



GOVERNMENT OF HARYANA

COMPENDIUM OF INSTRUCTIONS
ON
Miscellaneous Matters
(VOLUME – IX)

CHIEF SECRETARY, GOVERNMENT OF HARYANA

YEAR -- 2009



PREFACE

After the formation of Haryana State, for the first time in 1985, Compendium of instructions issued by the General Administration Department, Government of Haryana, was published. This compendium was in two parts. Subsequently, in 1994, all the instructions issued from 1985 upto that year, were published in the form of another compendium. The next edition, which appeared in 2001, contained all the instructions issued from 1994 until 2001. These four compendia are not easily available and therefore could not be utilized fully. The earlier editions were not reprinted by the Government. Moreover, each of these compendia contained instructions relating to different subjects. Due to this, whenever a particular topic needed to be searched all the four compendia had to be scanned. Besides, a large number of instructions were also issued after 2001. This also made the updation of these compendia necessary.

Therefore, it was decided to compile the contents of these compendia in a subject-wise fashion. It would require nine volumes, replacing all the four earlier compendia, i.e., those published in 1985, 1994 and 2001. The present compendium is the ninth volume in this series and relates to "Miscellaneous Matters".

The new Compendia would also be available on the websites www.haryana.gov.in and www.csharyana.gov.in. Interested persons can easily download them or any part thereof. The compendia would also be circulated amongst all Administrative Secretaries, Heads of Departments and other offices. The public can also obtain them from the market.

Efforts have been made to include all available Government instructions issued by General Administration Department of the Haryana Government till 30th June, 2009. Although we have taken all possible precautions while compiling the Compendia, there may be some omission or lapse on our part. We would welcome any feedback or suggestion from users of the Compendia.

I acknowledge the hard work put in by the GS-III Branch of General Administration Department, in general, and Shri Rajeev Ranjan, IAS, Joint Secretary, Shri Sushil Kumar Jain, Under Secretary, Sh. Subhash Ahuja, Superintendent and Smt. Raj Kumari, Assistant, in particular, for compiling all Compendia in a very short period of time. Shri Vikas Yadav, HCS, Controller, Printing & Stationary, Shri Vishal Chadha, PCAT, and their team of officials also took steps to ensure a speedy publication. They deserve our appreciation.

I hope that this Compendium would be handy and useful to all concerned.

**Dated Chandigarh,
The 1st July, 2009**

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I

BONAFIDE RESIDENT

No. 2067-2GSI-75/9622

From

The Chief Secretary to Govt., Haryana.

To

- (i) All Heads of Departments, Commissioners Ambala and Hisar Divisions, all Deputy Commissioners and all Sub-Divisional Officers in Haryana.
- (ii) The Registrar, Punjab and Haryana High Court and all Districts & Sessions Judges in Haryana.

Dated, Chandigarh, the 10th April, 1975.

Subject :— Bonafide residents of Haryana guidelines regarding.

Sir,

I am directed to address you on the subject noted above to say that the question of defining the term 'bonafide residents of Haryana' for purpose of admissions to educational institutions (including technical/medical institutions), grant of scholarships and other concessions, where they are restricted to bonafide residents of Haryana, has been engaging the attention of the State Government for some time past. The matter has accordingly been considered and the following guidelines are laid down in this behalf :—

- (i) To constitute a bonafide resident of Haryana, the parents or guardian (if the parents are not living) of the candidate must be settled or have resided in Haryana for a period of at least 3 years before the date of the applications.
- (ii) All candidates claiming to be bonafide residents of Haryana should produce a Haryana Domicile Certificate signed by the District Magistrate/General Assistants to Deputy Commissioner or Sub-Divisional Officer (Civil) of the District/Sub-Division to which the candidates belong. Certificates from no other authority should be accepted.
- (iii) In the case of admissions to educational institutions Principal/Headmaster of the institution shall have full powers to reject a candidate if he is not satisfied that the candidate belongs to Haryana. His authority in this behalf would be final;

N.P.— If a candidate is admitted on the bases of a claim that he belongs to the State of Haryana but at any subsequent time it is discovered that his claim was false the student shall be removed from the institution and all fees and other dues paid up to the date of such removal shall be confiscated. The Principal/Headmaster may take such other action against the student and his/her parents guardians as he may deem proper in the circumstances of any particular case.

- (iv) Children of the employees of the Haryana State posted in or outside the Haryana State or working on deputation, children of the employees of the Government of India posted in Haryana, children of the employees of the statutory bodies/corporations established by or under an act of the State of Haryana and other

Yours faithfully,

Sd/--

Virendra Nath

Deputy Secretary, Political & Services,
for Chief Secretary to Government
Haryana.

Copies endorsed to Financial Commissioner, Haryana/All Administrative Secretaries to Govt.
Haryana.

No. 4294/2GSI-75/32585

From

The Chief Secretary to Govt., Haryana.

To

- (1) All Heads of Departments, Commissioners Ambala and Hisar Divisions, all Deputy Commissioners and all Sub-Divisional Officers in Haryana.
- (2) The Registrar, Punjab and Haryana High Court and all Districts & Sessions Judges in Haryana.

Dated, Chandigarh, the 6th October, 1975.

Subject :— Bonafide residents of Haryana-Guidelines regarding.

Sir,

In supersession of the instructions issued vide Haryana Govt. letters No. 2067-2 GSI-75/9622, dated the 10th April, 1975, on the subject noted above I am directed to say that the question of further widening the scope of the definition of the term 'bonafide residents of Haryana' for the purpose of admission to educational institutions (including technical/medical institutions, grant of scholarships and other concessions, where they are restricted to bonafide residents of Haryana, has been engaging the attention to the State Government.

2. After careful consideration it has been decided that the following categories of persons would be eligible for the grant of domicile certificate:-

- (i) Candidates who have passed by examinations qualifying them for, selection in an institution from a school/college in Haryana ;
- (ii) Children's/wards (if parents are not living)/dependants-
 - (a) of the employees of Haryana State posted in or outside Haryana State or working on deputation;
 - (b) of the employees of the Government of India posted in Haryana or Chandigarh in connection with the affairs of Haryana Govt.;
 - (c) of the employees of the Statutory Bodies/Corporations established by or under an act of the State of Haryana or a Central Act and who are posted in Chandigarh or elsewhere in Haryana;
 - (d) of the employees of autonomous bodies in which Haryana Government has 26% or more shares.
- (iii) Children/wards (if parents are not living)/ dependants of the persons who after retirement have penitently settled in Haryana and draw their pensions from the treasuries situated in the State of Haryana;
- (iv) Children's/wards (if parents are not living) /dependants of the pensioners of Haryana Govt. irrespective of the fact that the original home of the retiree is in a State other

than Haryana or he has settled after retirement in or outside Haryana ;

- (v) Children/wards (if parents are not living)/dependents of persons. who have settled in Haryana or had resided in Haryana at any time prior to the date of the submission of the application either in pursuit of a profession or holding of a job to which effect an affidavit in the former case and the certificate of the employer in the later case, is produced;
- (vi) Children/wards (if parents are not living / dependants of persons hold immovable property in Haryana but for service in the Govt. of India or in any State Govt. or business are residing outside the State of Haryana ;
- (vii) the wives of such persons who are bonafide residents of Haryana irrespective of the fact that they had belonged to any other State before marriage ;
- (viii) person who were born in Haryana and produce a certificate to that effect;

Provided that the parents/guardians (if parents are not living) of persons belonging to anyone of the above mentioned eight categories, are :—

- (a) citizens of India;
- (b) produce an affidavit to the effect that they or their children/wards (if parents are not living) dependants have not obtained the benefit of domicile in any other state.

All candidates claiming to be bonafide residents of Haryana should produce a Haryana Domicile Certificate signed by the District Magistrate/General Assistant to Deputy Commissioner or Sub-Divisional Officer (Civil) of the District/Sub-division to which the candidates belong. Certificates from no other authority shall be accepted.

4. In the case of admissions to educational institutions, Principal/Headmaster of the Institution shall have full powers to reject a candidate if he is not satisfied that the candidate belongs to Haryana. His authority in this behalf shall be final.

5. If a candidate is admitted on the basis of a claim that he belongs to the State of Haryana but at any subsequent time it is discovered that his claim was false, the student shall be removed from the institution and all fees and other dues paid up to the date of such removal shall be confiscated. The Principal/Headmaster may take such other action against the student and his/her parents/guardians as he may deem proper in the circumstances of any particular case.

6. These instructions may kindly be noted carefully and their receipt may be acknowledged.

Yours faithfully,

Sd/-

(P. ISSAR)

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana.

Copies endorsed to the Financial Commissioner, Haryana, All Administrative Secretaries to Government, Haryana.

Bonafide Resident

No. 2823-2GSI-76/16227

From

The Chief Secretary to Govt., Haryana.

To

- (1) All Heads of Departments, Commissioners Ambala and Hisar Divisions, all Deputy Commissioners and all Sub-Divisional Officers in Haryana.
- (2) The Registrar, Punjab and Haryana High Court and all Districts & Sessions Judges in Haryana.

Dated, Chandigarh, the 18th June, 1976

Subject :— Bonafide residents of Haryana-Guidelines regarding.

Sir,

I am directed to invite a reference to Haryana Government letter No. 4294-2GSI-75/32585 dated the 6th October, 1975, on the Subject noted above, and to say specific that para 3 of the letter referred to above should be substituted as follows :—

“All candidates claiming to be bonafide resident of Haryana should produce Haryana Domicile Certificate signed by the District Magistrate/General Assistant to Deputy Commissioner or Sub-Divisional Officer (Civil) of the District/Sub-Division to which the candidate belong. Domicile-certificates in respect of i the children/wards of Government employees who are posted at Chandigarh, Delhi or elsewhere, or in respect of the children/wards of the employees of the Government of India posted at Chandigarh in connection with the. affairs of Haryana Government, or in respect of the children/wards of the employees of the Statutory Bodies/Corporations of Haryana established by or under an Act of the State of Haryana, or a Central Act and located at Chandigarh, should be issued by their respective Heads of Department

Yours faithfully,

Sd/-

(P. ISSAR)

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana.

Copies endorsed to Financial Commissioner, Haryana, All Administrative Secretaries to Govt., Haryana.

No. 4663-6GSI-77/19856

From

The Chief Secretary to Govt., Haryana.

To

- (1) All Heads of Departments, Commissioners Ambala and Hisar Divisions, all Deputy Commissioners and all Sub-Divisional Officers in Haryana.
- (2) The Registrar, Punjab and Haryana High Court and all Districts & Sessions Judges in Haryana.

Dated, Chandigarh, the 26th July, 1977.

Subject:—Bonafide residents of Haryana-Guidelines regarding.

Sir,

In supersession of the instructions issued vide Haryana Government letters No. 4294-2GSI-75/32585 dated the 6th October, 1975 and No. 2823/2GSI-7 6/16227, dated the 18th June, 1976, on the subject noted above I am directed to say that the Question of further widening the scope of the definition of the term 'bonafide residents of Haryana, for the purpose of admission to educational institutions (including technical/medical institutions), grant of scholarships and other concessions, where they are restricted to bonafide residents of Haryana, has been examined.

2. After careful consideration it has been decided that the following categories of persons would be eligible for the grant of domicile certificate :-

- (i) Candidates who have passed the examinations, qualifying them for selection in an institution, from a school! college in Haryana ;
- (ii) Children/wards (if parents are not living)/dependants-
 - (a) of the employees of Haryana State posted in or outside Haryana State or working on deputation;
 - (b) of the employees of the Government of India posted in Chandigarh or in Haryana in connection with the affairs of the Haryana Government;
 - (c) of the employees of the Statutory Bodies/Corporations established by or under an act of the State of Haryana or a Central Act, who are posted in Chandigarh or in Haryana.
 - (d) of the employees of Autonomous Bodies in which Haryana Government has 26% or more shares.
- (iii) Children/wards (if parents are not living)/dependents of persons who after retirement have permanently settled in Haryana and draw their pensions from the treasuries situated in the State of Haryana.
- (iv) Children/wards (if parents are not living)!dependants of the pensioners of Haryana Government, irrespective of the fact that the original home of the retiree is in a State other than Haryana or he has settled after retirement in or outside Haryana ;
- (v) Children/wards (if parents are not living)/dependants of persons who have settled in Haryana or had resided in Haryana at any time prior to the date of the submission of application either in pursuit of a profession or holding of a job, to which effect an

affidavit in the former case and the certificate of the employer in the latter case, is produced;

- (vi) Children/wards (if parents are not living)/dependants of persons who hold immovable property in Haryana but for service in the Government of India or in any State Government or business are residing outside the State of Haryana ;
- (vii) the wives of such persons who are bonafide residents of Haryana irrespective of the fact that they had belonged to a any other State before marriage ;
- (viii) persons who were born in Haryana and produce a certificate to that effect;

Provided that the parents/guardians (if parents are not living) of persons belonging to anyone of the above mentioned eight categories, are —

- (a) citizens of India ;
- (b) produce an affidavit to the effect that they or their children/wards (if parents are not living)! dependants have not obtained the benefit of domicile in any other State.

3. All candidates claiming to be bonafide residents of Haryana should produce a Haryana Domicile Certificate signed by the District Magistrate/General Assistant to Deputy Commissioner or Sub-Divisional Officer (Civil) of the District/Sub-Division to which the candidates belong. Domicile certificate in respect of the children/wards/ dependants of Haryana Government employees who are posted at Chandigarh, Delhi or elsewhere, or in respect of the children/wards/ dependants of the employees of the Government of India posted at Chandigarh or in Haryana in connection with the affairs of Haryana Government, or in respect of the children/wards/dependants of the employees of the Statutory Bodies/Corporations of Haryana established by or under an act of the State of Haryana or a Central Act and located at Chandigarh or in Haryana, should be issued by their respective Heads of Departments.

4. In the case of admission to educational institutions, Principal! Headmaster of the Institution shall have full powers to reject a candidate if he is not satisfied that the candidate belongs to Haryana. His authority in this behalf shall be final.

5. If a candidate is admitted on the basis of a claim that he belongs to the State of Haryana but at any subsequent time it is discovered that his claim was false, the student shall be removed from the institution and all fee and other dues paid up to the date of such removal shall be confiscated. The Principal/Headmaster may take such other action against the student and his/her/parents/guardians as he may deem proper in the circumstances of any particular case.

6. These instructions may kindly be noted carefully.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana.

Copies endorsed to the Financial Commissioner, Haryana, and all Administrative Secretaries to Government, Haryana.

No. 8659-6GSI-77/41865

From

The Chief Secretary to Govt., Haryana.

- (1) All Heads of Departments, Commissioners Ambala and Hisar Divisions, all Deputy Commissioners and all Sub-Divisional Officers in Haryana.
- (2) The Registrar, Punjab and Haryana High Court and all Districts & Sessions Judges in Haryana.

Dated, Chandigarh, the 6th January, 1978

Subject :— Bonafide residents of Haryana-Guidelines regarding.

Sir,

I am directed to invite a reference to the instructions contained in Haryana Government circular letter No. 4663-6 GSI-77/19856, dated the 26th July, 1977 on the subject noted above and to say that in para 3 of these instructions it has inter *alia* been provided that domicile certificates in respect of the childrens/wards/dependents of the employees of the Statutory Bodies/Corporations of Haryana established by or under an Act of the State of Haryana or a Central Act and located at Chandigarh or in Haryana, should be issued by their respective Heads of Departments. There are no Heads of Departments in respect of the Statutory Bodies/Corporations as these are not the Government Departments. It is, therefore, clarified that for the purpose of issuing domicile certificates in respect of the children, wards/dependents of the employees of the Statutory Bodies/Corporations, the Executive/ Administrative head of the Statutory Body/Corporation concerned i.e. the Managing Director, General Manager, Manager or Secretary etc. will be competent to issue such certificates.

2. These instructions may please be brought to the notice of all concerned for guidance.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Copies endorsed to the Financial Commissioner, Revenue, Haryana and all Administrative Secretaries to Government, Haryana.

Bonafide Resident

No. 62/46/83-6GSI

From

The Chief secretary to Govt. Haryana.

To

- (1) All Heads of Departments, Commissioners, Ambala and Hisar Divisions, all Deputy Commissioners and all Sub-Divisional Officers (C), in Haryana.
- (2) The Registrar, Punjab and Haryana High Court and all Districts & Sessions Judges in Haryana.

Dated, Chandigarh, the 6th September, 1983.

Subject :— Bonafide residents of Haryana-Guidelines regarding.

Sir,

I am directed to refer to the instructions issued vide Haryana Government circular letter No. 4663-6GSI-77 /19856, dated the 26th July, 1977, on the subject noted above, and to say that it has been decided to make the following amendments therein :-

- (1) Para 2(ii) (c) thereof should be read as under:-

“(c) of the employees of Statutory Bodies/ Corporations established by or under an Act of the State of Haryana or a Central Act, who are posted in Chandigarh or in Haryana or outside Haryana.”

- (2) For the expression” Chandigarh or in Haryana, should be issued by their respective Heads of Departments” occurring at the end of para 3 thereof the expression “Chandigarh in Haryana or outside, should be issued by their respective Heads of Departments”, shall be substituted.

2. The receipt of this letter may please be acknowledged.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters — Vol. IX

A copy is forwarded for information and necessary action.

Signed.

All Financial Commissioner, Haryana and All Administrative Secretaries to Government,
Haryana.

Sd/-
Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

No. 62/46/83-GSI

From

The Chief Secretary to Government, Haryana.

- (i) All Heads of Department Commissioners, Ambala and Hisar Divisions, All Deputy Commissioners and all Sub Divisional Officers in Haryana.
- (ii) The Registrar, Punjab and Haryana Court and all District & Sessions Judges in Haryana.

Dated Chandigarh, the 14th January, 1986.

Subject :— Bonafide residents of Haryana-Guidelines regarding.

Sir,

I am directed to refer to the instruction issued vide Haryana Government circular letter No. 4663-6GSI-77/19856, dated the July, 1977, on the subject noted above and to say that in has been brought to the notice of Government that the issue of domicile certificates are beings with-held for non-payment of arrears of Panchayats and Municipalities etc. by some authorities. This is against the spirit of the Government instructions on the point. I am directed to make it clear that the domicile certificate should not be withheld on the ground of non recovery of arrears of Panchayats and Municipal Committee etc.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana

Endst. No. 62/46/83-6GSI

Dated : 14-1-86

A copy is forwarded to the Executive Director, Haryana Legal Service an Advice Committee, 2202, Sector 38-C, Chandigarh with reference to his letter No. 783 (24)/ED/HLAC, dated 11-10-85 for information.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana

No. 62/29/85-6GSI

From

The Chief Secretary to Government, Haryana.

To

All Heads of Departments, Commissioners, Ambala and Hisar Divisions, All Deputy Commissioners and all Sub Divisional Officers in Haryana.

Dated Chandigarh, the 9th Feb, 1989.

Subject :— Bonafide residents of Haryana-Issue of Certificate.

Sir,

I am directed to refer to the noted above and to say that as you are aware the Government have decided to grant unemployment allowance to the un-employed educated personal of Haryana domicile. As the allowance is payable only to the domiciles of Haryana , a domicile certificate would be required by these persons. It is therefore, requested that domicile certificate may be issued to such persons who are eligible under the instructions issued under Haryana Government letter Nos. 4663-6GSI-77, dated 26-7-77 and amended vide letter Nos. 62/46/83-6 GSI, dated 6-9-83 and 62/29/84-6 GSI, dated 8-5-85 expeditiously so that may avail the benefit of un-employed allowance.

2. These instructions may kindly be brought to the notice of all concerned for compliance.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A Copy is forwarded for information and necessary action to the Financial Commissioner and all Administrative Secretaries to Government, Haryana .

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

The Financial Commissioner and All Administrative Secretaries to Government, Haryana.

U.O. No. 62/29/85-6GSI

Dated : 9-2-89

No. 62/29/84-6GSI

From

The Chief Secretary to Government, Haryana.

To

- (1) All Heads of Departments, Commissioners, Ambala, Rohtak, Gurgaon and Hisar Divisions, All Deputy Commissioners and All Sub Divisional Officers in Haryana.
- (2) Register, Punjab and Haryana High Courts and All Districts and Sessions Judges in Haryana.

Dated, Chandigarh the 10th September, 1991

Subject :— Bonafide residents of Haryana-Guidelines regarding .

Sir,

I am directed to invite your attention to Haryana Government instructions issued vide letters No. 4663-6GS-I-77/19856 dated the 26th July, 1977 letter No. 42/46/83-6GSI, dated 6-9-83 and letter No. 62/9/84-6GSI, dated 8.5.1985 on the subject noted above and to say that the questions of further widening the scope of the definition of the term bonafide resident of Haryana for the purpose of admissions to educational institutions (including technical/medical institutions), grant of scholarships and other concessions, where by they are restricted to bonafide residents of Haryana has been under consideration of the Government for some time past. After careful, consideration has been decided that henceforth the following categories of persons would be eligible for the grant of domicile certificate :-

- (i) Candidates who have passed the examination, qualifying there for selection in an institution, from a school/college in Haryana.
- (ii) Children/wards (if parents are not living)/dependents :-
 - (a) of the employees of Haryana State posted in or outside Haryana State or working on deputation;
 - (b) of the employees of the statutory bodies/Corporations established by or under an act of the State of Haryana who are posted in Chandigarh or in Haryana or outside Haryana ;
- (iii) Children/wards (if parents are not living)/dependents of persons who after retirement have permanently settled in Haryana and draw their pensions from the treasuries situated in the State of Haryana.
- (iv) Children/wards (if parents are not living) dependents of pensioners of Haryana Government irrespective of the fact that the original home of the retiree is in a State other than that Haryana or he has settled after retirement in or outside Haryana.

(v) Children/wards (if parents are not living dependents of persons who have permanent home in Haryana and include persons who have been residing in Haryana for a period of not less than 15 years or who have permanent home in Haryana but on account of their occupations they are living outside Haryana.

(vi) The wives of such person who are bonafides residents of Haryana irrespective of the fact that they had belonged to any other State before marriage.

