOVERNMENT
FINANCE DEPARTMENT

Notification

The 14th November, 1980

No. G.S.R. 118/Const./Art.309/80.—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 appointed, to the Haryana Local Audit Department, Group A Service, namely :

PART I—GENERAL

- | | |
|--|-------------------------------|
| 1. (1) These rules may be called the Haryana Local Audit Department Group A Service Rules, 1980. | Short title and commencement. |
| (2) They shall come into force at once. | |
| 2. In these rules, unless the context otherwise requires, | Definitions. |
| (a) "Government" means the Haryana Government in the Administrative Department ; | |
| (b) "Service" means the Haryana Local Audit Department Group A Service. | |

PART II—RECRUITMENT TO SERVICE

- | | |
|---|--------------------------------|
| 3. The Service shall comprise the post shown in Appendix A to these rules : | Number and character of posts. |
|---|--------------------------------|

Provided that nothing in these rules shall effect the right of the Government to make additions to, or reduction 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 a post in the Service shall be made by the Government. | Appointing authority. |
|--|-----------------------|

5. 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 a 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*

“6. Method of recruitment.—(1) Recruitment to the service shall be made—

(a) in the case of Director,—

- (i) by promotion from amongst Joint Directors ; or
- (ii) by transfer or deputation of an Officer belonging to the cadre of Indian Accounts and Audit Service not below the rank of Deputy Accountant General who is already in service of any State Government or the Government of India ;

(b) in the case of Joint Director,—

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

(2) All promotions, unless otherwise provided, shall be made on Seniority-cum-merit basis and seniority alone shall not confer any right to such promotions.”

Probation

7. (1) A person appointed to a 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 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.

*Substituted vide Haryana Govt. F.D. Gazette Notification No. G.S.R. 75/Const. Art. 309/2000 dated 20th Oct. 2000.

(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,—

- (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 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.

8. (1) A member of the Service shall be liable to serve at any place, whether or outside the State of Haryana, on being ordered so to do by the appointing authority.

Liability
to serve

(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 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.

9. In respect of pay, leave, pension and all other matters not expressly provided for in these rules, a member of the Service shall be governed by such rules and regulations 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.

*10. **Discipline, penalties and appeals.**—(1) In matters relating to 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 (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.

11. A member of the Service shall get himself vaccinated and revaccinated if and when the Government so directs by a special or general order.

Oath of
allegiance.

12. A 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.

13. 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.

14. 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.

Reserva-
tions.

15. Nothing contained in these rules shall affect reservation and other concessions required to be provided for Scheduled Castes and Backward Classes in accordance with the orders issued by the State Government in this regard, from time to time, under clause (4) of article 16 of the Constitution.

Repeal and
savings.

16. The Haryana Local Audit Department Examiner's Service (State Service, Class I) Rules 1970 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.

*Substituted vide Haryana Govt. F.D. Gazette Notification No. G.S.R. 75/Const./ Art. 309/2000 dated 20th Oct, 2000.

**APPENDIX A

(See rule 3)

Sr. No.	Designation of posts	Number of posts			Scale of pay (in Rs.)
		Perma- nent	Tempo- rary	Total	
1	2	3	4	5	6
1	Director	1	—	1	14,300—400—18,300
2	Joint Director	—	6	6	10,000—325—13,900

***APPENDIX B**

(See rule 6)

Sr. No.	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
1	2	3	4
1	Director	by promotion— Five years experience as Joint Director (for this purpose the experience of Deputy Director will also be reckoned)	by transfer or deputation— (i) An officer belonging to the Cadre of Indian Accounts and Audit Service not below the rank of Deputy Accountant General having three years experience. (ii) Hindi upto Matric Standard.
2	Joint Director	by promotion— Three years experience as Deputy Director	by transfer or deputation:— (i) Three years experience as Deputy Director or its equivalent rank. (ii) Hindi upto Matric Standard.

*APPENDIX C

[(See rule 10(I)]

Sr. No.	Designation of posts	Appointing Authority	Nature of penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
1	Director	Government	Major penalties—	Government	
2	Joint Director		(i) Warning with a copy in the personal file (Character roll) ; (ii) Censure ; (iii) withholding of promotion ; (iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or a breach of orders, to the Central 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 Legislature of a State ; and		

*Substituted vide Haryana Govt. F.D. Gazette Notification No. G.S.R. 75/Const./Art. 309/2000 dated 20th Oct. 2000.

1

2

3

4

5

6

(v) withholding of increments of pay without cumulative effect;

Major penalties—

(vi) withholding of increments of pay with 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 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

APPENDIX B
[See rule 10(2)]

1	2	3	4
---	---	---	---

Authority empowered to impose penalty
Appellate Authority

2 4

Director

Joint Director
 Government
 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 ;

A. N. MATHUR
 Financial Commissioner and Secretary to
 Government, Mysore, Finance Department,
 Chandigarh.

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

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

Submitted vide Mysore Govt. P. D. Gaste Notification No. G.S.R. 13000/1999 dated 20th Oct. 2000

31120--E.L.W.A.--Item No. 1--H.G.P., Cpl.

*APPENDIX D

[See rule 10(2)]

Sr. No.	Designation of posts	Nature of order	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5
1	Director	(i) reducing or withholding amount of ordinary or additional pension admissible under the rules governing pension ;	Government	---
3	Joint Director	(ii) terminating the appointment otherwise than on his attaining the age fixed for superannuation.		

A. N. MATHUR,

Financial Commissioner and Secretary to
Government, Haryana, Finance Department,
Chandigarh.

*Substituted vide Haryana Govt. F. D. Gazette Notification No. G.S.R. 75/Const./Art. 309/2000 dated 20th Oct. 2000.