

HARYANA GOVERNMENT

Annexure 'A'

IRRIGATION DEPARTMENT

Notification

The 3rd January, 2012

No.43/33/87-4IW.— 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 Irrigation Department, Circle Cadre, Workmen Establishment **Group D Service**, namely :—

PART - I GENERAL

1. (i) These rules may be called the Haryana Irrigation Department, Circle Cadre, Workmen Establishment Group D Service Rules, 2011 Short title and commencement
- (ii) They shall come into force on the date of their publication in the Official Gazette.
2. In these rules, unless the context otherwise requires,— Definitions.
 - (a) "Chief Engineer" means the Chief Engineer, Haryana Irrigation Department ;
 - (b) "Committee" means the Haryana Group D Employee Selection Committee.
 - (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 Government of India or any State Government;
 - (d) "Engineer-in-Chief" means the Engineer-in-Chief, Haryana Irrigation Department;
 - (e) "Government" means the Government of the State of Haryana in the Administrative Department;
 - (f) "institution" means;—
 - (i) any institution established by law in force in the State of Haryana; or
 - (ii) any other institution recognized by the Government for the purposes of these rules;
 - (g) "Service" means the Haryana Public Works Irrigation Department, Circle Cadre, Workmen Establishment Group D Service; and
 - (h) "Superintending Engineer" means the Superintending Engineer of a circle, Haryana Irrigation Department ;

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 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.

4. (1) No person shall be appointed to any posts in the Service, unless he is,— Nationality, domicile and character of candidates appointed to Service.
 - (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 (formally 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 Committee 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 the forty years of age, on the last date of submission of application to the Committee.

Appointing authority. 6. Appointment to the posts in the Service shall be made by the Superintending Engineer.

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 case of direct recruitment, the qualification regarding experience shall be relaxable to the extent of fifty percent at the discretion of the Committee 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.

Disqualification. 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 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. 9. (1) Recruitment to the Service shall be made;

I. (Mechanical Wing)

(a) in the case of Helper—

(i) by direct recruitment; and

(ii) by transfer or deputation of an official already in the service of any State Government or Government of India;

II. (Civil Wing)

(b) in case of Gauge Reader—

(i) 50% by direct recruitment; and

(ii) 50% by promotion from amongst the Mates; or

(iii) by transfer or deputation of an official already in the service of any State Government or Government of India;

- (c) in the case of Mate—
 - (i) by promotion from amongst the Beldars ; and
 - (ii) by transfer or deputation of an official already in the service of any State Government or Government of India;
- (d) in case of Beldar—
 - (i) by direct recruitment; and
 - (ii) by transfer or deputation of an official already in the service of any State Government or Government of India;
- (e) in case of Canal Guard—
 - (i) by direct recruitment; and
 - (ii) by transfer or deputation of an official already in the service of any State Government or Government of India;

III. (Electrical Wing)

- (f) in case of Helper Electrician—
 - (i) by direct recruitment; and
 - (ii) by transfer or deputation of an official already in the service of any State Government or 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.

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 : Probation.

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.

(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 Service, 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 his previous appointment permit; or
 - (ii) extend his period of probation and thereafter pass such orders, 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 separately for the Civil, Mechanical and Electrical cadre by the length of continuous service on any post in the Service:

Provided that where there are different cadre in the Service, the seniority shall be determined separately for each cadre:

Provided further that in case of member appointed by direct recruitment, the order of merit determined by the Committee shall not be disturbed in fixing the seniority:

Provided further that in 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 member in the appointment 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 Service may also be deputed to serve under:—

- (i) a company, an association or a body of individual 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, association or 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 organization, 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 organization or body referred to in clause (ii) or clause (iii) except with his consent.

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 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.

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.

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 to relax

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.

Special provisions.

19. Nothing contained in these rules shall affect reservations and other concession 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 Government in this regard from time to time:

Reservations

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

20. 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:

Repeal and savings

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

Appendix-A

(See rule 3)

Serial Number	Designation of posts	Number of posts			Scale of pay
		Permanent	Temporary	Total	
1	2	3	4	5	6
	Mechanical Wing				
1	Helper	-	1159	1159	PB-1S ₹ 4440-7440+ Grade Pay Rs. ₹ 1300
	Civil Wing				
2	Gauge Reader	-	353	353	PB-1S ₹ 4440-7440+ Grade Pay Rs. ₹ 1300
3	Mate	-	405	405	PB-1S ₹ 4440-7440+ Grade Pay Rs. ₹ 1300
4	Beldar	-	3288	3288	PB-1S ₹ 4440-7440+ Grade Pay Rs. ₹ 1300
5	Canal Guard	-	1612	1612	PB-1S ₹ 4440-7440+ Grade Pay Rs. ₹ 1300
	Electrical Wing				
6	Helper Electrician	-	100	100	PB-1S ₹ 4440-7440+ Grade Pay Rs. ₹ 1300