(vii) Persons who were born in Haryana and produce a certificate to that effect ;

Provided that the parents/guardians (if parents are not living) of persons belonging to any one of the above mentioned categories are :—

(a) citizens of India ;

(b) produce an affidavit to the effect that they or their children/wards (if parents are not living)/dependents have not obtained the benefit of domicile in any other state.

2. All Candidates claiming to be bonafide residents of Haryana should produce a Haryana Domicile Certificate signed by the District Magistrate/General Assistant to Deputy Commissioners or Sub Divisional Officer (Civil) of the District/Sub Division to which the candidates belong. Domicile certificates in respect of the children/wards/dependents of Haryana Government employees who are posted at Chandigarh, Delhi or else where or in respect of the Children/wards/dependents of the employees of the statutory bodies/Corporations of Haryana established by or under an Act of the State of Haryana and located at Chandigarh, Haryana or outside Haryana, should be issue by their respective Heads of Department.

3. Candidates seeking admission in educational institutions (including medical and technical institutions) located in Haryana, may not be required to produce domicile certificate, if they have passed the examination from a school situated in Haryana. For this purpose, a certificate of the Principal/ Headmaster from concerned institution where the Children/wards studied last should be considered sufficient. The Principal/Head Master of the institution shall be competent to issue such certificate which should be sufficient.

4. If a candidate is admitted on the basis of claim that he belongs to the State of Haryana but at any subsequent time it is discovered that his claim was also, the student shall be removed from the institution and all fees and other dues paid up to the date of such removal shall be confiscated. The Principal/Head Master may take such other action against the student and his/her parents/guardians as he may deem proper in the circumstances of any particular case.

5. These instructions may kindly be noted carefully for compliance.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Bona fide Resident

A copy is forwarded for information and necessary action to :—

- (i) The Financial Commissioners, Haryana and
- (ii) All Administrative Secretaries to Govt., Haryana.

Sd/-
Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

- (i) The Financial Commissioners, Haryana.
- (ii) All Administrative Secretaries to Govt., Haryana.

U.O. No. 62/29/84-6GSI

Dated, Chandigarh the 10-9-1991.

No. 62/7/94-6GSI

From

The Chief Secretary to Government, Haryana.

To

All Heads of Departments,
Commissioners, Ambala, Rohtak, Gurgaon
& Hisar Divisions.

All Deputy Commissioners and all Sub
Divisional Officers (C) in Haryana.

Dated Chandigarh, the 17th Feb., 1994

Subject :— Issuance of Domicile Certificate Haryana, Instructions regarding.

Sir,

I am directed to refer to the subject cited above and to say that it has been brought to the notice of the Government that some Distt. Authorities in Haryana have been issuing domicile certificate quoting the old instructions (as contained in Haryana Govt., No. 4663-6GSI-77/19856 dated 26-7-1977 and No. 62/29/84-6GSI dated 8-5-85) which have already been amended/substituted by new instructions issued vide letter No. 66/29/84-6GSI, dated 10-9-91. I am to request that while issuing Domicile Certificate the above mentioned latest instructions dated 10-9-1991 should be quoted in the said certificate.

2. These instructions may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Under Secretary, General Administration-I,
for Chief Secretary to Government, Haryana.

Bonafide Resident

No. 62/29/84-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court, Chandigarh and all District & Session Judges in Haryana.

Dated Chandigarh the 5th May, 1994.

Subject :— Bonafide resident of Haryana-Guidelines regarding.

Sir,

I am directed to refer to the instructions issued vide Haryana Government circular letter No. 62/29/84-6GSI dated 10.9.91 on the subject noted above to say that the matter regarding extending the benefit to the children/wards of employees of Government of India posted in Haryana or Chandigarh in connection with the affairs of Haryana, Government has been under the consideration of Government for some time past and after careful consideration, it has now been decided to insert the following clause (ii) (c) in para 1 of the instructions referred to above :-

“Para 1(ii) (c) of the employees of the Government of India posted in Chandigarh or in Haryana in connection with the affairs of the Haryana Government.”

This modification may kindly be noted carefully for compliance.

The receipt of this letter may please be acknowledge.

Yours faithfully,

Sd/-

Under Secretary, General Administration-I,
for Chief Secretary to Government, Haryana.

Endst. No. 62/29/84-GSI

Dated Chandigarh, the 5th May, 1994.

A copy is forwarded to the Accountant General, Haryana, Chandigarh with reference to his D.O. No. Admn. I 83/(DC)-93-94/2432 dated 8.2.94 for information.

Sd/-

Under Secretary, General Administration-I,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action :—

- (i) All the Financial Commissioners, Haryana ; and
- (ii) All Administrative Secretaries to Government, Haryana.

Sd/-

Under Secretary, General Administration-I,
for Chief Secretary to Government, Haryana.

To

- (i) All the Financial Commissioners, Haryana
- (ii) All Administrative Secretaries to Government, Haryana.

U.O.No.62/29/84-GSI

Dated Chandigarh, the 5-5-94

Bonafide Resident

No. 62/29/84-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners, Ambala, Rohtak, Gurgaon & Hisar Divisions, all Deputy Commissioners & all Sub Divisional Officers (Civil) in Haryana.
2. Register, Punjab and Haryana High Court and all District & Sessions Judges in Haryana.

Dated Chandigarh, the 14th July, 1994.

Subject :— Bonafide residents of Haryana-Guidelines regarding.

Sir,

I am directed to refer to the instructions issued *vide* Haryana Government Circular letter No. 62/29/84-6GSI, Dated 5-5-94 on the subject noted above and to say that the matter regarding specifying the authority competent to issue domicile certificate in the case of Children/wards of employees of Government of India posted at Chandigarh or in Haryana in connection with the affairs of Haryana Government has been under consideration of Government and after careful consideration, it has now been decided to amend the para 2 of the instructions issued *vide* letter of even number dated 10-9-91 as under :—

“All candidates claiming signed by the District Magistrate/General Assistant to Deputy Commissioner or Sub Divisional Officer (Civil) of the District/Sub Division to which the candidates belong. Domicile certificates in respect of the Children/wards/dependents of Haryana Government employees who are posted at Chandigarh, Delhi or elsewhere, or in respect of the children/wards/dependents of the employees of the Government of India posted at Chandigarh or in Haryana in connect on with the affairs of Haryana Government, or in respect of the children/wards/dependents of the employees of the statutory bodies/ Corporations of Haryana established by or under an act of the State of Haryana or a Central Act and located at Chandigarh, Haryana or outside Haryana, should be issued by their respective Heads of Department.”

This modification may kindly be noted carefully for compliance.

The receipt of this letter may please be acknowledged.

Yours faithfully,

Sd/-

Under Secretary, General Administration-I,
for Chief Secretary to Government, Haryana.

Endst. No. 62/29/84-6GSI

Dated Chandigarh, the 14th July, 1994.

A copy is forwarded to the Accountant General, Haryana, Chandigarh with reference to his letter No. Admin-I/(83)/DC/94-95-448, dated 31-5-94/1-6-94 for information.

Sd/-

Under Secretary, General Administration-I,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action :-

- (i) All the Financial Commissioners, Haryana, and
- (ii) All Administrative Secretaries to Government, Haryana.

Sd/-

Under Secretary, General Administration-I,
for Chief Secretary to Government, Haryana.

To

- (i) All the Financial Commissioners, Haryana.
- (ii) All Administrative Secretaries to Government Haryana.

U.O.No. 62/29/84-6GSI

Dated Chandigarh, the 14th July, 1994.

No. 62/17/95-6GSI

From

The Chief Secretary to Government, Haryana

To

- (i) All Heads of Departments, Commissioners Ambala, Rohtak, Gurgaon and Hisar Divisions.
- (ii) All Deputy Commissioners and all Sub Divisional Officer (Civil) in Haryana.
- (iii) The Registrar, Punjab and Haryana High Court and all District and Sessions Judges in Haryana.

Dated Chandigarh, the 3rd Oct., 1996.

Subject :— Bona fide residents of Haryana-Guidelines regarding.

Sir/Madam,

I am directed to invite your attention to Haryana Government letters noted in the margin on the subject noted above vide which the instructions were issued regarding simplification of procedure for obtaining the certificate of Domicile for the purpose of admission to educational institution (including technical/medical institution). The matter has been reconsidered in the light of Judgement delivered by the Hon'ble Supreme Court of India in the case of Dr. Pradeep Jain Vs. Union of India and others reported as AIR 1934-SC-1421, wherein it has been held that instead of the word 'Domicile' the word 'Resident' be used in the instructions issued by the State Government and it has been decided to revise the Government instructions. Henceforth the following categories of persons would be eligible for the grant of Resident Certificates :—

- (i) Candidate who have passed the examination qualifying there for selection, in an institution from a school/college in, Haryana.
- (ii) Children/ward (if parents are not living)/dependents :—
 - (a) of the employees of Haryana State posted in or outside Haryana State or working on deputation;
 - (b) of the employees of the statutory bodies/corporations established by or under an act of the state of Haryana who are posted in Chandigarh or in Haryana or-outside Haryana;
 - (c) of the employees of the Government of India posted in Chandigarh or in Haryana in connection with the affairs of the Haryana Government;
- (iii) Children/ward; (if parents are not living)/dependents of persons who after retirement have permanently settled in Haryana and draw their pensions from the treasuries situated in the State of Haryana;

- (iv) Children/wards (if parents are not living/dependents of pensioners of Haryana Government irrespective of the fact that the original home of the retiree is in a State other than Haryana or he has settled after retirement in or outside Haryana;
- (v) Children/wards (if parents are not living)/dependents of persons who have permanent home in-Haryana, and include persons who have been residing, in Haryana for a period of not less than 15 years or who have, permanent home in Haryana- but-on account of their occupation they are living outside Haryana;
- (vi) The wives of such persons who are bonafide residents of Haryana irrespective of the fact that they had belonged to any other State before marriage;
- (vii) Persons who were, born in Haryana and produce a certificate of that effect; provided that the parents/guardians (if parents, are not living), of persons, belonging to anyone of , the above mentioned categories are :—
 - (a) Citizen of India;
 - (b) produce an affidavit to the effect that they or their Children/wards (if parents are not living/dependents have not obtained the benefit of Resident in any other State.

2. All candidates claiming to be bonafide residents of Haryana should produce a Haryana Resident Certificate signed by the District Magistrate/General Assistant to Deputy Commissioner, Sub Divisional Officer (Civil) of the District/Sub Divisions to which the candidates belong. Resident Certificates in respect of the Children/Wards/Dependents of Haryana Government employees who are posted at Chandigarh, Delhi or elsewhere or in respect of Children/Wards/Dependents of pensioners of Haryana Government or in respect of the Children/Wards/Dependents of the employees of Government of India posted at Chandigarh or in Haryana in connection with the affairs of Haryana Government, or in respect of Children/wards/dependents of the employees and retirees of the statutory bodies/Corporations of Haryana established by or under an act of the State of Haryana or a Central Act and located at Chandigarh, Haryana or outside Haryana should be issued by their respective Heads to Departments.

3. Candidates seeking admission in educational institutions (including medical and technical institutions) located in Haryana, may not be required to produce Resident Certificate, if they have passed the examination from a school/college situated in Haryana. For this purpose a certificate of the Principal/Headmaster from concerned institution where the children/wards studies last should be considered sufficient. The Principal/Headmaster of the institution shall be competent to issue such certificate which should be sufficient.

4. If a candidate is admitted on the basis of claim that he belongs to the State of Haryana but at any subsequent time is discovered that his claim was false, the student shall be removed from the institution, all fees and other dues paid up to the date of such removal shall be confiscated. The Principal/Headmaster may take such other action against the student and his/her parents/guardians as he may deem proper in the circumstances of any particular case.

5. For the purpose of uniformity for issuing certificate of Residence in the case of various categories to be issued by the competent Authorities, proformas have been prescribed are enclosed

Bona fide Resident

herewith.

6. These instructions may kindly be noted carefully for compliance and the receipt of this letter may please be acknowledged.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded for information and necessary action to :—

- (i) All Financial Commissioners and Secretaries to Government Haryana;
- (ii) All Commissioners, and Secretaries to Government Haryana.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

To

- (i) All Financial Commissioners and Secretaries to Government Haryana;
- (ii) All Commissioners and Secretaries to Government Haryana.

U.O. No. 62/17/95-6GSI

Dated Chandigarh, the 3-10-96.

No. 62/17/95-6GSI

From

The Chief Secretary to Government, Haryana.

To

- (1) All Heads of Departments, Commissioners, Ambala, Rohtak, Gurgaon and Hisar Divisions.
- (2) All Deputy Commissioners and all Sub Divisional Officers (Civil) in Haryana.
- (3) The Registrar, Punjab and Haryana High Court and all District and Sessions Judges in Haryana

Dated Chandigarh, the November 21, 1997

Subject :— Bonafide residents of Haryana-Guidelines regarding.

Sir/Madam,

I am directed to invite your attention to Haryana Government letter No. 62/17/95-6GSI, dated 3-10-97 on the subject noted above vide which the detailed instructions regarding grant of Resident certificate to the various categories of persons were laid down. For the purpose of uniformity of issuing certificates of Residence by the competent authorities, some proformas were also appended therewith.

2. The whole matter has been reconsidered and it has been observed that the said proformas are not in conformity with the instructions. Consequently, it has been decided to withdraw the proformas appended with these instructions.
3. You are, therefore, requested that henceforth certificate of Residence be issued in the light of these guidelines using the word 'Resident' instead of Domicile.
4. These instructions may kindly be noted carefully for compliance.

Yours faithfully,

Sd/-

Joint Secretary General Administration
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Joint Secretary General Administration
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

U.O.No. 62/17/95-6GSI

Dated Chandigarh, the November 21-11-1997

No. 62/17/95-6GSI

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of Departments, Commissioners Ambala, Rohtak, Gurgaon and Hissar Divisions.
- (ii) All Deputy Commissioners and all Sub-Divisional Officers (Civil) in Haryana.
- (iii) The Registrar, Punjab and Haryana High Court and all District and Sessions Judges in Haryana.

Dated Chandigarh, the July 17, 1998.

Subject :— Bonafide residents of Haryana- Guidelines regarding.

Sir/ Madam,

I am directed to invite your attention to Haryana Government letter No. 62/17/95-6GSI, dated 3-10-96 regarding the subject mentioned above vide which the instructions were issued regarding simplification of procedure for obtaining the certificate of Bonafide Residents of Haryana for the purpose of admission to educational institutions (including technical/medical institutions).

2. Several departments have sought clarification from the State Government whether adhoc/ contract/daily wages employees are also covered under these instructions.

3. The matter has been examined by the Government. It is clarified that only regular employees of the State Government/Statutory Bodies/Corporations and Government of India mentioned in the above instructions and not adhoc/contract/daily wages of these Governments/Statutory Bodies/Corporations fall within the ambit for these instructions. These Government/Statutory Bodies/Corporations fall within the ambit of these instructions. Accordingly, in sub clause (a), (b) and (c) of clause (ii) in para I of the instructions in question, for the word "employee" the word "regular employees" is substituted and should be read as such.

These instructions may be noted carefully for compliance.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners
and Secretaries to Government, Haryana,

U. O. NO. 62/17/95-6GSI,

Dated Chandigarh, the July 17, 1998.

No. 62/32/2000-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments in Haryana.
2. The Commissioners Rohtak, Gurgaon, Hisar and Ambala Divisions,
3. The Registrar, Punjab and Haryana High Court.
4. All the Deputy Commissioners in Haryana
5. The Managing Director of all Boards and Corporations in Haryana
6. The Registrars, Maharishi Dayanand University, Rohtak, Kurukshetra University Kurukshetra, Ch. Charan Singh Haryana Agriculture University, Hisar and Guru Jambheshwar University, Hisar.

Dated, Chandigarh 23-5-2003

Subject:— Bonafide residents of Haryana-Guidelines regarding.

Sir,

I am directed to invite your attention to Haryana government circular letter No. 62/17/95-6GSI, dated 3-10-1996 on the subject noted above vide which the powers of issuing Haryana Resident Certificate was vested with District Magistrate/General Assistant to Deputy Commissioner or Sub Divisional Officer (Civil) of the District/Sub Divisions.

The Matter has been reconsidered by the State Government in view of the problems being faced by the public in general and the student's community in particular in obtaining a resident certificate from the concerned authorities. With a view to improve the existing system in public interest it has been decided by the Government to delegate powers of District Magistrates/City Magistrates/Sub Divisional Officers (Civil to Tehsildars to issue Haryana Resident Certificate to the claimant (s). Henceforth the Tahsildars of Revenue Department are authorized to issue Residents Certificates besides the aforesaid functionaries.

These instructions may be observed by all concerned meticulously.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana

Bona fide Resident

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners and Principal Secretary/Commissioners and Secretaries to Government Haryana.

U.O.No. 62/32/2000-6GSI

Dated Chandigarh, the 23-5-2003

II

CLASSIFICATION OF POSTS

Copy of Punjab Government Circular letter No. 13531-IGS 61, dated 20th November, 1961, from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject :— Conversion of temporary posts/departments into permanent ones-General Policy relating to.

Ever since the last World War there has been a huge expansion in the temporary staffs employed by Government. This process has been further accelerated since Independence, when apart from the Rehabilitation problem which required special and at times gigantic organisation, the State has been interesting itself in bigger and bigger programmes of development and many special projects. The result is that today a large number of employees are employed on a temporary basis. This situation naturally is the cause of pressure on the part of the employees to have their posts made permanent and occasions marked difference of opinion between Administration and Finance. Therefore, there is need to get the matter to a firm policy footing. On the other hand, Government's long-term need for particular posts must demand on the duties of these posts and the future programmes connected with the particular type of experience involved. Any rigid policy may well mean that Government commits itself to carrying large staffs some of which it may, in fact, not require.

2. In these circumstances, whereas a fairly well defined policy is desirable, it is also believed that it must provide some degree of safeguard to meet with particular unusual circumstances. Instead of piecemeal cases coming up to Government with regard to making staffs of particular departments permanent, the following general procedure has been decided upon.-

A. *Temporary posts in permanent departments.*

3. (1) There should be a review with regard to all posts which have existed for three years or over, every year between the months of May-July when there is relatively less pressure of Budget work. The Administrative Secretary will make a list of temporary posts which have existed for three years and send proposals for their permanent by the end of May to the Chief Secretary who may depute one of his Deputy Secretaries to deal with these cases. The proposals will then be processed through a Committee of officers comprising the senior Financial Commissioner as Chairman, the Chief Secretary the Planning Secretary the Finance Secretary and the Secretary of the Administrative Department concerned. This Committee will meet during June according to the needs of the situation. The Deputy Secretary concerned will act as Secretary of this Committee. Where technical posts are involved, the Secretary of the Administrative Department will be at liberty to get the assistance and presence of such technical officers as he wishes. This Committee of officers will after discussion make recommendations as to which posts should be made permanent. These recommendations will then be put up to the Council of Ministers during the July for final decision.

(2) Where a post has existed for five years or more the general practice will be that these posts should be made permanent automatically. The Administrative Secretary concerned would, therefore, take necessary action in consultation with the Finance Department. In order, however, to provide some safe guard where the Finance Department specifically objects to making posts permanent, the matter should be referred to the same Committee as is mentioned at (1) above, through the Chief Secretary to Government, Punjab by the end of May each year. The Committee will again make suitable recommendations to the Cabinet whose decisions will be final.

B. Temporary Departments

4. In these departments all posts will be temporary unless the Government has specifically made certain posts permanent, as has been done in the Civil Supplies and Rehabilitation Departments. The problem of temporary departments is much more difficult than that of merely temporary posts, since it is debatable whether the whole activity in which the department is involved is to continue or not. Here also, the following procedure has been provided for review.-

- (1) The same Committee of officers as has been mentioned above should review the position of all temporary departments which have been in existence for five years or above and should make appropriate recommendations to the Cabinet whose decision would be final. The Administrative Department will initiate this review by the end of May, each year with justification as to making the organisation permanent or a part of it permanent.
- (2) Where a temporary organisation has existed for ten years or above it should automatically be made permanent. Here again, however, where the Finance Department has special reasons against following this practice in regard to a particular organisation, the matter should be considered by the Committee of officers at the initiative of the Finance Department, who will send its proposal by the end of May each year and appropriate recommendations made to the Cabinet whose decisions would be final.

To enable the Finance Department to send up its proposal in time, the Departments should, on demand by the Finance Department, make available to the Finance Department a detailed note giving the history of the Department ever since its inception and a justification for its being made permanent.

5. The above arrangements represent an ad hoc solution which is not too grave a risk to Government and at the same time would offer reasonable chances of long term security to employees. The recent decision of Government, following the recommendation of the Pay Commission, that all temporary service followed by confirmation should be counted towards pension will certainly help employees, as one of the difficulties previously was that temporary service counted towards pension only to the extent of 50%. The new rules plus the arrangements mentioned above would substantially meet the employees' needs and demands.

6. As these arrangements provide for review during May-July each year, they will not interfere with current practice in regard to posts suggested for permanency through the Budget 1962-63. The usual procedure will apply to such cases.

PART VI

Copy of U.O. No. 9875-6GS-63, dated 21st August, 1963, from Chief Secretary to Government, Punjab, to all Administrative Secretaries to Government Punjab.

Subject :— **Classification of posts/services.**

The following are the broad criteria which are observed for the declaration of posts/services as Class I or Class II :—

- (a) Class I posts/services.-All Gazetted posts the maximum of which exceeds Rs. 1,000.
- (b) Class I (Junior) posts/services.- This is a Class in existence peculiar to Punjab and, at present, Engineers in the P.W.D. in the time scale of Rs. 375-925 are so classified, while the existing category may continue, no new posts may be added to it.
- (c) Class II posts/services.-All other Gazetted posts the maximum of which is Rs. 550 or above but does not exceed Rs. 1,000.

These are only general considerations and are not intended to apply automatically to any existing or new posts services. The Administrative Departments may keep in view the above criteria while recommending classification of posts/ services to this Department, or framing service rules.

**Copy of letter No. 6966-1-GS 69/29002, dated the 13th November, 1969, from the Chief Secretary to Government, Haryana, to All Heads of Departments, Commissioner, Ambala Division, Ambala.
All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.**

Subject :— Conversion of temporary posts into permanent ones.

I am directed to refer to the subject noted above and to state that in the wake of reorganisation of composite Punjab a large number of temporary posts were allocated to Haryana and moreover owing primarily to rapid development in the State numerous temporary posts have had to be created in various Departments to cope with the additional work. The result is that the number of temporary posts is disproportionately large and it has become necessary to take special measures to overcome the difficulty. The question has accordingly been considered in detail and it has been decided as follows:-

- (i) Temporary posts which were in existence in permanent Departments on 1-4-1968 and the work of which is of a continuing nature should be made permanent by the Administrative Departments after obtaining formal concurrence from the Finance Department;
- (ii) temporary posts which were created in permanent Departments between 1-4-1968 and 1-11-1969 and the work of which is of a continuing nature should be reviewed by the Standing Committee (constituted vide Government letter No. 13531-IGSI-61, dated 20-11-1961) (copy enclosed) in January, 1970 for conversion into permanent ones. The procedure to be followed by this Committee will be the same as indicated in the said letter dated 20-11-1961 ;
- (iii) posts in temporary Departments will also be reviewed according to the procedure and subject to the condition laid down in the letter dated 20-11-1951 for the conversion of temporary posts into permanent ones.

2. You are therefore, requested to take action as indicated above to refer the cases in question (i) to the Finance Department and (ii) to the standing Committee (in the prescribed Performa) by 15-12-1969 without fail so that action in the matter is completed in January next. It may be added that as the standing Committee will be reviewing temporary posts created between 1-4-1968 and 1-11-1969 fresh proposals will be necessary in all cases and it will not be possible to take into account any proposals that have been sent earlier.

Copy of U.O. endorsement No. 6966-I-GD-69, of even date and from the same officer.

A copy each with a copy of enclosures is forwarded for information and necessary action to :—

- (i) The Financial Commissioner, Revenue, Haryana, Chandigarh.
- (ii) All the Administrative Secretaries to Government, Haryana.

Copy of endorsement No. 6966-IGS-69/29003, of even date and from the same officer.

A copy each with a copy of enclosures is forwarded to the (i) Accountant General, Haryana, Simla, and (ii) Deputy Accountant General, Haryana Kothi No.5, Sector-2A, Chandigarh, for information.

विषय :- पद/सेवाओं का वर्गीकरण।

क्या :-

- (1) वित्तायुक्त, हरियाणा सरकार।
- (2) सभी प्रशासकीय सचिव, हरियाणा सरकार।

उपर्युक्त विषय पर संयुक्त पंजाब सरकार के अशा-क्रमांक 9875'6जी.एस.-63, दिनांक 21-8-63 (प्रति संलग्न की जाती है) की ओर ध्यान देने की कृपा करेंगे।

2. कुछ समयपूर्व से उपरोक्त अशासकीय-पत्र में राजपत्रित पदों की श्रेणी-I में अपग्रेड करने के लिए वेतन की जो 1,000/- रुपये से अधिकतम की सीमा निर्धारित की हुई है और जो पदों के ग्रेड में परिशोधन करने के कारण अप्रचलित हो गई है, को बढ़ाने का प्रश्न सरकार के विचारधीन रहा इस सम्बन्ध में सरकार ने विस्तारपूर्वक विचार के पश्चात् यह निर्णय लिया है कि अब किसी राजपत्रित पद को क्लास-I तब ही बनाया जाएगा जिस पद के ग्रेड को अधिकतम 1100/- रुपये या इससे अधिक होगा। इस निर्णय अनुसार ऐसे पदों को अटोमैटीकली श्रेणी-I का घोषित नहीं किया जा सकेगा बल्कि इस आधार पर प्रत्येक प्रस्ताव के औचित्य को देखते हुए ही इस बारे में निर्णय किया जाएगा तथा सभी प्रस्ताव इस विभाग को विचारार्थ तथा-निर्णय के लिए भेजे जायेंगे।

हस्ता/-

उप सचिव, राजनैतिक एवं सेवायें,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

वित्तायुक्त, सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा : क्रमांक 7006-2 जी. एस.-1-72,

दिनांक चण्डीगढ़, 1 दिसम्बर, 1973

विषय :- पदों/सेवाओं का वर्गीकरण।

क्या :-

- (1) वित्तियुक्त, हरियाणा सरकार।
- (2) सभी प्रशासकीय सचिव, हरियाणा सरकार।

उपरोक्त विषय पर संयुक्त पंजाब सरकार के अशा-क्रमांक 9875-6 जी.एस.-63, दिनांक 21-8-63 (प्रति संलग्न की जाती है) के पद (सी) तथा हरियाणा सरकार के अशा-क्रमांक 7006-2 जी.एस.-1-72, दिनांक 1 दिसम्बर, 1972 में जारी की गई हिदायतों की ओर ध्यान देने की कृपा करेंगे ?

2. उपरोक्त अशा० पत्र में राजपत्रित पदों की श्रेणी-II में अपग्रेड करने के लिए वेतन की जो सीमा 550/- रुपये है या इससे अधिक है परन्तु 1000/- रुपये से बढ़ती नहीं है और जो पदों के ग्रेड परिशोधित करने के कारण अप्रचलित हो गई है, को बढ़ाने का प्रश्न कुछ समय पूर्व के सरकार के विचाराधीन रहा। इस संबंध में सरकार ने विस्तारपूर्वक विचार करने के पश्चात् यह निर्णय लिया है कि अब किसी पद को क्लास-II तब ही बनाया जायेगा जब ऐसे पद के ग्रेड की अधिकतम सीमा 700/- रुपये या इससे अधिक परन्तु 1100/- रुपये से कम होगी। इस निर्णय के अनुसार ऐसे पदों की automatically श्रेणी-II घोषित नहीं किया जा सकेगा बल्कि इस आधार पर प्रत्येक प्रस्ताव के औचित्य को देखते हुए ही इस बारे में निर्णय किया जायेगा तथा सभी प्रस्ताव इस विभाग को विचारार्थ तथा निर्णय के लिये भेजे जायेंगे।

हस्ता/-

उप सचिव, राजनैतिक एवं सेवायें,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

वित्तियुक्त, सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा : क्रमांक 3042-2 जी.एस.-1-73, दिनांक चण्डीगढ़, 26 मई, 1973

No. 6817-2GS-I-76/28957

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of Departments, Commissioners, Ambala and Hisar Divisions, All Deputy Commissioners and all District Sub Divisional Officers in Haryana.
- (ii) The Registrar,
Punjab and Haryana High Court and all District & Sessions Judges in Haryana.
Dated Chandigarh, the 29th October, 1976.

Subject :— Conversion of temporary posts into permanent ones.

Sir,

In continuation of Haryana Government letter No. 6966-2GS-I-69/29001, dated the 13th November, 1969, on the sub rule noted above, I am directed to say that the matter registering conversion of temporary posts into permanent ones has been further considered and it has been decided as under :—

1. Temporary posts which have been in existence in permanent Departments for five years or more and the work of which is of a continuing nature should be made permanent by the Administrative Department after obtaining formal concurrence of the Finance Department.
2. Temporary posts in permanent Department which have been in existence for three years or more but for less than five years and the work of which is of a continuing nature should be reviewed by the Standing Committee according to the procedure laid down in composite Punjab Government U.O. No. 13561-IGS-61, dated the 20th November, 1961.
3. Posts in temporary Departments will also be reviewed by the Standing Committee according to the procedure laid down in composite Punjab Government letter No. 13561-IGS-61, dated the 20th November, 1961.

2. It is, therefore, requested that the proposals regarding conversion of temporary posts, in future, should be sent to the Chief Secretary to Government, Haryana (in General Services 1 Branch) in accordance with the procedure laid down above and the instructions dated 13th November, 1969, should be considered to have been modified to this extent.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to :—

The Financial Commissioners, Haryana. All Administrative Secretaries to Government, Haryana.

No. 31-10-78-2GSI.

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of Departments,
Commissioners, Ambala, and Hisar Divisions,
All Deputy Commissioners, Sub-Divisional Officers (Civil) in the State of Haryana.
 - (ii) The Registrar,
Punjab and Haryana High Court, Chandigarh.
- Dated Chandigarh, the 2nd March, 1982.

Subject :— Classification of Offices under Haryana Government.

Sir,

I am directed to refer to the subject noted above and to state that the matter regarding classification of offices under Haryana Government has been considered and it has been decided that classification of the offices i.e. 'A' Class Office and 'B' Class Office in the State of Haryana be abolished.

2. These instructions shall be effective from 17-2-82.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to :—

The Financial Commissioner, Revenue, Haryana, All Administrative Secretaries to Government Haryana.

No. 31-10-78-2GSI.

From

The Chief Secretary to Government, Haryana.

To

All Heads of Departments,

Commissioners, Ambala, and Hisar Divisions,
and All Deputy Commissioners in Haryana State.

Dated Chandigarh, the 15th June. 1982.

Subject :— Classification of Offices under Haryana Government.

Sir,

I am directed to invite your attention to the Haryana Government Circular letter No. 31-10-78-GSI, dated 2-3-1982 on the subject noted above and to clarify that with the abolition of the classification of offices in Haryana State, the nomenclature or the status of the various posts does not change. As a result of recommendations of the Pay Commission and the Revised Scales of Pay Rules, 1980 issued thereunder, the distinction in the scales of pay of 'A' or 'B' Class offices in respect of general category of posts had been recovered with effect from 1-4-1979. There would be neither loss nor gain to any Government Servant as a consequence of abolition of the said classification.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded to :—

The Financial Commissioner, Revenue, Haryana. All Administrative Secretaries to Government Haryana.

क्रमांक 15/1/88-2जी०एस०-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष, सभी मण्डलों के आयुक्त
2. सभी उपायुक्त और उपमण्डल अधिकारी (नागरिक)
3. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय, चण्डीगढ़।

दिनांक चण्डीगढ़ 27-9-90

विषय :- अधीक्षकों के पदों को राजपत्रित वर्ग “ख” घोषित करना।

महोदय,

मुझे आपका ध्यान उपरोक्त विषय की ओर दिलाते हुए यह करने का निदेश हुआ है कि विभिन्न कार्यालयों में कार्य कर रहे अधीक्षकों के पदों का वर्गीकरण समान नहीं है। कुछ कार्यालयों के अधीक्षकों के पद वर्ग-ख में आते हैं तथा कुछ अन्य कार्यालयों के ये पद वर्ग-ग में शामिल किये गये हैं। जिन कार्यालयों के अधीक्षकों के पद वर्ग-ग में आते थे उनसे प्रस्ताव प्राप्त हो रहे थे कि जब परिपत्र क्रमांक 31/10/78-जी०एस०-I, दिनांक 2-3-82 द्वारा कार्यालयों का वर्गीकरण समाप्त कर दिया है। तो विभिन्न कार्यालयों के अधीक्षकों का वर्गीकरण अलग-अलग रखना अनावश्यक है।

2. सरकार द्वारा मामले पर विस्तारपूर्वक विचार किया गया है और निर्णय लिया गया है कि सभी कार्यालयों के अधीक्षकों के पदों को राजपत्रित वर्ग “ख” कर दिया जाये। अतः अनुरोध है कि अपने अधीन कार्यालयों के अधीक्षकों के पदों को वर्ग “ख” के सेवा नियमों में डालने सहित अन्य आवश्यक कार्यवाही कर ली जाये।

3. वित्त विभाग ने अपने अशा० क्रमांक 1/2(3) एफ०आर०I, दिनांक 30-8-90 द्वारा प्रस्ताव का अनुमोदन कर दिया है।

भवदीय,

हस्ता०/-

अवर सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

Classification of Posts

पृष्ठांकन क्रमांक 15/1/88-2जी०एस०I,

दिनांक 27-9-90

एक प्रति हरियाणा के सभी वित्तायुक्त, आयुक्त एवं सचिव, हरियाणा सरकार को इस विभाग के अशा० क्रमांक 39/5/78-जी० एस०-I, दिनांक 6-4-78 के क्रम में सूचनार्थ तथा आवश्यक कार्यवाही के लिए भेजी जाती है।

हस्ता०/-

अवर सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

हरियाणा के सभी वित्तायुक्त/आयुक्त एवं सचिव,
हरियाणा सरकार।

अशा० क्रमांक 15/1/88-2जी०एस०I

दिनांक 27-9-90

HARYANA GOVERNMENT

General Administration Department

ORDER

23rd June, 1993

No. 16/7/92-2-GSI-I

The Government of Haryana is pleased to declare the Superintendents, working in the department of Haryana Government in the pay scale of Rs. 2000-60-2900-EB-100-3500 as Gazetted Group B notwithstanding anything contained contrary in the service rules.

B.S. OJHA

Chief Secretary to Government , Haryana

No. 16-7-92-2GS-I,

Dated, Chandigarh, the 23rd June, 1993

A copy is forwarded to the Controller, Printing and Stationery, U.T. Administration, Chandigarh for publication in the next issue of Haryana Govt. Gazette (Ordinary). He is requested to supply 700 printed copies to this department.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government Haryana.

No. 16-7-92-2GS-I,

Dated, Chandigarh, the 23rd June, 1993

A copy is forwarded to the Accountant General (Audit/A&E) Haryana. Chandigarh for information and necessary action.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government Haryana.

Classification of Posts

No. 16/7/92-2-GS-I

Dated, Chandigarh, the 23rd June, 1993.

A copy is forwarded to the following for information and necessary action :-

1. All the Heads of Departments, Commissioners of Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All the Deputy Commissioners and Sub-Divisional Officers (Civil)
3. Registrar, Punjab and Haryana High Court, Chandigarh,

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners and Commissioners and Secretaries to Government, Haryana for information.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners and Commissioners and
Secretaries to Government, Haryana.

U.O.No. 16/7/92-2GS-I,

Dated Chandigarh, the 23rd June, 1993.

क्रमांक 12/71/93-2जी०एस०-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष, सभी मण्डलों के आयुक्त।
2. हरियाणा सरकार के सभी उपायुक्त और उपमण्डल अधिकारी (नागरिक)
3. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय, चण्डीगढ़।

दिनांक चण्डीगढ़ 17 अगस्त 1994

विषय :- **अधीक्षकों के पदों को राजपत्रित वर्ग “ख” घोषित करना।**

महोदय,

मुझे आपका ध्यान उपरोक्त विषय पर सरकार के परिपत्र 15/1/88-2 जी०एस० I, दिनांक 27-9-90 की ओर दिलाने का निर्देश हुआ है कि जिस द्वारा विभागों के सभी कार्यालयों के 2000-60-2300-75-2900-100-3500 रुपये के वेतनमान में कार्यरत अधीक्षकों को राजपत्रित वर्ग “ख” घोषित करने बारे निर्देश जारी करते हुए सम्बन्धित सेवा नियमों में संशोधन करने हेतू कहा गया था। परन्तु बहुत से विभागों द्वारा नियमों में संशोधन न करने तथा अधीक्षकों को राजपत्रित वर्ग “ख” घोषित करने की तिथि में एक रुपता बनाए रखने हेतू दिनांक 23-6-93 को एगजैक्टिव आदेशों द्वारा सेवा नियमों में प्रावधान किए बिना 2000-60-2300-75-2900-100-3500 रुपये के वेतनमान में कार्यरत सभी अधीक्षकों को राजपत्रित वर्ग “ख” घोषित करने के निर्देश जारी किए गए। अब मामले पर आगे विचार करते हुए सरकार द्वारा यह निर्णय लिया गया है कि 2000-60-2300-75-2900-100-3500 रुपये के वेतनमान में कार्यरत सभी कार्यालयों के अधीक्षकों को दिनांक 23-6-93 से राजपत्रित वर्ग “ख” घोषित करने बारे सम्बन्धित सेवा नियमों में संशोधन किया जाए।

अतः आपसे अनुरोध है कि अपने विभाग के सेवा नियमों में यह संशोधन 2 मास के अन्दर-अन्दर कर के सरकार को अवगत कराएं।

भवदीय,

हस्ता०/-

अवर सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति हरियाणा सरकार के सभी वित्तायुक्त/आयुक्त एवं सचिव को भेजकर अनुरोध है कि इस सम्बन्ध में उनके अधीन कार्यरत विभागों के सेवा नियमों में निर्धारित अवधि में संशोधन करवा कर इस विभाग को अवगत कराएं।

हस्ता०/-

अवर सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

हरियाणा राज्य के सभी वित्तायुक्त/आयुक्त एवं सचिव।

अशा० क्रमांक 12/71/93-2जी०एस०I,

दिनांक, चण्डीगढ़, 17 अगस्त, 1994

III

OUTSOURCING POLICY

No. 43/5/2001-IGSI

From

The Chief Secretary to Government Haryana

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab & Haryana High Court, Chandigarh
3. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated, Chandigarh the 1st September, 2006.

Subject: — Policy for outsourcing of services/activities.

I am directed to say that the matter regarding framing of a new outsourcing policy has been drawing the attention of the Govt. for past sometime after careful consideration of the matter, Govt. has decided to frame a policy to engage/outsourcing services/activities for Government Departments. The present policy aims at giving effect to one of the recommendations of the 5th pay Commission i.e. outsource auxiliary services. The policy is enclosed as Appendix.

2. In Haryana Government Notification No.G.S.R.241 Const. 1 Art.309/2003, dated 1st October, 2003, which provides for the regularization of the services of Group-C and D employees working on adhoc/ contract or daily wage basis, it was also directed that no appointment on adhoc/ contract/daily wage basis in Group-C or Group-D posts would be made in future. This was done with a view to curb the tendency of appointment on adhoc/contract /daily-wage basis.

3. However, to meet the emergent requirement of staff caused due to death, resignation, retirement, promotion and leave etc., necessary instructions were issued vide Government circular letter No. 43/5/2001-1GS1, dated 16.8.2004 to allow the departments to engage persons on contract basis pending approval of regular contract policy. In the first instance, the Departments Public Enterprises were allowed to engage persons on contract basis up to 31.12.04 and subsequently the period for engagement of persons on contract basis was extended from time to time and last time this period was extended up to 31.7.2006 through the letter of even number dated 7th July, 2006.

4. It is clarified that persons so engaged shall not have any legal right claiming regularization of their services etc. in the departments where they have been engaged.

5. **This policy shall come into force with effect from 1.8.2006**, as a result of which the instructions contained in letter No. 43/5/2001-1 GS1, dated 16.8.2004 and subsequent in circulars of even number dated 29.12.2004, 13.5.2005, 16.1.2006, 26.4.2006 and 7.7.2006 shall stand superseded with effect from 1.8.2006.

The policy in question should be brought to the notice of all concerned working under your control for compliance, in letter and spirit.

Yours faithfully,

Sd/-

Deputy Secretary General Administration
for Chief Secretary to Government Haryana

Compendium of Instructions — Miscellaneous Matters — Vol. IX

A copy is forwarded to all the Financial Commissioners I Commissioners and Secretaries to Govt. Haryana for information and necessary action.

Sd/-
Deputy Secretary General Administration
for Chief Secretary to Government Haryana

To

All the Financial Commissioners/Commissioners and
Secretaries to Govt. Haryana

U.O.No43/5/2001-IGSI

Dated Chandigarh, the 1st September, 2006

A copy is forwarded to the Principal Secretary/Additional Principal , Secretary- I-II/OSD- I-II Senior Special Private Secretary/Senior Secretary/Private Secretaries to Chief Minister , Deputy Chief Minister, Haryana/Ministers/ Chief Parliamentary Secretary/Parliamentary Secretaries for information.

Sd/-
Deputy Secretary General Administration
for Chief Secretary to Government Haryana

To

The Principal Secretary/ Additional Principal Secretary- I-II/OSD- I-II/Senior Special Private Secretary/Senior Secretaries/Private Secretaries to Chief Minister, Deputy Chief Minister,, Haryana/Ministers Chief Parliamentary Secretary/ Parliamentary Secretaries

U.O.No43/5/2001-IGSI

Dated Chandigarh, the 1st September, 2006.

Endst. No. U.O.No43/5/2001-IGSI

Dated Chandigarh, the 1st September, 2006

A copy is forwarded to the Member Secretary, Haryana Bureau of Public Enterprises, Chandigarh for information and taking necessary action in the matter.

Sd/-
Deputy Secretary General Administration
for Chief Secretary to Government Haryana

Endst. No. U.O.No43/5/2001-IGSI

Dated Chandigarh, the 1st September, 2006

A copy is forwarded to all the Managing Directors of Boards/ Corporations I Public Undertakings for information and necessary action.

Sd/-
Deputy Secretary General Administration
for Chief Secretary to Government Haryana

Endst, No. 43/5/2001-IGSI

Dated Chandigarh the 1st September, 2006

A copy is forwarded to the Director, Public Relations, Haryana, Chandigarh for wide publicity.

Sd/-
Deputy Secretary General Administration
for Chief Secretary to Government Haryana

APPENDIX

POLICY FOR OUTSOURCING OF SERVICES/ACTIVITIES

The Government of Haryana proposes to further strengthen the delivery of services to the people. Keeping in view the emergence of new areas in the field of effective Government and due to technological advancements, it is endeavored to outsource services/ activities that are of an auxiliary or supporting nature to its functioning. It has been felt by the government that a policy needs to be enunciated to provide a framework for outsourcing of such services/activities as well as, provide guidelines on the subject. This policy aims to provide an enabling framework to approach outsourcing of services/activities wherever required for better and efficient delivery of services.