Appendix-B

(See rule-7)

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

Mechanical Wing

- | | | | |
|----|--------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| 1. | Helper | (i) Middle with Hindi/Sanskrit;
(ii) Knowledge of respective work from Government agency/ reputed firm alongwith two years experience. | by Transfer/Deputation:
(i) Middle with Hindi/Sanskrit ;
(ii) Five years experience as Helper with relevant field. |
|----|--------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|

Civil Wing

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|----|--------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. | Gauge Reader | (i) 10+2 alongwith Matric Hindi /Sanskrit;
(ii) 6 months Certificate of Computer Applications. | by Promotion:
Five Years experience as Mate in the relevant field.
By Transfer/Deputation :
(i) 10+2 alongwith Matric standered Hindi /Sanskrit ;
(ii) 6 months Certificate of Computer Applications. |
| 3. | Mate | Nil | by Promotion :
Five Years experience as Beldar in the relevant field.
By Transfer/Deputation:
(i) Middle with Hindi/Sanskrit;
(ii) Knowledge of respective work from Government Agency/reputed firm alongwith five years experience in relevant field. |
| 4. | Beldar | (i) Middle with Hindi/Sanskrit;
(ii) Knowledge of respective work from Government agency/ reputed firm alongwith two years experience. | by Transfer/Deputation :
(i) Middle with Hindi/Sanskrit ;
(ii) Knowledge of respective work from Government Agency/ reputed firm alongwith 2 years experience. |
| 5. | Canal Guard | (i) 10+2 with Hindi/Sanskrit ;
(ii) Swimmer with and Physical standard equal to constable of Police Department, Haryana. | by Transfer/Deputation :
(i) 10+2 with Hindi/Sanskrit;
(ii) Swimmer with and Physical standard equal to constable of Police Department, Haryana. |

Electrical Wing

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|----|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6. | Helper Electrician | (i) Middle with Hindi/Sanskrit;
(ii) Knowledge of respective work from Government agency/ reputed firm alongwith two years experience. | by Transfer/Deputation:
(i) Middle with Hindi/Sanskrit ;
(ii) Knowledge of respective work from Government agency/ reputed firm alongwith two years experience. |
|----|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Appendix-C

(See rule-14(I))

Sr. No.	Designation	Appointing authority	Nature of penalty	Authority empowered to imposed penalty	Appellate authority	Second and final appellate authority, if-any
1	2	3	4	5	6	7
I Mechanical Wing						
1	Helper	Superintending Engineer	Minor Penalties (i) warning with a copy on personal file (Charactor role) ; (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 Government or to a local authority or university set up by an Act of Parliament or of the Legislature of a State; and (v) withholding of increments of pay without commulative effect.	Superintending Engineer	Chief Engineer	Engineer -in-Chief
II Civil Wing						
2	Gauge Reader		Major Penalties (vi) withholding of increment of pay with commulative effect ;			
3	Mate		(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 periods of such reduction and whether on the expiry of such period, the reduction or will or will not have the effect of postponing the future increments of his pay;			
4	Beldar		(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			

1	2	3	4	5	6	7
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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 the grade, post or service;

5 Canal Guard

(ix) compulsory retirement;
(x) removal from Service which shall not be a disqualification for future employment under the Government ;

III Electrical Wing

6 Helper Electrician

(xi) dismissal from Service which shall ordinarily be a disqualification for further 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 & Final appellate authority, if any
1	2	3	4	5	6
I Mechanical Wing					
1	Helper	(i) reducing or withholding the amount of ordinary/additional pension admissible under the rules governing pension; (ii) terminating the appointment otherwise than upon his attaining the age fixed for superannuation.	Superintending Engineer	Chief Engineer	Engineer -in-Chief
II Civil Wing					
2	Gauge Reader	-do-	-do-	-do-	-do-
3	Mate	-do-	-do-	-do-	-do-
4	Beldar	-do-	-do-	-do-	-do-
5	Canal Guard	-do-	-do-	-do-	-do-
III Electrical Wing					
6	Helper Electrician	-do-	-do-	-do-	-do-

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to Government Haryana, Irrigation Department.