PART -A WHERE REGULAR POSTS DO NOT EXIST

- (i) Services/activities may be outsourced. As and when required in part or completely by the departments. For instance, Cleaning of premises, horticultural work, housekeeping services, maintenance of buildings, transport services, information technology services provided the software application required to be developed or data entry services are clearly specified, secretarial services, courier services, highly technical and professional services etc. The above activities are illustrative and the departments can apply this policy for outsourcing on the basis of need and span of the services/activities.
- (ii) The nature of the services/ activities required to be outsourced should be specified and clearly defined in the tender notice as well as the contract document instead of mentioning the number of personnel required to perform the services/ activities.
- (iii) The Departments shall ensure that there is no regular sanctioned post in that unit of office for performing the outsourced services/ activities.
- (iv) The identification of the services/ activities to be outsourced shall be done by the head of department. The services/ activities to be outsourced can be identified for the department as a whole or a specific unit of the department. In either case, the head of department will ensure that no regular sanctioned posts are available in that office to perform the services/ activities.
- (v) Once the services/activities to be outsourced are identified the minimum qualifying criteria the deliverables (expected service levels), performance monitoring standards and liabilities in case of non-performance shall be unambiguously determined and approved by the head of department.
- (vi) The tender form and the contract document shall be finalized with the approval of the head of department depending upon the existing delegation of powers in the department. Open tenders can then be invited and decided in a transparent manner through a competitive bidding process. A Model Draft Service Contract Document is placed at Annexure 'A' for illustration.
- (vii) In case of the Mini-secretariats in the districts where several offices of different government departments are located under one roof, the Deputy Commissioner shall identify the services/ activities to be outsourced for the building as a whole and the

expenditure on such outsourcing shall be borne by the Deputy Commissioner through the, budget available for the purpose.

- (viii) Wherever required, the departments would move for adequate provisions in their budget for outsourcing of services/ activities under the appropriate head.
- (ix) Wherever contract for services is awarded on the basis of competitive transparent bidding process no approval of FD will be required, if the expenditure is within the sanctioned budget provision.
- (x) All the expenses for outsourcing of services/ engagement of persons against sanctioned posts or otherwise shall be restricted within the sanctioned budget of the department. No separate allocations shall be made on this account.

PART-B-WHERE REGULAR POSTS EXIST.

- (i) In emergent cases involving public interest, where the sanctioned vacant posts of Group C&D categories exist, term engagement can be made for a period not exceeding six months on wages fixed by the DC under the Minimum Wages Act, 'for which no approval' of FD shall be required. If however, it is proposed to pay higher wages, then approval of FD will have to be obtained, giving proper justification. During these six months the department will Endeavour to make regular appointment.
- (ii) In case of persons already engaged on contract by some departments, against sanctioned vacant posts of any category, they will be considered having been engaged under this policy, on term engagement for a period of six months from the date of notification of this policy or the period of the term ,entered upon by the parties, whichever is less, during which the department will endeavour to fill up the posts on regular basis by following due procedure. The present incumbents may also be considered for regular appointment, if they fulfill the prescribed qualifications;

Provided that if reason any reason, the process of recruitment cannot be completed Within six months thell approval of FD shall be obtained, giving Justifications, for term engagement for a further period of six months.

- (iii) In case of persons already engaged on contract, by some departments, where no such posts exist, the engagements shall be deemed to have been made under this policy for a period, of six months or the term of engagement, entered upon by the parties whichever is less. After the expiry of the period, however, the department shall float tender for services/ activities as laid in this policy.
- (iv) When ever a term engagement is resorted to, whether against a sanctioned vacant post, or otherwise, the department should enter into an agreement, signed by both the parties, which should unambiguously state that it is engagement for a fixed term and shall automatically cease on the expiry. of the term without providing any claim to the person so engaged to any ,regularization of service or any consequential – benefits. A draft of such model agreement is appended at Annexure 'B':
- (v) In the case of posts 'of a highly technical or professional nature, of any category, whether for reasons of unavailability of suitable persons for regular' appointment or

for reasons of continuous updation of knowledge or technology, if it is decided to fill the post on term engagement, a speaking order will be passed by the head of department on the file. Such term engagement will be at Deputy Commissioner's rates wherever applicable, under the Minimum Wages Act, or up to minimum basic, pay of the pay scale prescribed for that post, plus allowances; as the case may be, for a period not exceeding one year, for which approval of the Finance Department will not be required. If however, higher pay/wages are proposed to be paid during the term engagement, then approval of the Finance Department may be obtained giving full justifications.

ANNEXURE-A

SERVICE AGREEMENT

THIS AGREEMENT is made on this.....day of.....2006, between the Governor of Haryana acting throughDepartment, Government of Haryana (hereinafter referred to as the "Department", which expression shall, unless excluded by or repugnant to the context, be deemed to include its successors in office and assignees) of the first part and M/s....., a company registered under the Companies Act, 1956/a partnership firm constituted between having its place of business or registered office at.....acting through,.....its Managing Director/Partner (hereinafter referred to as "Service Provider" which expression 'shall;' ' unless repugnant to the context or meaning thereof, be deemed to mean and include its/ his/her/their respective heirs, executors, administrators and successors/the partner(s) for the time being of the said firm the survivor (s) of them and the executors, administrators and successors of the surviving partner as the case may be) of the second part.

WHEREAS the Service Provider is engaged in the business of providing Services;

AND WHEREAS the Service Provider has expressed his keen desire to provide the said services to the Department under this agreement; .

AND WHEREAS on the aforesaid representation made by the Service Provider to the Department, the parties hereby enter into this agreement on the terms and conditions appearing hereinafter.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH AND, IT IS AGREED BY AND BETWEEN THE PARTIES AS UNDER:

1. SERVICE PROVIDER'S REPRESENTATIONS AND WARRANTIES

The Service Provider hereby represents warrants and confirms that the 'Service Provider-

1.1 has full capacity, power and authority to enter into this agreement and during the continuance of this agreement, shall continue to have full capacity, power and authority to carry out and perform all its duties and obligations as contemplated herein and has at ready taken and shall and continue to take

all necessary and further actions (including but without limiting to the obtaining of necessary approval/consents in all applicable jurisdictions) to authorize the execution, delivery and performance of this agreement;

1.2 has the necessary skills, knowledge, expertise, adequate capital and competent personnel, system and procedures, infrastructure and capability to perform its obligation in accordance with the terms of this agreement and to the satisfaction of the Government;

1.3 shall, on the execution of this agreement and providing services to the Department, not violate, breach and contravene any conditions of any agreement entered with any third party/ies ;

1.4 has complied with 'and obtained necessary' permissions/ licenses/ authorizations under the Central, State and local authorities and obtained all required permissions/ licenses for carrying out its obligations under this agreement.

2. OBLIGATIONS OF THE SERVICE PROVIDER

- (a) The Service Provider shall operate and provide services to the Department at its various sites on.....Days a week from.....am. to.....p.m.
List of services and the material are as prescribed in Annexure "A".
- (b) The regularity of the performance of the service will be the essence of this agreement and shall form a central factor of this agreement. The Service Provider shall take all possible steps to ensure to maintain its performance as determined by the Department from time to time.
- (c) The assessment made by the Service Provider in the tender including number of personnel of various description as required/ give the required quality of services shall be final and acceptable by and binding upon the service Provider.
- (d) If the Department notices that the personnel of the service Provider has/have been negligent, careless in rendering the said services, the same shall be communicated immediately to the Service Provider who will take corrective steps immediately to avoid recurrence of such incidents and reports to the Department.
- (e) If any of the personnel of the Service Provider indulges in theft, negligence or any illegal/ irregular activity, misconduct, the Service Provider shall take appropriate action against its erring personnel and intimate accordingly to the Department or itself can take action in accordance with law.
- (f) The Service Provider shall furnish a personal guarantee of its Managing Director/ Partner, guaranteeing the due performance by the Service Provider of its obligations under this agreement.

3. TERM OF PAYMENT

- (a) Fees and charges for the services to be rendered are at Annexure 'B' as agreed to between the parties.
- (b) All payments made by the Department shall be after deduction of tax at source wherever applicable as per the provisions of the Income Tax Act, 1961.

- (c) The Service Provider, being the employer in relation to persons engaged/employed by it to provide the services under this agreement shall alone be responsible and liable to pay wages/salaries to such persons which in any case shall not be less than the minimum wages as fixed or prescribed under the Minimum Wages Act, 1948 (Act XI of 1948) for the category of workers employed by it from time to time or by the State Government and /or any/ authority constituted by or under any law .. He will observe compliance of all the relevant labour laws.
- (d) The Service Provider will have to produce the register of wages or the register of wages- cum- muster roll of the preceding month along with the bill to be submitted on theday of every calendar month for verification to the nominated official of Department. The Service Provider shall ensure that payment to his employees is made in the presence of an authorized representative of the Department.

4. SUBMISSION AND VERIFICATION OF BILLS

The Service Provider shall submit on a monthly basis the bills for the services rendered to enable the Department to verify and process the same.

5. DISCIPLINE

- (a) The Service Provider shall issue identity cards, on its own name and trading style, to its personnel deputed for rendering the said services, which at Department's option, would be subject to verification at any time. The Department may refuse the entry into its premises to any personnel of the Service Provider not bearing such identity card or not being perfectly dressed.
- (b) The Department shall always have the right and liberty to do surprise inspection at its sites.
- (c) The services rendered by the Service Provider under this agreement will be under close supervision, co-ordination and guidance of the Department. The Service Provider shall frame appropriate procedure for taking immediate action as may be advised by the Department from time to time.
- (d) It is understood between the parties hereto that the Service Provider alone shall have the right to take disciplinary action against any person(s) to raise any dispute and/or claim whatsoever against the Department. Department shall under no circumstances be deemed or treated as the employer in respect of any person(s) engaged/employed by the Service Provider for any purpose, whatsoever nor Department be liable for any claim(s) Whatsoever, of any such person (s)

6. NATURE OF AGREEMENT

The parties hereto have considered agreed to and have a clear understanding on the following aspects:—

- (a) This agreement is on the principal to principal basis and does not create, and shall not deem to create any employer-employee relationship between the Department and the Service Provider. The Service Provider shall not by any acts, deeds of

otherwise represent any person that the Service Provider is representing or acting as agent of Department, except, to the extent and purpose permitted herein.

- (b) This agreement is for providing the aforementioned service and is not an agreement for supply of contract labour. It is clearly understood by the Service Provider that the persons employed by the Service provider for providing service as mentioned herein, shall be the employees of the Service Provider only not of the Department. The Service Provider shall be liable to make payment to its said employees towards their monthly wages/salaries and other statutory dues like Employees Provident Fund, Employees State Insurance, minimum wages, bonus, gratuity etc.
- (c) Department shall not be liable for . any obligations/responsibilities contractual, legal or otherwise, towards the Service Provider's employees/agents directly and/or indirectly, in any manner whatsoever.

7. STATUTORY COMPLIANCES

- (a) Service Provider shall obtain all registration(s)/permission(s) licensees) etc. which are/may be required under any labour or other legislation(s) for providing the services under this agreement.
- (b) It shall be the Service Provider's responsibility to, ensure compliance of all the Central and, State Government Rules and Regulations, with regard to the provisions of the services under this agreement. The Service provider indemnifies and shall always keep Department indemnified against, all losses, damages, claims actions taken against Department by any authority/office in this regard.
- (c) The Service Provider undertakes to comply with the applicable provisions of all welfare legislations and more particularly with' the Contract Labour (Regulation and Abolition) Act, 1970, if applicable, for carrying out the purpose of this agreement. The Service Provider shall further observe and comply with all Government laws concerning employment of staff employed by the, Service Provider and shall duly pay all sums of money to such staff as may be required to be paid under such laws. It is expressly understood that the Service Provider is fully responsible to ascertain: and understand the applicability of various Acts, and take necessary action to comply with the requirements of law.
- (d) The Service Provider shall give an undertaking by 'the 22nd of each month in favour of the Department that he has complied with all his statutory obligations. A draft of the said undertaking is attached herewith as Annexure 'c' to this agreement.

8. ACCOUNTS AND RECORDS

- (a) The 'Service Provider shall maintain accurate accounts and records, statements of all its operations and expenses in connection with its functions under this agreement in the manner specified by the Department.
- (b) The Service Provider shall forthwith upon being required by the Department, allow Department of any of its authorizes representatives to inspect, audit or take copies of any records maintained by the Service Provider. The Service Provider shall also

cooperate in' good faith with the Department to correct any practices Which are found to be deficient as a result of any such audit Within a reasonable time after receipt of the report from the Department. However, upon discovery of any discrepancies or under payment the Service Provider shall immediately reimburse the Department for such discrepancies or overcharge.

9. INDEMNIFICATION

- (a) The Service Provider shall at its own expenses make good any loss or damage suffered by the Department as a result of the acts of commission or omission, negligently or otherwise of its personnel while providing the said services at any time of the premises of the Department or otherwise.
- (b) The Service Provider shall at all times Indemnify and keep indemnified that Department against any claim on' account of disability/death of any of its personnel caused while' providing the services within/outside the site or other premises of the Department which may be made Under the workmen's Compensation Act, 1923 or any other Acts or any other Statutory modifications hereof or otherwise for or in respect of any claim for damage or compensation payable in consequence of any accident or injury sustained by the working or there personnel of the Service Provider or in respect of any claim, damage or compensation, under labour laws or other laws or rules made there under by any Person whether in the employment of the Service Provider or not, who provided or provides the service at the site or any other premises of the Department shall be as provided hereinbefore.
- (c) The Service Provider shall at all times indemnify and keep indemnified the Department against any claim by any third party for any injury, damage to the property or person of the third party or for any other claims whatsoever for any acts of commission Or omission of its employees or personnel during the hours of providing the services at the Department's premises or before and after that.
- (d) That, if at any time, during the operation of this agreement or thereafter the Department is made liable in any manner whatsoever by any order, direction or otherwise of any Court authority or tribunal, to pay any amounts whatsoever in respect of or to any of present or ex-personnel of the Service Provider or to any third party in any event not restricted but including as mentioned in sub-clauses No (a), (b) and (c) hereinabove, the Service Provider shall immediately pay to the department all such amounts and costs also and in all such cases/events the decision of the Department shall be final and binding upon the Service Provider. The department shall be entitled to deduct any such amounts as aforesaid, from the security deposit and/or from any pending bills of the Service Provider.

10. LIABILITIES AND REMEDIES

In the event of failure of the Service Provider to provide the, services or part thereof as mentioned in this agreement for any reasons whatsoever, the Department shall be entitled to procure services from other sources and the Service Provider shall be liable to pay forthwith to the Department the difference of payments made to such other sources, besides damages at double the rate of payment.

11. LOSSES SUFFERED BY SERVICE PROVIDER

The Service Provider shall not claim any damages, costs, charges, expenses, liabilities arising out of performance/non-performance of services, which it may suffer or otherwise incur by reason of any act/omission, negligence, default or error in judgment on part of itself and / or its personnel in rendering or non-rendering the services under this agreement.

12. TERM

This agreement shall be effective for a period of.....years with effect from.....upto.....and can be extended further for such period and such terms and conditions as may be deemed fit and proper by the Department.

13. TERMINATION

- (a) Either party can terminate this agreement by giving one month Written notice to the other without assigning any reason and without payment of any compensation thereof. However, the Department shall give only a 24 hours notice of termination of this agreement to the Service Provider when there is a major default in compliance of the terms and conditions of this agreement or the Service Provider has failed to comply with its statutory obligations.
- (b) If Service Provider commits breach of any covenant or any clause of this agreement, Department may send a written notice to Service Provider to rectify such breach within the time limit specified in such notice. In the event Service Provider fails to rectify such breach Within the stipulated time, the agreement shall forthwith stand terminated and Service Provider shall be liable to Department for losses or damages on account of such breach.
- (c) The Department shall have the right to immediately terminate this agreement if the Service Provider becomes insolvent, ceases its operations, dissolves, files for bankruptcy or bankruptcy protection, appoints receivers, or enters into an arrangement for the benefit of creditors.

14. ASSIGNMENT OF AGREEMENT

This Agreement is executed on the basis of the current management structure of the Service Provider. Henceforth, any assessment of this agreement, in part or whole, to any third party without the prior written consent of the Department shall be a ground for termination of this agreement forthwith.

15. COMPOSITION AND ADDRESS OF SERVICE PROVIDER

- (a) The Service Provider shall furnish to the Department all the relevant papers regarding its constitution, names and addresses of the management and other key personnel of the Service Provider and proof of its registration with the concerned Government authorities required for running such a business of Service Provider.
- (b) The Service Provider shall always inform the Department in writing about any change in its address or the names and addresses of its key personnel. Further, the Service Provider shall not change its ownership without prior approval of the Department.

16. SERVICE OF NOTICE

Any notice or other communication required or permitted to be given between the parties under this agreement shall be given in writing at the following address or such other addresses as may be intimated from time to time in writing.

Department	Service Provider
.....	
.....	

17. CONFIDENTIALITY

It is understood between the parties hereto that during the course of business relationship, the Service Provider may have access to confidential information of Department and it undertakes that it shall not without Department prior written consent, disclose, provide or make available any confidential information in any form to any person or entity or make use of such information. This clause shall survive for a period of 5 years from the date of expiry of this agreement or earlier termination thereof.

18. ENTIRE AGREEMENT

This agreement represents the entire agreement the parties and supersedes and previous or other writings and understandings, oral or written, and further any modification to this agreement, if required shall only be made in writing.

19. AMENDMENT/MODIFICATION

The parties can amend this agreement at any time. However, such amendment shall be effective only when it is reduced in writing and signed by the authorized representatives of both parties hereto.

20. SEVERABILITY

If, for any reason, a court of competent jurisdiction finds any provision of this agreement, or portion thereof, to be unenforceable, that provision of the agreement will be enforced to the maximum extent permissible' so as to effect the intent of the parties, and the remainder of this agreement shall continue ill full force and effect.

21. CAPTION

The various captions used in this agreement are for the organizational purpose only and may not be used to interpret the provisions hereof In case of any conflicts between the captions and the text, the text shall prevail.

22. WAIVER

At any time any indulgence or concession granted by the Department shall not alter or invalidate this agreement nor constitute the waiver of any of the provision hereof after such time, indulgence or concession shall have been granted. Further, the failure of the Department to enforce at any time, any of the provisions of this agreement or to exercise any option which is herein provided for requiring at any time the performance by the Service Provider of any of the provisions hereof, shall in no way be construed to be a waiver of such provisions of this agreement nor in any way affect the

validity of this agreement or any part thereof or the right of the Department to enforce the same in part or in the entirety of it Waiver, if any, has to be in Writing.

23. FORCE MAJEUR

Neither party shall be in default if a failure to perform any obligation hereunder is caused solely by supervening conditions beyond that party's reasonable control, including acts of God, civil commotion, strikes, acts of terrorism, labour disputes and governmental or public authority's demands or requirements .

24. DISPUTE RESOLUTION

This agreement shall be deemed to have been made/executed at~— for all purposes. In the event of any dispute related to the interpretation or rights or liabilities arising out of this agreement, the same shall, at first instance, be amicably settled between the parties. If any dispute is not settled amicably, the same shall be referred to the sole arbitrator to be appointed by the Department. The award given by the arbitrator shall be final and binding on the parties. The Venue of arbitrator shall be...

25. GOVERNING LAW/JURISDICTION

The applicable law governing this agreement shall be the laws of India and the courts of — shall have the exclusive jurisdiction to try any dispute with respect to this agreement.

26. TWO COUNTERPARTS

This agreement is made in duplicate the Service Provider shall return a copy of this agreement duly signed and stamped as a token of acceptance of all terms and conditions mentioned above. In the event of commencement of order acceptance, it Will be taken that all terms are acceptable.

27. LIST OF ANNEXURE

ANNEXURE 'A'

ANNEXURE 'B'

ANNEXURE 'C'

IN WITNESS WHEREOF THE DEPARTMENT AND THE SERVICE PROVIDER ABOVE
SAID HAVE HEREUNTO SUBSCRIBER THEIR HANDS ON THE DAY MONTH
AND YEAR FIRST MENTIONED ABOVE IN THE PRESENCE OF THE
FOLLOWING WITNESSES:

SIGNED, SEALED AND DELIVERED

WITNESSES

1. Signature:

Name:

Date:

Designation:

Signature:

Name:

Date:

Designation:

2. Signature

Name: For and on behalf of the
Governor of Haryana

Date:

Designation:

SIGNED,SEALEDAND DELIVERED

WITNESSES

1. Signature:

Signature:

Name:

Name:

Date:

Date:

Address:

Address:

2. Signature:

Name: For and on behalf of the
Service Provider .

Date:

Address.

ANNEXURE –B

SERVICEAGREEMENT

THIS AGREEMENT is made on hisday of
..... 2006 between” the Governor. of the State of Haryana acting
throughDepartment Governor of Haryana (hereinafter
referred to as the “Department”, which expression shall, unless excluded by or repugnant to the
context, be deemed to intrude its successors in office and assignees) of the first part and Sh.
.....s/o Shresident of
..... District. (hereinafter referred
to as “person” of the second part .

ANDWHEREAS the service of the person are required for ... ANDWHEREAS THE person
has expressed his keen desire for rendering the services to the Department as desired under this
agreement

AND WHEREAS the parties hereby enter into this agreement on the terms and conditions
appearing hereinafter;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH AND IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS UNDER :—

1. The services of a person engaged by the Department shall be for a period not exceeding six months;
2. The person shall be engaged for a fixed monthly remuneration not less than as prescribed in the Minimum Wages Act, 1948 (Act XI of 1948) or as may be fixed by the Deputy Commissioner under the said Act;
3. The services of the person so engaged shall hereafter cease on the expiry of the term without providing him any claim for the regularization of services or any other consequential benefit;
4. The person so engaged shall not have any legal right claiming regularization of his service etc. in the Department where he has been engaged
5. The Department shall issue Identity Card on its own name to the person engaged for rendering services. The Department may refuse the entry into its
6. The services rendered by the person engaged by the Department shall be under the close supervision of the Department ;
7. It is understood between the parties hereto that only the Department shall have the right to take disciplinary action against the person so engaged ;
8. The Department shall under no circumstances be deemed or treated as the employer of the person engaged of any purpose. Whatsoever, nor department would be liable for any Claim(s) whatsoever of any such person ;
9. In case of the death of a person , his remuneration shall be paid to his legal heirs.

IN WITNESS WHEREOF THE DEPARTMENT AND THE PERSON ABOVE SAID HAVE HEREUNTO SUBSCRIBED THEIR HANDS ON THE DAY, MONTH AND YEAR FIRST MENTIONED ABOVE IN THE PRESENCE OF FOLLOWING WITNESSES:—

- | | |
|---------------|---|
| 1. Signature: | Signature: |
| Name: | Name: |
| Date: | Date: |
| Designation: | Designation: |
| | For and on behalf of the
Governor of Haryana |
| 2. Signature | |
| Name: | |
| Date: | |
| Designation: | |

No. 43/5/2001-IGSI

From

The Chief Secretary to Government Haryana

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab & Haryana High Court, Chandigarh
3. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated. Chandigarh the 20th September, 2006

Subject: — Policy for outsourcing of services/ activities.

Sir/Madam

I am directed to invite your attention to the Haryana Government circular letter bearing NO.43/5/2001-IGSI, dated 1.9.2006, regarding Policy for outsourcing of services/ activities for Government Departments and to say that para 5 of the Annexure B of "Service Agreement" to this policy has been printed incomplete, which should be read as under :—

"The Department shall issue Identity Card on its own name to the person engaged for rendering services. The Department may refuse the entry into its premises of the person not bearing the said identity card and not bearing the said identity card and not being properly dressed;"

The contents of above para 5 of the policy in question should be brought to the notice of all concerned working under your control of being complied with meticulously.

Yours faithfully,

Sd/-

Superintendent General Services-I,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Govt. Haryana for information and necessary action.

Sd/-

Superintendent General Service-I
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government. Haryana

Compendium of Instructions — Miscellaneous Matters — Vol. IX

U. O. No.43/5/2001-1GSI

Dated Chandigarh, the 20th September, 2006

A copy is forwarded to the Principal Secretary/ Additional Principal Secretary- 1-II/OSD- I-II/ Senior Special Private Secretary/Senior Secretary/Private Secretaries to Chief Minister, Deputy Chief Minister, Haryana/Ministers/ Chief Parliamentary Secretary/Parliamentary Secretaries for information.

Sd/-

Superintendent General Services-I,
for Chief Secretary to Government Haryana

To

The Principal Secretary/ Additional Principal Secretary- I-II/OSD- I-II/Senior Special Private Secretary/Senior Secretary/Private Secretaries to Chief Minister , Deputy Chief Minister , Haryana/Ministers/ Chief Parliamentary Secretary/ Parliamentary Secretaries

U.O.No.43/5/2001-1-1GSI

Dated Chandigarh, the 20th September,2006

Endst. No. 43/5/2001-IGSI

Dated Chandigarh, the 20th September,2006

A copy is forwarded to the Member Secretary , Haryana Bureau of Public Enterprises, Chandigarh for information and taking necessary action in the matter.

Sd/-

Superintendent General Services-I,
for chief secretary to Government Haryana

Endst. No. 43/5/2001-IGSI

Dated Chandigarh, the 20th September,2006

A copy is forwarded to all the Managing Directors of Boards/ Corporations /Public Undertakings for information and necessary action.

Sd/-

Superintendent General Services-I,
for chief secretary to Government Haryana

Government of Haryana
General Administration Department
General Service-1 Branch

No.43/5/2001-IGSI

Chandigarh February 16, 2009

To

1. All the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government of Haryana.
2. All Heads of Departments, Commissioners, Ambala , Hisar, Rohtak and Gurgaon Divisions.
3. The Registrar, Punjab & Haryana High Court, Chandigarh
4. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
5. All the Managing-Directors of Boards/ Corporations/Public Undertaking.

Subject: — Policy for engaging/ outsourcing of service/ activities.

Sir / Madam,

I am directed to invite your attention to the Haryana Government circular letter No, 43/ 5/2001-1GS1, dated 1.9.2006 *vide* which the departments were allowed to engage persons on contract basis through service provider under outsourcing regular contract policy. The existing outsourcing policy issued on dated 1.9.2006 has been reconsidered and partially modified by the State Government, which is enclosed herewith for strict compliance in letter and spirit.

2. This issues with Finance Department's concurrence issued vide U.O.No. 5/3/2008-1B&C (4694), dated 19.12.2008.

Yours faithfully,

Sd/-

Joint Secretary to Government of Haryana
General Administration Department.

Internal circulation:—

1. The Principal Secretary/Additional Principal Secretary-I- II/ OSD-I-II-III/Senior Special Private Secretary/Senior Secretary / Private Secretary to Chief Minister /Ministers .
2. Member Secretary, Haryana Bureau of Public Enterprises, Chandigarh.
3. Director, Public Relations, Haryana, Chandigarh for wide publicity.
4. State Informatics Officer, National Informatics Centre, Haryana for hosting on the State's website.

Policy for Outsourcing & Contractual Engagement

PART - I

POLICY FOR OUTSOURCING OF SERVICES/ACTIVITIES

The Government of Haryana proposes to strengthen the delivery of services to the people. Keeping in view the emergence of new areas in the field of effective governance and due to technological advancement, it is endeavored to outsource services/activities that are of an auxiliary or supporting nature to its functioning. It has been felt by the government that a policy needs to be enunciated to provide a framework for outsourcing of such services/activities as well as provide guidelines on the subject. Accordingly, a policy which aims to provide an enabling framework to approach outsourcing of services / activities wherever required for better and efficient delivery of services is framed as under:—

1. Services/activities may be outsourced as and when required partly or completely by the departments, where posts have not been sanctioned for instance, cleaning of premises, horticultural work, housekeeping services, maintenance of buildings, transport services, courier services, information and communication technology related services, highly technical and professional services etc. The above services/activities are only illustrative and not exhaustive the departments can apply this policy for outsourcing other kind of services on the basis of their need and span of services/ activities.
2. The nature of the services/ activities required to be outsourced should be Specified and clearly defined in the, tender notice as well as in the contract document instead of mentioning the number of personnel required to perform the services/ activities.
3. The departments shall ensure that there are no regular sanctioned posts in that unit of office for performing the outsourced services/ activities.
4. The identification of the services/activities to be outsourced shall be done by the head of department. The services/activities to be outsourced can be identified for the department as a whole or a specific unit of the department. In either case, the head of department will ensure that no regular sanctioned posts are available in that office to perform the services/ activities.
5. Once the services/activities to be outsourced are identified, the minimum qualifying criteria, the deliverables (expected service levels), performance monitoring standards and liabilities in case of non-performance shall be unambiguously determined and approved by the head of department.
6. The tender form and the contract document shall be finalized with the approval of the head of department depending upon the existing delegation of powers in the department. Open tenders can then be invited and decided in a transparent manner through a competitive bidding process. A Model Draft Service Contract Document is placed at Annexure 'A' for illustration.

7. In case of the Mini-Secretariats in the districts where several offices of different government departments are located under one roof, the Deputy Commissioner shall Identify the services/ activities to be outsourced for the building as a whole and the expenditure on such outsourcing shall be borne by the Deputy Commissioner through the budget available for the purpose.
8. Wherever contract for services is awarded on the basis of competitive transparent bidding process no approval of FD will be required, if the expenditure is within the sanctioned budget provision.
9. It shall be the responsibility of the department to ensure that the agency engaged pays minimum wages as prescribed in the agreement by way of account payee cheque / bank draft / pay order. In case of default in this regard or any other deficiency / default in providing service, the department shall terminate the agreement by giving fifteen days' notice.
10. Wherever required, the departments would move for adequate provisions* in their budget for outsourcing of services/ activities under the appropriate head.

*Necessary budget provision may be got made under the object head '69 Contractual Service' in their respective major Head by the departments in due course of time.
11. All the expenses for outsourcing of services shall be restricted within the sanctioned budget of the department. No separate allocations shall be made on this account. It is made clear that this policy is meant only for outsourcing such services/ activities for which no sanctioned posts are available.

PART - II

ENGAGEMENT OF PERSONS ON CONTRACT BASIS WHERE REGULAR POSTS EXIST

1. In emergent cases involving public interest, where the sanctioned vacant posts of Group C and D categories exist, the persons can be engaged, by sending requisition to the Employment Exchange and by advertisement in the newspapers, purely on contractual basis, initially for a period not exceeding six months or till the regularly selected candidates are appointed, whichever is earlier, on wages fixed by the Deputy Commissioner under the Minimum Wages Act.
2. In doing so, it should, however, be clearly stipulated in the advertisement and the requisition to the Employment Exchange as well as the offer letter that such engagement will be purely contractual in nature and can be terminated at any time without assigning any reason or prior notice and the persons so engaged shall have no right to claim either regularization or any other benefit of such engagement for any purpose in the office in which they are so engaged or in any other office Of the State Government.
3. For this, no approval of the Finance Department is required. If, however, higher wages are proposed to be paid, then approval of the Finance Department will have to be obtained giving proper justification.

4. During the period of contractual engagement, the department shall, however, endeavour to fill up the vacant posts by regular method of recruitment prescribed in the rules.
5. If for any reason, the process of recruitment of regular candidate(s) cannot be completed within the six months, then approval of the Finance Department shall be obtained giving full justification for engagement of the persons already engaged for a further period of six months or till the regular selected candidates are appointed, whichever is earlier. In this regard, proposal should be sent to Finance Department for consideration in the concerned Branch of Finance Department.
6. Wherever any department has engaged any person on the basis of the existing outsourcing policy issued vide letter No. 43/5/2001-IGSI, dated 01.09.06, his engagement should not be extended beyond six months or till such time the person is engaged under this policy, whichever is earlier.
7. Whenever any person is engaged under this policy, the department should enter into an agreement, signed by both the parties, which should unambiguously state that it is an engagement for a fix term and shall automatically cease on the expiry of the term without providing any claim to the person so engaged to any regularization of service or any consequential benefits. A draft of such model agreement is appended at Annexure 'B'.
8. In case of posts of a highly technical or professional nature, of any category, whether for reasons of unavailability or regular appointment or for reasons of continuous updation of knowledge or technology, if it is decided to fill up the post on contractual basis, a speaking order will be passed by the head of department on the file. Such term engagement will be at Deputy Commissioner's rates wherever applicable, under the Minimum Wages Act, or up to minimum basic pay of the pay scale prescribed for that post, plus allowances, as the case may be, for a period not exceeding one year, for which approval of the Finance Department will not be required. If, however, higher pay or wages are proposed to be paid during the period of such engagement, then approval of the Finance Department shall be obtained giving full justifications.
9. This policy shall, however, not apply in respect of the Computer Professionals/Data Entry Operators, who are engaged through HARTRON Informatics Limited (H.L.L.) and such engagements shall continue to be governed by the existing policy dated 6.11.2001, issued and as amended from time to time by Department of Information Technology.

ANNEXURE-A

SERVICE AGREEMENT

THIS AGREEMENT is made on this.....day of.....2009, between the Governor of Haryana acting through..... Department, Government of Haryana (hereinafter referred to as the "Department", which expression shall, unless excluded by or repugnant to the context, be deemed to include its successors in office and assignees) of the first part and M/s _____, a company registered under the Companies Act, 1956/a partnership firm constituted between _____, having its place of business or registered office at _____acting throughits Managing Director/Partner (hereinafter referred to as "Service Provider" which expression shall, unless repugnant to the context or meaning thereof, be deemed to mean and include its/his/her/their respective heirs, executors, administrators and successors/the partner(s) for the time being of the said firm the

survivor(s) of them and the executors, administrators and successors of the surviving partners, as the case may be) of the second part.

WHEREAS the Service Provider is engaged in the business of providing
.....Services;

AND WHEREAS the Service Provider has expressed his keen desire to provide the said services to the Department under this agreement;

AND WHEREAS on the aforesaid representation made by the Service Provider to the Department, the parties hereby enter into this agreement on the terms and conditions appearing hereinafter.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH AND IT IS AGREED BY AND BETWEEN THE PARTIES AS UNDER:

1. SERVICE PROVIDER'S REPRESENTATION AND WARRANTIES

The service provider hereby represents warrants and confirms that the Service Provider—

- 1.1 has full capacity, power and authority to enter into this agreement and during the continuance of this agreement, shall continue to have full capacity, power and authority to carry out and perform all its duties and obligations as contemplated herein and has already taken and shall and continue to take all necessary and further actions (including but without limiting to the obtaining of necessary approval/consents in all applicable jurisdictions) to authorize the execution, delivery and performance of this agreement;
- 1.2 has the necessary skills, knowledge, expertise, adequate capital and competent personnel, system and procedures, infrastructure and capability to perform its obligations in accordance with the terms of this agreement and to the satisfaction of the Government;
- 1.3 shall, on the execution of this agreement and providing services to the Department, not violate, breach and contravene any conditions of any agreement entered with any third party/ies ;
- 1.4 has complied with and obtained necessary permissions/licenses/ authorizations under the Central, State and local authorities and obtained all required permissions/licenses for carrying out its obligations under this agreement.

2. OBLIGATIONS OF THE SERVICE PROVIDER

- (a) The Service Provider shall operate and provide services to the Department at its various sites onDays a week fromam. top.m. List of services and the material are as prescribed in Annexure 'A'.
- (b) The regularity of the performance of the service will be the essence of this agreement and shall form a central factor of this agreement. The Service Provider shall take all possible steps to ensure maintain its performance as determined by the Department from time to time.

- (c) The assessment made by the Service Provider in the tender including number of personnel of various descriptions as required to provide/give the required quality of services shall be final and acceptable by and binding upon the Service Provider.
- (d) If the Department notices that the personnel of the Service Provider has/have been negligent, careless in rendering the said services, the same shall be communicated immediately to the Service Provider who will take corrective steps immediately to avoid recurrence of such incidents and reports to the Department.
- (e) If any of the personnel of the Service Provider indulges in theft, negligence or any illegal/irregular activity, misconduct, the Service Provider shall take appropriate action against its erring personnel and intimate accordingly to the Department or itself can take action in accordance with law.
- (f) The Service Provider shall furnish a personal guarantee of its Managing Director/ Partner, guaranteeing the due performance by the Service Provider of its obligations under this agreement.

3. TERMS OF PAYMENT

- (a) Fees and charges for the services to be rendered are at Annexure 'B' as agreed to between the parties.
- (b) All payments made by the Department shall be after deduction of tax at source wherever applicable as per the provisions of the Income Tax Act, 1961.
- (c) The Service Provider, being the employer in relation to persons engaged/employed by it to provide the services under this agreement shall alone be responsible and liable to pay wages/salaries to such persons which in any case shall not be less than the minimum wages as fixed or prescribed under the Minimum Wages Act, 1948 (Act XI of 1948) for the category of workers employed by it from time to time or by the State Government and /or any authority constituted by or under any law. He will observe compliance of all the relevant labour laws.
- (d) The Service Provider will have to produce the register of wages or the register of wages-cum- muster roll of the preceding month along with the bill to be submitted on theday of every calendar month for verification to the nominated official of Department. The Service Provider shall ensure that payment to his employees is made in the presence of an authorized representative of the Department.

4. SUBMISSION AND VERIFICATION OF BILLS

The Service Provider shall submit on a monthly basis the bills for the services enable the Department to verify and process the same.

5. DISCIPLINE

- (a) The service Provider shall issue identity cards, on its own name and trading style, to its personnel deputed for rendering the said services, which at Department's option, and would be subject to verification at any time. The Department may refuse the entry into its premises to any personnel of the Services Provider not bearing such

identity card or not being perfectly dressed.

- (b) The Department shall always have the right and liberty to do surprise inspection at its sites.
- (c) The service rendered by the Service Provider under this agreement will be under close supervision, co-ordination and guidance of the Department. The Service Provider shall frame. Appropriate procedure for taking immediate action as may be advised by the Department from time to time.
- (d) It is understood between the parties hereto that the Service Provider alone shall have the right to take disciplinary action against any person(s) to raise any dispute and/or claim whatsoever against the Department. Department shall under no circumstances be deemed or treated as the employer in respect of any person(s) engaged/employed by the Service Provider for any purpose, whatsoever nor would Department be liable for any claim(s) whatsoever, of any such person(s).

6. NATURE OF AGREEMENT

The parties hereto have considered agreed to and have a clear understanding on the following aspects:

- (a) This agreement is on the principal to principal basis and does not create and shall not deem to create any employer-employee relationship between the Department and the Service Provider. The Service Provider shall not by any acts, deeds or otherwise represent any person that the Service Provider is representing or acting as agent of Department, except to the extent and purpose permitted herein.
- (b) This agreement is for providing the aforementioned services and is not an agreement for supply of contract labour. It is clearly understood by the Service Provider that the persons employed by the Service Provider for providing services as mentioned herein, shall be the employees of the Service Provider only and not of the Department. The Service Provider shall be liable to make payment to its said employees towards their monthly wages/salaries and/other statutory dues like Employees Provident Fund, Employees State Insurance, minimum wages, bonus, gratuity etc.
- (c) Department shall not be liable for any obligations/responsibilities, contractual, legal or otherwise, towards the Service Provider's employees/agents directly and/or indirectly, in any manner whatsoever.

7. STATUTORY COMPLIANCES

- (a) Service Provider shall obtain all registration(s)/permission(s)/ license(s) etc. which are/may be required under my labour or other legislation(s) for providing the services under this agreement.
- (b) It shall be the Service Provider's responsibility to ensure compliance of all the Central and State Government Rules and Regulations with regard to the provisions of the services under this agreement. The Service Provider indemnifies and shall always keep Department indemnified against all losses, damages, claims actions taken against Department by any authority/office in this regard.

- (c) The Service Provider undertakes to comply with the applicable provisions of all welfare legislations and more particularly with the Contract Labour (Regulation and Abolition) Act, 1970, if applicable, for carrying out the purpose of this agreement. The Service Provider shall further observe and comply with all Government laws concerning employment of staff employed by the Service Provider and shall duly pay all sums of money to such staff as may be required to be paid under such laws. It is expressly understood that the Service Provider is fully responsible to ascertain and understand the applicability of various Acts, and take necessary action to comply with the requirements of law.
- (d) The Service Provider shall give an undertaking by the 22nd of each month in favour of the Department that he has complied with all his statutory obligations. A draft of the said undertaking is attached herewith as Annexure 'C' to this agreement.

8. ACCOUNTS AND RECORDS

- (a) The Service Provider shall maintain accurate account and records, statement of all its operations and expenses in connection with its function under this agreement in the manner specified by the Department.
- (b) The service Provider shall forthwith upon being required by the Department, allow Department of any of its authorizes representatives to inspect, audit or take copies of any records maintained by the Service Provider. The Service Provider shall also cooperate in good faith with the Department to correct any practices which are found to be deficient as a result of any such audit within a reasonable time after receipt of the report the Department. However, upon discovery of any discrepancies or under payment the Service Provider shall immediately reimburse the Department for such discrepancies or overcharge.

9. INDEMNIFICATION

- (a) The Service Provider shall at its own expenses make good any loss or damage suffered by the Department as a result of the acts of commission or omission, negligently or otherwise of its personnel while providing the said services at any time of the premises of the Department or otherwise.
- (b) The Service Provider shall at all times Indemnify and keep indemnified that Department against any claim on account of disability/death of any of its personnel caused while providing the services within/outside the site or other premises of the Department which may be made under the workmen's Compensation Act, 1923 or any other Acts or any other Statutory modifications hereof or otherwise for or in respect of any claim for damage or compensation payable in consequence of any accident or injury sustained by the working or there personnel of the Service Provider or in respect of any claim, damage or compensation under labour laws or other laws or rules made thereunder by any Person whether in the employment of the Service Provider or not, who provided or provides the service at the site or any other premises of the Department shall be as provided hereinbefore.
- (c) The Service Provider shall at all times indemnify and keep indemnified the Department

against any claim by any third party for any injury, damage to the property or person of the third party or for any other claims whatsoever for any acts of commission or omission of its employees or personnel during the hours of providing the services at the Department's premises or before and after that.

- (d) That, if at any time, during the operation of this agreement or thereafter the Department is made liable in any manner whatsoever by any order, direction or otherwise of any Court authority or tribunal, to pay any amounts whatsoever in respect of or to any of present or ex-personnel of the Service Provider or to any third party in any event not restricted but including as mentioned in sub-clauses No (a), (b) and (c) hereinabove, the Service Provider shall immediately pay to the department ,all such amounts and costs also and in all such cases/events the decision of the Department shall be final and binding upon the Service Provider. The department shall be entitled to deduct any such amounts as aforesaid, from the security' deposit and/or from any pending bills of the Service Provider.

10. LIABILITIES AND REMEDIES

In the event of failure of the Service Provider to provide the services or part thereof as mentioned in this agreement for any reasons whatsoever, the Department shall be entitled to procure services from other sources and the Service Provider shall be liable to pay forthwith to the Department the difference of payments made to such other sources, besides damages at double the rate of payment.

11. LOSSES SUFFERED BY SERVICE PROVIDER

The Service Provider shall not claim any damages, costs, charges, expenses, liabilities arising out of performance/non-performance of services, which it may suffer or otherwise incur by reason of any act/omission, negligence, default or error in judgement on part of itself and / or its personnel in rendering or non-rendering the services under this agreement.

12. TERMS

This agreement shall be effective for a period of.....years with effect fromuptoand can be extended further for such period and on such terms and conditions as may be deemed fit and proper by the Department.

13. TERMINATION

- (a) Either party can terminate this agreement by giving one month's written notice to the other without assigning any reason and without payment of any compensation thereof. However, the Department shall give only a 24 hours notice of termination of this agreement to the Service Provider when there is a major default in compliance of the terms and conditions of this agreement or the Service Provider has failed to comply with its statutory obligations.
- (b) If Service Provider commits breach of any covenant or any clause of this agreement, Department may send a written notice to Service Provider to rectify such breach within the time limit specified in such notice. In the event Service Provider fails to rectify such breach within the stipulated time, the agreement shall forthwith

stand terminated and Service Provider shall be liable to Department for losses or damages on account of such breach.

- (c) The Department shall have the right to immediately terminate this agreement if the Service Provider becomes insolvent, ceases its operations, dissolves, files for bankruptcy or bankruptcy protection, appoints receivers, or enters into an arrangement for the benefit of creditors.

14. ASSIGNMENT OF AGREEMENT

This Agreement is executed on the basis of the current management structure of the Service Provider. Henceforth, any assessment of this agreement, in part or whole, to any third party without the prior written consent of the Department shall be a ground for termination of this agreement forthwith.

15. COMPOSITION AND ADDRESS OF SERVICE PROVIDER

- (a) The Service Provider shall furnish to the Department all the relevant papers regarding its constitution, names and addresses of the management and other key personnel of the Service Provider and proof of its registration with the concerned Government authorities required for running such a business of Service Provider.
- (b). The Service Provider shall always inform the Department in writing about any change in its address or the names and addresses of its key personnel. Further, the Service Provider shall not change its ownership without prior approval of the Department.

16. SERVICE OF NOTICE

Any notice or other communication required or permitted to be given between the parties under this agreement shall be given in writing at the following address of such other addresses as may be intimated from time to time in writing.

Department	Service Provide
.....	
.....	

17. CONFIDENTIALITY

It is understood between the parties hereto that during the course of business relationship, the Service Provider may have access to confidential information of Department and it undertakes that it shall not, without Department's prior written consent, disclose, provide or make available any confidential information in any form to any person or entity or make use of such information. This clause shall survive for a period of 5 years from the date of expiry of this agreement or earlier termination thereof.

18. ENTIRE AGREEMENT

This agreement represents the entire agreement, the parties and supersedes all previous or other writing and understandings, oral or written, and further any modifications to this agreement, if required shall only be made in writing.

19. AMENDMENT/MODIFICATION

The parties can amend this agreement at any time. However, such amendment shall be effective only when it is reduced in writing and signed by the authorized representatives of both parties hereto.

20. SEVERABILITY

If, for any reason, a court of competent jurisdiction finds any provision of this agreement, or portion thereof, to be unenforceable, that provision of the agreement will be enforced to the maximum extent permissible so as to effect the intent of the parties, and the remainder of this agreement shall continue in full force and effect.

21. CAPTION

The various captions used in this agreement are for the organizational purpose only and may not be used to interpret the provisions hereof. In case of any conflicts between the captions and the text, the text shall prevail.

22. WAIVER

At any time any indulgence or concession granted by the Department shall not alter or invalidate this agreement nor constitute the waiver of any of the provision hereof after such time, indulgence or concession shall have been granted. Further, the failure of the Department to enforce at any time, any of the provisions of this agreement or to exercise any option which is herein provided for requiring at any time the performance by the Service Provider of any of the provisions hereof, shall in no way be construed to be a waiver of such provisions of this agreement nor in any way affect the validity of this agreement or any part thereof or the right of the Department to enforce the same in part or in the entirety of it. Waiver, if any, has to be in writing.

23. FORCE MAJEURE

Neither party shall be in default if a failure to perform any obligation hereunder is caused solely by supervening conditions beyond that party's reasonable control, including acts of God, civil commotion, strikes, acts of terrorism, labour disputes and governmental or public authority's demands or requirements.

24. DISPUTE RESOLUTION

This agreement shall be deemed to have been made/executed at... for all purposes. In the event of any dispute related to the interpretation or rights or liabilities arising out of this agreement, the same shall, at first instance, be amicably settled between the parties. If any dispute is not settled amicably, the same shall be referred to the sole arbitrator to be appointed by the Department. The award given by the arbitrator shall be final and binding on the parties. The venue of arbitrator shall be.....

25. GOVERNING LAW/JURISDICTION

The applicable law governing this agreement shall be the laws of India and the courts of — shall have the exclusive jurisdiction to try any dispute with respect to this agreement.

26. TWO COUNTERPARTS

This agreement is made in duplicate. The Service Provider shall return a copy of this agreement

duly signed and stamped as a token of acceptance of all terms and conditions mentioned above. In the event of commencement of order acceptance, it will be taken that all terms are acceptable.

27. LIST OF ANNEXURE

ANNEXURE 'A'

ANNEXURE 'B'

ANNEXURE 'C'

IN WITNESS WHEREOF THE DEPARTMENT AND THE SERVICE PROVIDER ABOVE SAID HAVE HEREUNTO SUBSCRIBED THEIR HANDS ON THE DAY MONTH AND YEAR FIRST MENTIONED ABOVE IN THE PRESENCE OF THE FOLLOWING WITNESSES:

SIGNED, SEALED AND DELIVERED

WITNESSES

- | | | |
|----|--------------|--------------------------|
| 1. | Signature: | Signature: |
| | Name : | Name: |
| | Date: | Date: |
| | Designation: | Designation: |
| 2. | Signature | |
| | Name: | For and on behalf of the |
| | | Governor of Haryana |
| | Date: | |
| | Designation: | |

SIGNED, SEALED AND DELIVERED

WITNESSES

- | | | |
|----|------------|--------------------------|
| 1. | Signature: | Signature: |
| | Name : | Name: |
| | Date: | Date: |
| 2. | Signature | |
| | Name: | For and on behalf of the |
| | | Service Provider |
| | Date: | |
| | Address. | |

ANNEXURE-B
SERVICE AGREEMENT

THIS AGREEMENT is made on this.....day of2006 between the Governor of the State of Haryana acting throughDepartment, Governor of Haryana (hereinafter referred to as the “Department”, which expression shall, unless excluded by or repugnant to the context, be deemed to include its successors in office and assignees) of the first part and Sh.....S/o Sh.....resident ofDistrict.....(hereinafter referred to as “person” of the second part.

WHEREAS the service of the person are requirement for.....

ANDWHEREAS the person has expressed his keen desire for rendering the services to the Department as desired under this agreement;

AND WHEREAS the parties hereby enter into this agreement on the terms and conditions appearing hereinafter;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH AND IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS UNDER :—

1. The services of a person engaged by the Department shall be for a period not exceeding six month;
2. The person shall be engaged for a fixed monthly remuneration not less as prescribed in the Minimum Wages Act, 1948(Act XI of 1948) or as may be fixed by the Deputy Commissioner under the said Act;
3. The services of the person so engaged shall hereafter cease on the expiry of the term without providing him any claim for the regularization of services or any other consequential benefit;
4. The person so engaged shall not have any legal right claiming regularization of his service etc. in the Department where he has been engaged;
5. The Department shall issue Identity Card on its own name to the person engaged for rendering services, The Department may refuse the entry into its premises of the person not bearing the said identity card and not being properly dressed;
6. The services rendered by the person engaged by the Department shall be under the close supervision of the Department;
7. It is understood between the parties hereto that only the Department shall have the right to take disciplinary action against the person so engaged;
8. The Department shall under no circumstances be deemed or treated as the employer of the person engaged for any purpose, whatsoever, nor department would be liable for any claim (s) whatsoever of any such person;
9. In case of the death of a person, his remuneration shall be paid to his legal heirs.

IN WITNESS WHEREOF THE DEPARTMENT AND THE PERSON ABOVE SAID HAVE HEREUNTO
SUBSCRIBE THEIR HANDS ON THE DAY, MONTH AND YEAR FIRST MENTIONED ABOVE IN
THE PRESENCE OF FOLLOWING WITNESSES:—

- | | | |
|----|--------------|--------------------------|
| 1. | Signature: | Signature: |
| | Name : | Name: |
| | Date: | Date: |
| | Designation: | Designation: |
| | | For and on behalf of the |
| | | Governor of Haryana |
| 2. | Signature | |
| | Name: | |
| | Date: | |
| | Designation: | |
- _____

IV

SERVICE RULES

Copy of U.O. Circular Letter No. 6029-GS-60, dated 21st June, 1960 from the Chief Secretary to Government Punjab, to all Administrative Secretaries to Government, Punjab.

Subject :— Recruitment and conditions of Services Rules relating to various Departments of the Punjab State— Procedure for finalization of Services Rules.

Will all Administrative Secretaries to Government, Punjab, Please refer to Punjab Government U.O. reference.

No. 4886-G-52, dated the 21st July, 1952 on the subject noted above ?

2. The procedure laid down in this reference for the consideration, amendment, etc. of Service Rules of the various Departments has been found to be extremely cumbrous and it takes a very long time to change as set of rules. The question of simplifying this Procedure with a view to reduce the time factor has been engaging the attention of Government. After careful consideration it has been decided that in future, the existing, procedure should be replaced by the following :—

- (i) After the Services Rules have been drafted by a Department, the draft should be sent for comments to the Finance Department, Chief Secretary (In General Services Branch) and the Public Service Commission simultaneously instead of referring to them one after the other as at present. The Finance Department will consult the Accountant-General, Punjab as and when considered necessary. The authorities mentioned above shall return the draft rules with their comments within a period of twenty one days from the days from the date of receipt. This period shall be adhered to rigidly by these authorities except in cases where the changes are complicated and extensive in which event it will be the duty of the referring Department of extend the period of 21 days to a definite number of days above this. This period should be indicated when the first reference is made; otherwise it must be assumed that the period is 21 days. If comments are not furnished within the prescribed period, it may be presumed that the organisations referred to do not have any comments to offer.
- (ii) In the event of the comments received from the authorities concerned, being contradictory to each other apart from being contradictory to the original proposals, the Administrative Department instead of referring back the points of difference to the authorities concerned, shall make up its mind as to how to resolve these differences and put up proposals finally to the Council of Ministers after the Legal Remembrance to Government, Punjab, has done the necessary vetting. While submitting its final proposal to the Council of Ministers for their approval; it shall point out in a tabulated statement where its proposals run counter to the advice received from the various authorities referred to above.
- (iii) After the draft rules have been approved by the Council of Ministers these shall be notified in the Government Gazette. Ten copies of the rules/amendments when printed shall be supplied to Chief Secretary (In General Services Branch) for record.

Copy of demi-official Letter No. 34-IGSII-66/3458, dated the 11th/14th February, 1966 from the additional Chief Secretary to Govt. Punjab, to all Administrative Secretaries to Govt. Punjab.

Subject :— Framing/finalization of model services rules for each class of service/posts under the Punjab Government.

The question of framing model rules regulating the recruitment and the conditions of services of persons appointed to services and posts, except Class IV, under the Punjab Government Department for some time and it has now been possible to finalize them in consultation with the Law Department. I am enclosing a copy of these Model Rules, for your information and guidance. A separate Services Rules for a number of services have since been finalized by several departments, it has been decided that these Model Rules may not be notified as such, but may be drawn upon by the various departments while finalising the Service Rules or making such amendments, the procedure laid down in our U. O. reference No. 6029-GS-60, dated the 21st June, 1960, may be followed.

2. I may avail of this occasion to bring to your notice another aspect of the problem, also *viz*, the need for the early finalization of rules covering all the services and posts under the State Government. I regret to have to say that despite repeated instructions to the departments, the progress made in this regard has been far from satisfactory. I am sure you will agree that our endeavour should be to ensure that in respect of every single service posts under the Government, rules are framed under Article 309. It may be usefully mentioned in this context that this problem has been agitating the minds of the legislators also and questions have periodically been asked, on the subject.

Assurances have also been made on the floor of the House in the past by the Chief Minister and other Ministers that all such service rules will be finalized early but the projects registered by the departments in implementing this assurance has been disappointing. I am separately asking my Deputy Secretary to take up this matter individually with the different department concerned with the implementation of this assurance and I would request you to direct all your officers to pay special attention to this matter. In view of the revised procedure for consulting the Punjab Public Services Commission, the Chief Secretary and the Finance Department that has been introduced in the circular dated the 21st June, 1966, referred to in paragraph I of this letter, I think once the work is taken up in real earnest, it should be possible to finish it in a period of about three months. As such I would suggest that you may instruct the departments under your control to finalize these cases by the 30th April, 1966.

3. Finally, I would also request you to supply me particulars of the rules governing the various services in the departments under your control, in the enclosed proforma. I shall be grateful, if a single, consolidated reply is send to me demi-officially, covering all the branches/departments, under your control, so as to reach me on or before the 15th March, 1966. Spare copies of this letter as also copies of the draft General Services Rules, that may be obtained from the General Services Branch.

Requesting you to devote your personal attention to this case,

..... * has been under the consideration of the General Administration.

MODEL SERVICE RULES

(Revised upto 31-1-77)

Preamble :-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 if persons appointed, to the Haryana (nomenclature of the service), namely :—

1. (i) These rules may be called the Haryana_____ *Short title commencement and application* (nomenclature of the service Rules).

(ii) They shall come into force at once.

2. In this rules, unless the context otherwise required Definitions,

(a) “Board” means the Subordinate Service Selection Board;

(b) “Commission” means the Haryana Public Service Commission;

(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 the Government of India or any State Government;

(d) “government” means the Haryana Government in the Administrative Department;

(e) “ Service” means*_____ (nomenclature of the Service);

(f) “recognized university” means,-

(i) any university incorporated by law in India, or

(ii) in the case of a degree, diploma, 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 Government to be a recognised university for the purpose of these rules.

Part II—RECRUITMENT TO SERVICE

4. The Service shall comprise the posts shown in Appendix *Number and character of posts.*

‘A’ to these rules :

Provided that nothing in these rules shall affect the inherent right of 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 (1) *Nationality, domicile and character of candidates appointed to the service.*— No Person shall be appointed to 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,
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, 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 the categories (b), (c), (d) and (e) shall be person in whose favour of 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 Haryana Public Service Commission, the Subordinate Services Selection 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 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 certificates 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.

4. *Age:*— No person shall be appointed to the Service by direct recruitment who is less than* _____ years or more than* _____ years of age, on or before the _____*day of _____*(name of the month) next preceding the last date of submission of applications to Commission or Board.

5. *Appointing Authority :*— Appointments to the posts in the Service shall be made by the * _____

6. *Qualifications:*— No person shall be appointed to the Service, unless he is in possession of qualifications and experience specified in columns* _____ of Appendix 'B' to this rules in the case of direct recruitment and those specified in column* _____ of the aforesaid Appendix in the case of recruitment by promotion :—

7. *Disqualifications:*— 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.

9. Recruitment to the Service shall be made - *Method of recruitment*
(i) by promotion; or

- (ii) by direct recruitment; or
- (iii) by transfer or deputation of an officer/official already in the Service of any State Government or the Government of India.

10. (1) Persons appointed to any post in the Service remain on *Probation*.
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 on a corresponding or a higher post shall count towards the period of probation ;
 - (b) any period of work in equivalent of 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 had 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 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 :

Provided that the total period of probation, including extension if any, shall not exceed three years.

11. *Seniority of members of the Service*:-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 Commission or the Board, as the case may be, 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 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
- (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.

12. *Liability to serve* :— 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.

A member of Service may also be deputed for service as under :—

- (i) a company, association or 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 Govt. or company, association or body of individual, whether incorporated or not, which is wholly or substantially owned or controlled by the Central Govt. ; or
- (iii) another 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 the Central or any other State Govt. or any organisation or body referred to in clauses (ii) except with his consent.

13. *Leave pension or other matters.*—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 of India under the Constitution of India or under any law for the time being in force made by the State Legislature.

14. *Discipline, penalties and appeals.*—(i) In matters relating to discipline, penalties and appeals, member of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952, 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 the these rules.

(2) The authority competent to pass an order under (c) and (d) of sub-rule (1) of rule 10 of the said rules and the appellate authority shall also be as specified in Appendix 'D' to these rules.

15. *Vaccination.*—Every member of the Service shall get himself vaccinated and revaccinated if and when the Government so directs by a special or general order.

16. *Oath of al allegiance.*—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.

17. *Power of relaxation.*—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.

18. *Special Provision.*—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.

19. *Reservations.*—Nothing contained in these rules shall affect reservations and other concessions required to be provided for Scheduled Castes and other 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.

20. *Repeal and Savings.*—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.

* For Class III and Class IV Service Rules only

APPENDIX 'A'

(See Rule 3)

Number of Posts				
Designation of posts-----	Permanent	Temporary	Total	Scale of pay-----
1	2	3	4	5

APPENDIX 'B'

(See Rule 7)

Designation of posts	Academic qualification and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct recruitment
1	2	3

APPENDIX 'C'

[See Rule 14(1)]

Designation of posts	Appointing authority	Nature of Penalty	Authority empowered to impose penalty	Appellate authority	Second and final Appellate authority, if any
1	2	3	4	5	6

- (a) Warning with a copy on personal file;
- (b) Censure;
- (c) withholding of increments or promotion, including stoppage at an efficiency bar;

1	2	3	4	5	6
		(d) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;			
		(e) reduction to a lower post or time scale or to a lower stage in a time scale;			
		(f) removal from the Service which does not disqualify from future employment ;			
		(g) dismissal from the Service which does ordinarily disqualify from future employment.			

APPENDIX 'D'

[See Rule 14 (2)]

Designation of Posts Second and	Nature of order	Authority empowered to make the order	Appellate Authority final Appellate authority, if any
1	2	3	4 5
	(i) Reducing or withholding the amount of ordinary/ additional pension admissible under the rule governing pension		
	(ii) Terminating the appointment of a member of the Service otherwise than on his attaining the age fixed for superannuation.		

Copy of Letter No. 4129-IGSII-66/21645, dated 20-8-66 from the Chief Secretary to Government Punjab, addressed to the Secretary Punjab Public Service Commission Patiala and copy to all Heads of Departments.

Subject :— Farming/finalization of Model Service Rules for each Class of service/posts under the Punjab Government.

I am directed to refer to your letter No. BF84/58-SAP/28090, Dated the 16th July, 1966, on the subject noted above and to say that generally each set of Service Rules, containing some rules which are common in all the Service Rules, such as 'Nationality and Domicile' probation and Seniority etc. etc. However, the context and phraseology of such common rules differ in varying degree from one Department to another Department. In order to remove such disparity, Government have drawn out a general set of such rules which are applicable to all services (except Class IV). These Rules have been circulated to all the Administrative Departments with demi-official letter No.34-IGSII-66/3458, dated 11/14.2.1966 for substituting them in place of old rules so that a uniform policy is followed in this respect in the cases. A copy of those rules is also being endorsed in all Heads of Departments for similar action.

विषय:—विभिन्न विभागों के सेवा नियमों को अन्तिम रूप देना या बनाना आदर्श सेवा नियमों का परिशोधन ।

क्या सभी वित्तायुक्त एवं सभी प्रशासकीय सचिव, हरियाणा सरकार, कृपया संयुक्त पंजाब के अर्ध सरकारी पत्रांक 34-1 जी.एस.-11-66/3458, दिनांक 11/14 फरवरी, 1966 (प्रति सलंगन) की ओर ध्यान देंगे।

2. आदर्श सेवा नियम जो उपरोक्त पत्र के साथ परिचालित किए गए उनका अब परिशोधन किया गया है। कुछ आवश्यक धाराएं जो वर्तमान सेवा नियमों में बहुधा पहले से ही शामिल हैं, को परिशोधित आदर्श सेवा नियमों में जोड़ दिया गया है और इन नियमों की शब्दावली में भी कहीं-कहीं छोटी मोटी तबदीलियां की गई हैं। क्योंकि परिशोधित आदर्श सेवा नियमों में कोई मौलिक तबदीलियां समाविष्ट नहीं की गई हैं, और जो नई धाराएं इनमें अब जोड़ी गई हैं वे बहुधा वर्तमान सेवा नियमों में पहले ही विद्यमान हैं, इसलिए परिशोधित नियम मुख्यतः उन विभागों के प्रयोग के लिए हैं जो अपने सेवा नियम अभी बना रहे हैं। अगर कुछ मौलिक उपबन्ध जो कि आदर्श सेवा नियमों में हैं पर वे किसी विभाग के मौजूदा सेवा नियमों में विद्यमान नहीं है, तो उस बारे में आवश्यक संशोधन करने के लिए कार्यवाई की जानी चाहिए।

इस पत्र की कृपया पावती भेजी जाए।

हस्ता / -

उप सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

सभी वित्तायुक्त हरियाणा, सभी प्रशासकीय सचिव, हरियाणा सरकार।

एक प्रति संशोधित आदर्श सेवा नियमों की प्रति सहित सभी विभागाध्यक्ष, आयुक्त, अम्बाला मंडल तथा सभी उपायुक्त, हरियाणा को संयुक्त पंजाब के पृ. क्रमांक 4129-I जी.एस. II-66/21646, दिनांक 20-8-66 (प्रति सलंगन है) के संदर्भ में आगे मार्ग दर्शन एवं आवश्यक कार्यवाही हेतु भेजी जाती है।

**मुख्य सचिव, हरियाणा सरकार सभी विभागाध्यक्ष, आयुक्त अम्बाला तथा सभी उपायुक्त को सम्बोधित
परिपत्र क्रमांक 2687-2 जी.एस.-69/10169, दिनांक 17.5.1969 की प्रतिलिपि**

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

हरियाणा के सभी विभागाध्यक्ष, कमिश्नर अम्बाला मण्डल और सभी डिप्टी कमिश्नर।

विषय :- राज्य की भिन्न-भिन्न सेवाओं के भरती तथा सेवा शर्तों के नियम।

महोदय,

मुझे यह कहने का निदेश हुआ है कि राज्य की बहुत सी सेवाओं के सेवा नियम जो संविधान की धारा 309 के अन्तर्गत बनाने चाहिए अभी तक नहीं बने। इस बारे में कई बार प्रशासकीय विभागों का ध्यान इस ओर दिलाया गया है और उनसे यह अनुरोध किया गया है कि सेवा नियम शीघ्र तैयार करें। फिर भी प्रगति सन्तोषजनक नहीं है।

2. यह भी देखा गया है कि यदि किसी विभाग में कोई आसामी खाली होती है तो विभाग उसे 6 मास के लिए हरियाणा लोक सेवा आयोग की सलाह के बिना तदर्थ नियुक्ति करके भर लेता है। 6 मास पूरे हो जाने के बाद कुछ रोज के लिए उस अधिकारी को हटा कर दोबारा 6 मास के लिए नियुक्त कर लिया जाता है। यह तरीका बिल्कुल गलत है।

3. लोक सेवा आयोग ने अभी अपनी 1967-68 वार्षिक रिपोर्ट में लिखा है (उसका उद्धरण अनुबन्ध पर है) कि बहुत सी सेवाओं के अभी तक नियम नहीं बने हैं। ठीक और सही सिलेक्शन के लिए यह आवश्यक है कि मैथड आफ रिक्रूटमेंट व नियुक्ति करने के हालात लोक सेवा आयोग को मालूम हो। आयोग का प्रस्ताव है कि राज्य सरकार एक तिथि निश्चित कर दे जिससे पहले प्रत्येक विभाग के नियम तैयार हो जायें यदि इस तिथि तक कोई विभाग अपने रूलज तैयार न करे तो उसको बताया जाए कि उन्हें कोई रिक्ति भरने की आज्ञा न होगी।

4. लोक सेवा आयोग ने यह ठीक अवलोकन किया है कि जो रिक्रूटमेंट वह करे उसके लिए रूलों की आवश्यकता है। इसके बिना न तो उम्मीदवार को पता चलता है कि किस नियम के आधार पर सिलेक्शन होगी और न ही आयोग अच्छी प्रकार से सिलेक्शन कर सकता है। सारी स्थिति को ध्यान में रखते हुए आयोग के इस प्रस्ताव पर विचार किया गया है और सरकार ने यह फैसला किया है कि सभी प्रशासकीय विभाग-अध्यक्ष इस पत्र के जारी होने की तिथि के 6 मास के भीतर अपने अधीन सभी सेवाओं के भरती नियम अन्तिम रूप में तैयार करें। यदि वे ऐसा नहीं करते तो उन्हें किसी भी रिक्ति को भरने का उस समय तक अधिकार न होगा जब तक कि उस सेवा नियम नहीं बनते। इसलिए आप से अनुरोध है कि आप निश्चित समय के अन्दर-अन्दर ऐसे केसों में आवश्यक कार्यवाही पूरी कर लें।

तुरन्त

क्रमांक 6372 - 2जी.एस. - 70 / 21090

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

हरियाणा के सभी विभाग - अध्यक्ष, कमिश्नर अम्बाला मण्डल और सभी डिप्टी कमिश्नर।

दिनांक 19 - 8 - 1970

विषय :- राज्य की भिन्न-भिन्न सेवाओं के भरती तथा सेवा शर्तों के नियम।

महोदय,

मुझे निदेश हुआ है कि मैं आपका ध्यान हरियाणा सरकार के पत्र क्रमांक 2687 - 2 जी. एस. - 69 / 10169, दिनांक 17 - 5 - 69 की ओर दिलाऊँ (प्रति संलग्न है), जिसमें आपसे यह अनुरोध किया गया था कि आप अपने विभाग की भिन्न-2 सेवाओं के सेवा नियम 6 मास के अन्दर तैयार करें। देखने में यह आया है कि कई सेवाओं के अभी तक सेवा नियम नहीं बनाए हैं। आप से अनुरोध है कि जिन सेवाओं के अभी तक सेवा नियम तैयार नहीं हुए हैं उनके सेवा नियम अतिशीघ्र तैयार किए जाएं। जिन सेवाओं के सेवा नियम अभी तक पूर्ण रूप से नहीं बने हैं, उनकी एक सूची अधोहस्ताक्षरी को एक सप्ताह के भीतर भेजें।

भवदीय,

उप सचिव, राजनैतिक एवं सेवायें।

कृते : मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति निम्नलिखित को सूचना तथा आवश्यक कार्यवाही के लिए भेजी जाती है।

1. एफ.सी.आर. हरियाणा।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार।

भवदीय,

उप सचिव, राजनैतिक एवं सेवायें।

कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. एफ. सी. आर. हरियाणा।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा: क्रमांक 6372-2 जी. एस.-70

दिनांक 19-8-70

प्रतिलिपि क्रमांक 2086-2 जी. एस.-II-71 दिनांक 18-5-71, मुख्य सचिव, हरियाणा की ओर से हरियाणा सरकार के सभी प्रशासकीय सचिव, इत्यादि को प्रेषित है।

विषय :- भर्ती तथा सेवा शर्तों का हरियाणा राज्य के विभिन्न विभागों के नियमों में उपबन्ध की कार्य विधि एवं अन्तिम रूप देना।

क्या सभी वित्तायुक्त एवं सभी प्रशासकीय सचिव, हरियाणा सरकार कृपया कम्पोजिट पंजाब सरकार के अशा : क्रमांक 6029-जी.एस. 60, दिनांक 21-6-60 जिसमें सेवा नियमों के संशोधन के लिए कार्य विधि कथित है, की ओर ध्यान देंगे ?

2. यह अनुभव किया गया है कि कुछ विभाग सामान्य सेवाएँ शाखा को संशोधन प्रस्तावना प्रारूप भेजते समय न ही वर्तमान नियमों की प्रति भेजते हैं और न ही प्रस्तावित संशोधन का कारण लिखते हैं। इस सूचना की अनुपस्थिति में प्रस्तावित संशोधन का भली प्रकार से निरीक्षण होना असम्भव हो जाता है। इसलिये अब यह निर्णय लिया गया है कि भविष्य में सेवा संशोधन की प्रस्तावनाएं प्रायः संलग्नक प्रपत्र में दिए गए प्रोफारमा अनुसार दो प्रतियां इस कार्यालय को भेजी जाया करें।

इस पत्र की पावती भी कृपया भेजी जाए।

Proposal for amendment in Service Rules

Department_____

Rules_____

Existing Rule	Prepared amendment	Reason for the Proposed amendment
1	2	3

क्रमांक 13342 - 2 जी.एस. - 71/12367

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

वित्तायुक्त राजस्व हरियाणा तथा सभी प्रशासकीय सचिव, हरियाणा सरकार।

दिनांक, चण्डीगढ़, 27 मई, 1971

विषय :- सेवा नियमों के प्रस्ताव तथा उनमें संशोधन को अधिसूचना जारी करने पूर्व-आयोग को मन्जूरी।
महोदय,

मुझे निदेश हुआ है कि आपका ध्यान पंजाब सरकार के अशासकीय क्रमांक 6029 - जी.एस. - 60 दिनांक 21-6-60 (प्रति संलग्न) उपर्युक्त विषय की ओर दिलाऊँ, जिसमें विभिन्न विभागों के सेवा नियमों में संशोधन करने आदि की कार्यविधि कथित है और यह सूचित करूँ कि 21 दिन की अवधि का जो समय इन निदेशों में विभिन्न प्राधिकारियों को अपनी टिप्पणी देकर प्रस्तावित नियमों को लौटाने का है उस पर ऐसा अनुभव किया गया है कि बहुधा पालन नहीं हो पाता। इसके फलस्वरूप नियमों में संशोधन करने में अत्याधिक देरी हो जाती है। प्रस्तावना भेजने वाले विभाग प्रायः सम्बन्धित प्राधिकारियों से उनकी टिप्पणी की प्रतीक्षा 21 दिन की बजाए असीमित काल तक करते रहते हैं और बार-बार स्मरण कराते हैं जबकि निदेशों में स्पष्ट तौर पर लिखा है कि निर्धारित समय में टिप्पणी न प्राप्त होने पर यह मान लिया जाना चाहिए कि कथित प्राधिकारी इस प्रस्तावना से सहमत हैं एवं कोई टिप्पणी नहीं देना चाहते।

इस बात को सुनिश्चित करने के लिए ऐसे मुआमलों में अवांछनीय विलम्ब न होने पाए, यह निर्णय किया गया है कि ज्योंहि प्रस्तावित नियमों की प्रतियाँ टिप्पणी के लिए मुख्य सचिव (सामान्य सेवाएं शाखा), वित्त विभाग तथा लोक सेवा आयोग को भेजी जाएं तो प्रस्ताव भेजने वाले विभाग तीन सप्ताह की अवधि के समाप्त होने के उपरान्त तुरन्त मुआमले का निरीक्षण करें। अगर प्रस्तावित नियमों में मौलिक तबदीली का प्रश्न न हो तो उस केस में अग्रिम कार्यवाही साधारणतया की जानी चाहिए इसके विपरीत कोई मौलिक तबदीली प्रस्तावित है तो उस केस में मुआमला मुख्य सचिव को सूचित किया जाए ताकि उसका अन्तिम फैसला एक बैठक (1) प्रशासकीय सचिव (2) वित्त सचिव, (3) अध्यक्ष (या मैम्बर) लोक सेवा आयोग तथा (4) महालेखापाल या उसके प्रतिनिधि, को बुलाकर किया जाए। यह बैठक अत्यन्त शीघ्रता से बुलाई जाएगी ताकि अन्तिम फैसला जितनी जल्दी हो, लिया जा सके। साधारणतया एक बैठक ही इस उद्देश्य के लिए काफी होगी परन्तु किसी असाधारण परिस्थिति में अगर आवश्यक समझा गया हो दूसरी बैठक भी तुरन्त एक सप्ताह के अन्दर-अन्दर बुलाई जाएगी ताकि ऐसे मुआमलों को निपटाने में कम से कम समय लगे। तदुपरान्त प्रशासकीय विभाग अपनी अन्तिम प्रस्तावनाएं मन्त्रिपरिषद् को, पंजाब सरकार के अशा : क्रमांक 6029 - जी.एस. - 60, दिनांक 21-6-60 के पैरा 2 (II) में दिए निदेशों अनुसार अग्रिम कार्यवाही हेतु भेजेगे।

3. इस पत्र की कृपया पावती भेजी जाए।

भवदीय,
स्वरूपकृष्ण
(मुख्य सचिव)

पृष्ठ क्रमांक 1334 - जी.एस. - II - 71/12368

दिनांक, चण्डीगढ़, 27 मई, 1971

उपरोक्त की एक प्रति संलग्न सहित

1. सचिव हरियाणा लोक सेवा आयोग
2. महालेखापाल हरियाणा।

उप सचिव, प्रशासकीय सुधार,
कृते : मुख्य सचिव, हरियाणा सरकार।

क्रमांक 5709-2 जी.एस. - 71/33943

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. हरियाणा के सभी विभागाध्यक्ष, कमिश्नर, अम्बाला मंडल, और सभी डिप्टी कमिश्नर।

दिनांक चण्डीगढ़, 20 दिसम्बर, 1971

विषय :- राज्य के सभी भिन्न-भिन्न सेवाओं के भर्ती तथा आयोग सेवा शर्तों के नियम।

महोदय,

मुझे यह कहने का निदेश हुआ है कि राज्य की कुछ सेवाओं के सेवा नियम को संविधान की धारा 309 के अन्तर्गत बनाये जाने चाहिए अभी तक नहीं बनाए गए हैं। इस विषय पर आपका ध्यान क्रमांक 2687-2 जी.एस. 69/10199, दिनांक 17-5-69 की ओर दिलाया जाता है जिसके द्वारा सभी विभागाध्यक्षों से अनुरोध किया गया था कि जिन पदों के सेवा नियम अभी तक नहीं बने हैं, उनके नियम 6 मास के अन्दर-अन्दर तैयार करवा लिये जाएं।

2. सरकार के ध्यान में यह बात लाई गई है कि कुछ पदों के सेवा नियम अभी तक नहीं बने हैं। अतः सभी विभागाध्यक्षों का ध्यान पुनः उपरोक्त अनुदेशों की ओर दिलाया जाता है और अनुरोध किया जाता है कि जिन पदों के सेवा नियम अभी नहीं बने हैं वे शीघ्रतिशीघ्र बनाए जाएं। कृपया इस बारे में सूचना कि आपने जिन पदों के सेवा नियम अभी तक नहीं बनाए गए हैं, भी सरकार को भेजी जाए ऐसे सेवा नियम जो बहुत पुराने हैं या स्वतन्त्रता प्राप्ति से पहले के समय के होने के कारण अप्रचलित हो गए हैं उन्हें भी फिर से बनाने की आवश्यकता है।

भवदीय,

उप सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति वित्तायुक्त (राजस्व) हरियाणा एवं सभी प्रशासकीय सचिव, हरियाणा को सूचनार्थ तथा आवश्यक कार्यवाही के लिए भेजी जाती है।

1. वित्तायुक्त, हरियाणा सरकार सभी प्रशासकीय सचिव, हरियाणा सरकार

क्रमांक 739 - 2 जी.एस. - II-73/6760

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. हरियाणा के सभी विभागाध्यक्ष,

आयुक्त अम्बाला तथा हिसार मंडल, तथा सभी उपायुक्त।

दिनांक चण्डीगढ़, 14 मार्च, 1973

विषय :- राज्य की भिन्न-भिन्न सेवाओं के भर्ती तथा सेवा शर्तों के नियम।

महोदय,

मुझे निदेश हुआ है कि उपर्युक्त विषय पर आपका ध्यान हरियाणा सरकार के पत्र क्रमांक 2687-2 जी.एस. - 69/10169, दिनांक 17-5-69 तथा क्रमांक 57202-2 जी.एस. - II-69/34943, दिनांक 20-12-71 की ओर दिलाऊँ जिसमें अनुरोध किया गया है कि जिन पदों/सेवाओं के सेवा नियम अभी तक नहीं बने या बहुत पुराने तथा स्वतंत्रता प्राप्ति से पहले के समय के होने के कारण अप्रचलित हैं उन्हें संबन्धित विभाग छः मास के अन्दर-अन्दर तैयार करवा लें।

2. यह बात सरकार के ध्यान में आई है कि राज्य के कई एक विभागों ने अपने अधीन पदों/सेवाओं के सेवा नियम उपर्युक्त निदेशानुसार अभी तक नहीं बनाए। हरियाणा लोक सेवा आयोग ने भी अपनी वार्षिक रिपोर्ट 1971-72 में पुनः इस बात पर जोर दिया है जिन विभागों ने सेवा नियम अभी तक तैयार नहीं किए इन्हें शीघ्रतिशीघ्र तैयार करने के लिए कहा जाए क्योंकि सेवा नियमों के बिना पदोन्नति नियुक्त, तथा वरिष्ठता के मुआमलों को निपटाने में दिक्कत होती है। दूसरे नियमों के बनाए जाने पर नियुक्ति प्राधिकारी तथा उम्मीदवार दोनों को ही सुविधा रहेगी।

सेवा नियमों की महत्ता को ध्यान में रखते हुए सभी विभागाध्यक्षों का ध्यान पुनः उपरोक्त अनुदेशों की ओर दिलाया जाता है और अनुरोध किया जाता है कि जिन पदों के सेवा नियम अभी तक नहीं बने उन्हें तीन मास के अन्दर-अन्दर शीघ्र बनाया जाए। इस संबंध में अनावश्यक देरी को सरकार गम्भीरता से विचारेगी। आपके तहत जिन पदों के उपरोक्तानुसार सेवा नियम तैयार किए जाने हैं उनकी वर्तमान स्थिति हरियाणा लोक सेवा आयोग को सूचित करते हैं उसकी एक प्रति सरकार को भी सूचनार्थ भेजी जाए।

इस मुआमले को कृपया परमाग्रता दी जाए।

संयुक्त सचिव, सामान्य
प्रशासन,
कृते: मुख्य सचिव,
हरियाणा सरकार।

एक प्रति वित्तायुक्त (राजस्व) हरियाणा, सभी प्रशासकीय सचिव, हरियाणा।

**Subject :— Nationality and domicile Rule for appointment to various State Services or posts.
Amendments of rule 4 of the Model Service Rules (Revised 1972)**

Will the Financial Commissioner and all Administrative Secretaries to Government, Haryana, kindly refer to this office U.O. No. 3292-2GSII-72 dated 18-7-72/3-8-72 with which the Model Service Rules (revised 1972) circulated?

2. The Service Rules of the various departments in the State are framed on the pattern of the Model Service Rules. Rule 4 regarding “Nationality domicile and character of candidates appointed to the Service” of these Rules provides if a candidate other than a citizen of India or a subject of Sikkim is appointed to any service in the State a Certificate of eligibility is required to be obtained in his favour from the Government of India. The Government of India had been approached for the issue of an eligibility certificate in particular case but they have informed that such certificate are issued by them only in the case of employees recruited to the central services or posts. So far the appointments made by the State Government are concerned it is informed that the required certificates if necessary are to be issued by the State.

3. In view of the above it has been necessitated that the provision of the rule regarding “Nationality, domicile and Character of candidates appointed to the Service” in the service Rules of various departments should be amended to this effect. Accordingly a copy of the modified rule 4 of the Model Service Rules is at Annexure ‘A’ for guidance. Necessary steps to amend the service Rules of the department/departments under him may be taken, if need be.

4. Since the Certificates of eligibility are to be issued by the State Government, it has been decided that such certificate in Performa at Annexure ‘B’ should be issued by the Administrative Department concerned after obtaining the requisite information in performa at Annexure ‘C’ from the respective department. Verification of character and antecedents of the person/persons is pre-requisite for the issuance of such certificate. Till such a certificate in favour of the person is issued, the appointment, if necessary, can be made on a provisional basis only.

5. These instructions may kindly be brought to the notice of all concerned under him.

Sd/-

Deputy Secretary, Secretariat Establishment,
for Chief Secretary to Government, Haryana.

To

1. Financial Commissioner Revenue, Hayana
2. All Administrative Secretaries to Govt. Haryana.

U.O. No. 4143 2–GSII-73/16393

dated Chandigarh the 9th June, 1973

No. 4143–2GSII-73/16393

dated Chandigarh the 9th June, 1973

A copy each with copies of the enclosures is forwarded to :—

1. All Heads of Departments, Haryana.
2. Commissioners Ambala and Hisar Divisions.
3. All Deputy Commissioners, Haryana

for information and necessary action in continuation of this office endst. No. 3292-2GSII-72 dated 18-7-72/3-8-72.

Sd/-

Deputy Secretary, Secretariat Establishment,
for Chief Secretary to Government, Haryana.

ANNEXURE 'A'

Proposed amendment of Rule 4 of the Model Service Rules (Revised 1972)

Nationality domicile and character of candidates appointed to the service.	4(1) No person shall be recruited, to the Services unless is :— (a) A citizen of India; or (b) a subject of Sikkim ; Or (c) a subject of Nepal ; or (d) a subject of Bhutan ; or (e) A Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India; or (f) A person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India: Provided that a person belonging to category (c), (d), (e) or (t) 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 Commission or the Board of any other recruiting authority on his furnishing proof that he has applied for the certificate and also he may provisionally be appointed subject to the necessary certificate being issued to him by the Government.
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ANNEXURE 'B'
HARYANA GOVERNMENT

Serial No.....
.....Department
File No.....
Chandigarh, dated.....

CERTIFICATE OF ELIGIBILITY

In pursuance of para 3 of the Minister of Home Affairs Resolution No. 11/11/65-ESTS(B) dated the 9-9-65, the Governor of Haryana is pleased to direct that.....
.....son/daughter/wife
of.....being a subject/native
of.....shall be eligible to hold any civil office in
connection with the affairs of the State of Haryana in.....
with effect from the.....

Secretary to Government, Haryana.

N.B.— (Office copy to be recorded with the office where the person is employed.)

(To be kept by the office issuing the Certificate of eligibility).

ANNEXURE 'C'
HARYANA GOVERNMENT Serial No.
..... Department.

File No.
Chandigarh, dated

Particulars regarding the person in whose favour the certificate is issued.

1. Name
2. Father's Name
3. Post/Service to which appointed
4. Office or Department
5. Nationality etc.
6. Date of appointment
7. Period for which the certificate is granted
8. Remarks
.....(Initials of the Officers).

विषय :- **संयुक्त पंजाब द्वारा जारी किए गए अधिनियमों और नियमों में पंजाब के बजाय हरियाणा शब्द स्थानापन्न करना।**

क्या वित्तियुक्त (राजस्व) और सभी प्रशासकीय सचिव, हरियाणा सरकार उपरोक्त विषय पर ध्यान देने की कृपा करेंगे ?

2. निर्णय लिया गया है कि संयुक्त पंजाब द्वारा जारी किए गए ऐसे एक्ट्स जिनकी धाराएं 10 या इससे कम हैं उन में 'पंजाब' की बजाए हरियाणा शब्द स्थानापन्न किया जावे। इस संबंध में ऐसे एक्ट्स की सूची संलग्न है। सभी प्रशासकीय सचिवों से अनुरोध है कि वे सभी नियमों/अधिनियमों में जिन से उनका संबंध है तुरन्त अपेक्षित कार्यवाही करें। और सुनिश्चित कर लें कि सारी कार्यवाही विधान सभा के आगामी अधिवेशन के दौरान सम्पन्न हो जाए।

संयुक्त सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में

वित्तियुक्त (राजस्व), सभी प्रशासकीय सचिव, हरियाणा।

अशा: क्रमांक 8482 - 2 जी.एस. - II

दिनांक 31-12-73

Subject :— Nationality domicile-Rule for appointment to various State Service or posts-Amendment of rule 4 of Modal Service –Rules (Revised 1972).

Will the Financial Commissioner Revenue all Administrative Secretaries to Government Haryana, kindly refer to this Office U.O. No. 4143-2GSII-73/16393, dated the 9th June, 1973 on the subject noted above ?

2. In the proviso of rule 4(I) and in rule 4(I)(2) of the Model Service Rules (revised 1972) circulated vide this office U.O. No. 3292-2GSII-72, dated 18-7-1972/3-8-72, whereas ever the words "Government of India" are appearing, the words "of Indian" should only be deleted and rest of provision should remains as it is.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to :—

The Financial Commissioner Revenue, Haryana. All Administrative Secretaries, Haryana, All Head of Department, Haryana. Commissioners Ambala and Hisar Divisions. All Deputy Commissioners, Haryana.

अशा: क्रमांक 543 - 2 जी.एस. - II - 73 / 4480

दिनांक 4 - 3 - 1974

विषय :- संयुक्त पंजाब द्वारा जारी किए गए अधिनियमों और नियमों में पंजाब के बजाय हरियाणा शब्द स्थानापन्न करना।

क्या वित्तायुक्त (राजस्व) और सभी प्रशासकीय सचिव, हरियाणा सरकार उपरोक्त विषय पर इस विभाग के अशासकीय क्रमांक 8482-2 जी.एस.- II- 73, दिनांक 31-12-73 की ओर ध्यान देने की कृपा करेंगे ?

2. संयुक्त पंजाब में जारी किए गए नियमों और अधिनियमों में पंजाब की बजाए हरियाणा शब्द स्थापित किया जाए इस उद्देश्य की पूर्ति के लिए सभी विभागों को अनुरोध किया गया था कि वह अपने नियमों/अधिनियमों के सम्बन्ध में ऐसी कार्यवाही के बारे में तुरन्त कदम उठाएं और सुनिश्चित करें कि सारी कार्यवाही विधान सभा के आगामी अधिवेशन के दौरान खत्म हो जाए। पुराने एक्ट्स से से पंजाब शब्द को बदल कर 'हरियाणा' किए जाने की सूरी में विधि परामर्शदाता के अनुसार हमें नए एक्ट्स बनाने होंगे। चूंकि नए एक्ट्स बनाते समय वही सारा प्रोसीजर अपनाया जाना होगा जोकि किसी बिल्कुल नए कानून को बनाए जाने के बारे में अपनाया जाता है, कुछ विभागों ने यह प्रश्न उठाया कि इन एक्ट्स को रीएनक्ट करने के लिए "अबजैक्ट्स एण्ड रीज़न्स" के स्टेटमेंट में क्या कहा जाए। इस बात का सरकार ने निरीक्षण किया है और यह अनुभव किया है कि इस सम्बन्ध में निम्न स्थितियां उत्पन्न हो सकती हैं :-

- (i) कुछ विषय ऐसे हैं जिन पर संविधान के अनुसार केन्द्रीय सरकार की पूर्व अनुमति लेनी आवश्यक है। उनसे सम्बन्धित ऐसे बिलों को केन्द्रीय सरकार से पहले clear कराना होगा अन्यथा नए एक्ट्स valid कहे जा सकेंगे।
 - (ii) कुछ ऐसे एक्ट्स होंगे जो होंगे तो हमारे अपनी पावर्ज के तहत परन्तु जिनमें कुछ थोड़ी बहुत amendment भी सुझाई गई होगी।
 - (iii) बहुत से एक्ट्स ऐसे होंगे जो inverbatim ही re-enact किए जायेंगे जैसे एक्ट्स जो बहुत ही छोटे हैं अथवा बहुत ही clear व comprehensive हैं।
3. सभी पहलुओं पर अच्छी तरह से विचार करने के पश्चात् और इस बारे में विभागों की कठिनाइयों को देखते हुए uniformity के उद्देश्य से यह फैसला किया गया है कि -

- (क) object एण्ड reasons की स्टेटमेंट में पहले तो विभाग वर्तमान एक्ट्स के original objects & reason को ही यथोचित modification के साथ दे दें। फिर आखिरी पंक्ति में वे निम्नलिखित वाक्य लगा दें :

"It has been deemed expedient to re-enact the measure on
the subject in its application to the State of Haryana."

- (ख) जो एक्ट्स concurrent lists विषय होने के कारण केन्द्रीय सरकार को clearance के लिए भेजे जाने हैं उनके objects & reasons तो उनके objects & reasons के स्टेटमेंट में उपरोक्त बतलाई गई पद्धति के अनुसार ही लगा दिए जायें, परन्तु विभाग अलग से अपने forwarding letter में यह स्थिति स्पष्ट कर दें कि पंजाब पुनर्गठन के कारण इन एक्ट्स को हरियाणा में exclusively लागू किए जाने के उद्देश्य से इन्हें re-enact करना सरकारी ने expedient समझा है।

- (ग) यदि किसी एक्ट में कोई संशोधन भी किए जाने का उद्देश्य हो तो उस स्थिति में original objects - reasons को यथोचित modification के साथ बताने के बाद amendment का हवाला देते हुए अन्त में यह वाक्य दिया जाये :-

"In view of the proposed amendment it has been deemed expedient to re enact the measure on the subject in its application to the State of Haryana."

4. मुख्य मंत्री ने देख लिया है।
5. कृपया इस पत्र की पावती भेजें।

हस्ता / -
उप सचिव, प्रशासनिक सुधार,
कृते : मुख्य सचिव, हरियाणा सरकार।

इसकी एक-एक प्रति निम्न को सूचनार्थ भेजी जाती है :-
वित्तियुक्त राजस्व। सभी प्रशासकीय सचिव, हरियाणा सरकार।

A.C. Aggarwal, IAS

D.O. No. 22/5/78-GS II.

Joint Secretary to Govt., Haryana,
General Administration Deptt.
28th December, 1979.

Subject:— Progress regarding finalization/ rationalization of service rules.

Dear Shri

As you are aware, it was decided in the meeting of the Administrative Secretaries held on 14-11-1979 that as a first step revision/ finalization/rationalization of the existing service rules should be made according to the Model Service Rules by the 31st December, 1979. It is hoped that sufficient progress in this behalf would have been made by this time. The comments on the drafts service rules received so far in the General Services II branch have been communicated to the respective departments. I request that the up-to-date position regarding the finalization of service rules of the department(s) under your control may kindly be intimated in the enclosed proforma so that the consolidated position is placed before the Government.

Yours Sincerely,

Sd/-

(A.C. Aggarwal)

All A.D.

PROFORMA

Position regarding finalization of Service Rules.

As on _____

Sr. No.	Name of Department	Name of Service rules framed/finalized	Name of the Service rules not finalized	Remarks
1	2	3	4	5

भाग III

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 17 अप्रैल, 2003

सं० सा० का० नि० 6/सवि०/अनु० 234 तथा 309/2003.— भारत के संविधान के अनुच्छेद 309 के परन्तुक के साथ पठित अनुच्छेद 234 द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, हरियाणा लोक सेवा आयोग और पंजाब तथा हरियाणा के उच्च न्यायालय से परामर्श करने के बाद, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा सिविल सेवा (न्यायिक शाखा) में अधीनस्थ न्यायाधीशों के रूप में व्यक्तियों की नियुक्ति के लिए उपबन्ध करने वाले और उसमें नियुक्त व्यक्तियों की भर्ती और सेवा शर्तों को विनियमित करने वाले नियमों में आगे और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम पंजाब सिविल सेवा (न्यायिक शाखा) हरियाणा संशोधन नियम, 2003 कहे जा सकते हैं।
2. हरियाणा सिविल सेवा (न्यायिक शाखा) (जिन्हें, इसमें, इसके बाद, उक्त नियम कहा गया है) में, अधीनस्थ न्यायाधीशों के रूप में व्यक्तियों की नियुक्ति के लिए उपबन्ध करने वाले नियमों में, भाग क में, नियम 2 में—
 - (i) द्वितीय पंक्ति में, “35” अंकों के स्थान पर, “40” अंक प्रतिस्थापित किए जाएंगे ;
 - (ii) प्रथम परन्तुक में, द्वितीय पंक्ति में, “40” अंकों के स्थान पर, “45” अंक प्रतिस्थापित किए जाएंगे ;
3. उक्त नियमों में, भाग ग में, नियम 7 में उप-नियम (2) में, विद्यमान परन्तुक के स्थान पर, निम्नलिखित परन्तुक प्रतिस्थापित किया जाएगा, अर्थात् :-

“परन्तु लिखित परीक्षा में प्राप्त किए गए अंकों के क्रम में मौखिक परीक्षा के लिए बुलाये जाने वाले उम्मीदवारों की संख्या विज्ञापित रिक्तियों के तीन गुणा संख्या से अधिक नहीं होगी। तथापि, यदि साक्षात्कार के लिए बुलाया गया अन्तिम उम्मीदवार बराबर अंक प्राप्त करते हुए तीन गुणा से अधिक उम्मीदवारों से अभिवृत्त हैं तब सभी अभिवृत्त उम्मीदवार साक्षात्कार के लिए बुलाए जाएंगे, इस तथ्य के बावजूद कि साक्षात्कार के लिए बुलाए जाने वाले उम्मीदवारों की संख्या तीन गुणा से अधिक हो जाती है।

उदाहरण : मान लीजिये 10 रिक्तियां विज्ञापित की गई हों, यदि 8 उम्मीदवार यानि क्रम संख्या 24 से 31 तक अभिवृत्त हो जाते हैं तब क्रम संख्या 31 तक के उम्मीदवार साक्षात्कार के लिए बुलाये जायेंगे।”।

4. उक्त नियमों में, नियम 8 के स्थान पर, निम्नलिखित नियम प्रतिस्थापित किया जाएगा, अर्थात् :-

“8 (1) किसी भी उम्मीदवार को परीक्षा में तब तक अर्हक नहीं विचारा जाएगा जब तक वह मौखिक परीक्षा सहित सभी पेपरों में कुल मिलाकर कम से कम 50 प्रतिशत अंक प्राप्त नहीं कर लेता ।

(2) अर्हक उम्मीदवारों का योग्यता क्रम हरियाणा लोक सेवा आयोग द्वारा लिखित पेपर तथा मौखिक परीक्षा में प्राप्त किए गए कुल अंकों के अनुसार कड़ाई से निश्चित किया जाएगा :

परन्तु दो या उससे अधिक उम्मीदवारों द्वारा बराबर अंक प्राप्त करने की दशा में आयु में बड़े उम्मीदवार को योग्यता क्रम से ऊपर रखा जाएगा।”।

5. उक्त नियमों में, भाग घ में, -

(i) नियम 1 के स्थान पर, निम्नलिखित नियम रखा जायेगा, अर्थात् :-

"1 भाग ग के नियम 10 तथा 11 के अधीन सिविल न्यायाधीश (कनिष्ठ मण्डल) के रूप में नियुक्ति के लिए सरकार द्वारा चयनित उम्मीदवारों के नाम विज्ञापित रिक्तियों से अधिक 30 प्रतिशत की सीमा तक चयन के क्रम में उच्च न्यायालय रजिस्टर में प्रविष्ट किए जाएंगे, ताकि किसी कारण से न भरे गए शेष विज्ञापित पदों के लिए किसी आनुषंगिकता को पूरा किया जा सके।”।

(ii) नियम 8 का लोप कर लिया जाएगा।

ए0 एन0 माथुर,

मुख्य सचिव, हरियाणा सरकार ।

[Authorised English Translation]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(GENERAL SERVICES)

Notification

The 17th April, 2003

No. G.S.R. 6/Const./Arts. 234 and 309/2003.—In exercise of the powers conferred by Article 234 read with the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, after consultation with the Haryana Public Service Commission and the High Court of Punjab and Haryana, the Governor of Haryana hereby makes the following rules further to amend the rules providing for the appointment of persons, as Subordinate Judges in the Haryana Civil Service (Judicial Branch) and regulating the recruitment and the conditions of service of persons appointed thereto, namely :-

1. These rules may be called the Punjab Civil Service (Judicial Branch) Haryana Amendment Rules, 2003.

2. In the rules providing for the appointment of persons, as Subordinate Judges in the Haryana Civil Service (Judicial Branch) (Hereinafter called the said rules), in Part A, in rules 2,—

- (i) in the first line, for the figures “35”, the figures “40” shall be substituted ;
- (ii) in the first proviso, in the second line, for the figures “40”, the figures “45” shall be substituted.

3. In the said rules, in Part C, in rule 7, in sub rule (2), for the existing proviso, the following proviso shall be substituted, namely :—

“Provided that the number of candidates to be called for *viva-voce* in order of the marks obtained in the written examination shall not exceed three times the number of vacancies advertised. However, if the last candidate to be called for interview is bracketed with the candidates exceeding three times by obtaining equal marks then all the bracketed candidates shall be called for interview, in spite of the fact that the number of candidates to be called for interview exceeds three times.

Illustration : Suppose 10 vacancies have been advertised, if 8 candidates say from Serial Number 24 to 31 are bracketed then candidates upto Serial Number 31 will be called for interview.”

4. In the said rules, for rule 8, the following rule shall be substituted namely:—

- “8. (1) No candidates shall be considered to have qualified in the examination unless he obtains atleast 50% marks in the aggregate of all papers including *viva-voce* test.
- (2) The merit of the qualified candidates shall be determined by the Haryana Public Service Commission strictly according to the aggregate marks obtained in the written papers and *viva-voce*:

Provided that in the case of two or more candidates obtaining equal marks, the candidates older in age shall be placed higher in the order of merit."

5. In the said rules, in Part D,—

(i) for rule 1, the following rule shall be substituted, namely :—

"1. The names of candidates selected by Government for appointment as Civil Judges (Junior Division), under rule 10 and 11 of the Part C shall be entered in the High Court Register in the order of selection to the extent of 30% more than the advertised vacancies, so as to meet any contingency for the advertised post remaining unfilled for any reason.";

(ii) rule 8 shall be omitted.

A.N. MATHUR

Chief Secretary to Government, Haryana

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 28 मई, 2003

संख्या सा० का० नि० 13/संवि०/अनु० 309/2003.— भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, पंजाब वरिष्ठ न्यायिक सेवा नियम, 1963, को हरियाणा राज्यार्थ आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम पंजाब वरिष्ठ न्यायिक सेवा (हरियाणा संशोधन) नियम, 2003, कहे जा सकते हैं।
2. पंजाब वरिष्ठ न्यायिक सेवा नियम, 1963 में, नियम 16 के स्थान पर निम्नलिखित नियम रखा जायेगा, अर्थात् :-

“16 मृत्यु एवं सेवा निवृत्ति लाभांश.— सेवा के सदस्य मृत्यु एवं सेवा निवृत्ति लाभांशों के संबंध में, हरियाणा सरकार द्वारा समय-समय पर यथा संशोधित हरियाणा राज्यार्थ पंजाब सिविल सेवा नियम, वाल्यूम II, द्वारा शासित होंगे :

परन्तु इस सेवा में सीधी भर्ती की दशा, में, बार में दस वर्ष से अनधिक तक की वकालत की वास्तविक अवधि उनकी अधिवर्षिता पेंशन और अन्य सेवा निवृत्ति लाभ के लिए अर्हक सेवा में जोड़ दी जाएगी।

व्याख्या टिप्पणी :-संशय को दूर करने हेतु यह स्पष्ट किया जाता है कि इस सेवा में सीधी भर्ती के सदस्य, जोकि सेवा में कार्यभार ग्रहण करने के तुरन्त पहले विधि अधिकारी या जिला न्यायवादी थे, को भी बार में दस वर्ष से अनधिक वर्ष की वास्तविक संख्या तक की गई वकालत को अधिवर्षिता पेंशन तथा अन्य सेवा निवृत्ति लाभ गिनने के लिए अर्हक सेवा में शामिल करने का हकदार होगा।”।

ए० एन० माथुर,
मुख्य सचिव, हरियाणा सरकार।

[Authorised English Translation]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(GENERAL SERVICES)

Notification

The 28th May, 2003

No. G.SR. 13/Const./Art.309/2003.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him on this behalf, the Governor of Haryana hereby makes the following rules further to amend the Punjab Superior Judicial Service Rules, 1963, in their application to the State of Haryana, namely :—

1. These rules may be called the Punjab Superior Judicial Service (Haryana Amendment) Rules, 2003.
2. In the Punjab Superior Judicial Service Rules, 1963, for rule 16, the following rule shall be substituted, namely :—

"16 Death-cum-Retirement Benefits :— In respect of death-cum-retirement benefits, the members of the Service shall be governed by the Punjab Civil Service Rules, Volume II, as applicable to the State of Haryana, as amended from time to time by the Haryana Government :

Provided that in the case of a direct recruit to this Service, the actual period of practice at bar not exceeding ten years, shall be added to his service qualifying for superannuation pension and other retirement benefits.

*Explanatory note :—*For removal of doubts, it is hereby clarified that a direct recruit to this Service, who immediately before joining the Service was a Law Officer or District Attorney shall also be entitled to the benefit of actual number of years not exceeding ten years, put in by way of practice at the bar, being counted towards his service qualifying for superannuation pension and other retirement benefits."

A.N. MATHUR,
Chief Secretary to Government Haryana

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भाग III

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 18 जुलाई, 2003

संख्या सा. का. नि. 16/सवि. /अनु. 234 तथा 309/2003. - भारत के संविधान के अनुच्छेद 309 के परन्तुक के साथ पठित अनुच्छेद 234 द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, हरियाणा लोक सेवा आयोग तथा पंजाब तथा हरियाणा उच्च न्यायालय से परामर्श के बाद, इसके द्वारा, हरियाणा सिविल सेवा (न्यायिक शाखा) में अधीनस्थ न्यायाधीशों के रूप में व्यक्तियों की नियुक्ति के लिए उपबंध करने तथा उसमें नियुक्त व्यक्तियों की भर्ती तथा सेवा शर्तों को विनियमित करने वाले नियमों को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम पंजाब सिविल सेवा (न्यायिक शाखा) हरियाणा..... संशोधन नियम 2003, कहे जा सकते हैं।

2. हरियाणा सिविल सेवा (न्यायिक शाखा) (जिन्हें, इसके बाद उक्त नियम कहा गया है में, अधीनस्थ न्यायाधीशों के रूप में व्यक्तियों की नियुक्ति के लिए उपबंध करने वाले नियमों में, भाग क में, नियम 3 के स्थान पर, निम्नलिखित नियम प्रतिस्थापित किया जाएगा, अर्थात् :-

“3. कोई व्यक्ति तब तक सिविल न्यायाधीश (कनिष्ठ डिवीजन) के रूप में नियुक्ति का पात्र नहीं होगा जब तक उसने विधि द्वारा स्थापित तथा भारतीय विधिज्ञ परिषद् द्वारा अनुमोदित/मान्यता प्राप्त किसी विश्वविद्यालय से विधि स्नातक डिग्री प्राप्त न की हो।”।

3. उक्त नियमों में भाग घ में, नियम 6 के स्थान पर, निम्नलिखित नियम प्रतिस्थापित किया जाएगा, अर्थात् :-

“6. प्रत्येक सिविल न्यायाधीश (कनिष्ठ डिवीजन) कम से कम एक वर्ष की अवधि के लिए प्रशिक्षण प्राप्त करेगा।”।

ए० एन० माथुर,
मुख्य सचिव, हरियाणा सरकार।

[Authorised English Translation]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(GENERAL SERVICES)

Notification

The 18th July, 2003

No. G.S.R 16/Const./Art. 234 and 309/2003.—In exercise of the powers conferred by Article 234 read with the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Haryana, after consultation with the Haryana Public Service Commission and the High Court of Punjab and Haryana hereby makes the following rules further to amend the rules, providing for the appointment of persons as Subordinate Judges in the Haryana Civil Service (Judicial Branch) and regulating the recruitment and conditions of service of persons appointed thereto, namely :-

1. These rules may be called the Punjab Civil Service (Judicial Branch) Haryana Amendment Rules, 2003.

2. In the rules providing for the appointment of persons as Subordinate Judges in the Haryana Civil Service (Judicial Branch) (hereinafter called the said rules), in Part A, for Rule, 3 the following rule shall be substituted, namely :-

"3. No person shall be eligible to be appointed a Civil Judge (Junior Division) unless he holds a degree of Bachelor of Laws from a University established by law and approved recognised by the Bar Council of India."

3. In the said rules, in Part D, for rule 6, the following rule shall be substituted, namely :-

"6. Every Civil Judges (Junior Division) shall undergo training for a minimum period of one year."

A.N. MATHUR,
Chief Secretary to Government, Haryana

भाग IV

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 15 सितम्बर, 2003

हरियाणा सरकार राजपत्र (असाधारण) विधायी परिशिष्ट, भाग III, दिनांक 18 जुलाई, 2003, में प्रकाशित हरियाणा सरकार, सामान्य प्रशासन विभाग (सामान्य सेवाएं), अधिसूचना संख्या सा. का. नि. 16/सर्वि./अनु. 234 तथा 309/2003, दिनांक 18 जुलाई, 2003, के मूल हिन्दी पाठ में, नियम 1 में, “हरियाणा संशोधन” शब्दों के स्थान पर, “हरियाणा द्वितीय संशोधन” शब्द पढ़े जाएं।

ए. एन. माथुर,
मुख्य सचिव, हरियाणा सरकार।

[Authorised English Translation]

HARYANA GOVERNMENT

GENERAL ADMINISTRATION DEPARTMENT

(GENERAL SERVICES)

CORRIGENDUM

The 15th September, 2003

In the Haryana Government, General Administration Department (General Services), notification No. G.S.R. 16/Const./Art.234 and 309/2003, dated the 18th July, 2003, published in Haryana Government Gazette (Extraordinary), dated the 18th July, 2003, in its authorised English translation, in rule 1, for "Haryana ----- Amendment", read "Haryana Second Amendment".

A.N. MATHUR,
Chief Secretary to Government Haryana.

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 29 सितम्बर, 2003

संख्या सा. का. नि. 25/सवि. /अनु. 234 तथा 309/2003. - भारत के संविधान के अनुच्छेद 309 के परन्तुक के साथ पठित अनुच्छेद 234 द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए, हरियाणा लोक सेवा आयोग तथा पंजाब तथा हरियाणा उच्च न्यायालय से परामर्श के बाद, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा सिविल सेवा (न्यायिक शाखा) में सिविल न्यायाधीशों (कनिष्ठ डिवीजन) के रूप में व्यक्तियों की नियुक्ति के लिए उपबंध करने तथा उसमें नियुक्त व्यक्तियों की भर्ती तथा सेवा शर्तों को विनियमित करने वाले नियमों को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम पंजाब सिविल सेवा (न्यायिक शाखा) हरियाणा तृतीय संशोधन नियम, 2003, कहे जा सकते हैं।
2. हरियाणा सिविल सेवा (न्यायिक शाखा) में, सिविल न्यायाधीशों (कनिष्ठ डिवीजन) के रूप में व्यक्तियों की नियुक्ति के लिए उपबंध करने वाले नियमों में, भाग क में, नियम 2 में, - तीसरी पक्ति में "24" अंकों के स्थान पर "21" अंक प्रतिस्थापित किये जायेंगे।

ए. एन. माथुर,
मुख्य सचिव, हरियाणा सरकार।

[Authorised English Translation]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(GENERAL SERVICES)

Notification

The 29th October, 2003

No. G.S.T.25/Const./Art. 234 and 309/2003- In exercise of the powers conferred by Article 234 read with the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, after consultation with the Haryana Public Service Commission and the High Court of Punjab and Haryana, the Governor of Haryana hereby makes the following rules further to amend the rules providing for the appointment of persons as Civil Judges (Junior Divisions) in the Haryana Civil Service (Judicial Branch) and regulating the recruitment and the conditions of service of persons appointed thereto, namely :-

1. These rules may be called the Punjab Civil Service (Judicial Branch) Haryana Third Amendment Rules, 2003.
2. In the rules providing for the appointment of persons as Civil Judges (Junior Division) in the Haryana Civil Service (Judicial Branch), in Part A, in rule 2, in the third line, for figures "2", the figures "21" shall be substituted.

A.N. MATHUR,
Chief Secretary to Government, Haryana

भाग III

हरियाणा सरकार

सामान्य प्रशासन विभाग

(सामान्य सेवाएं)

अधिसूचना

दिनांक 25 नवम्बर, 2003

संख्या सा. का. नि.30/सवि.0/अनु. 309/2003. - भारत के संविधान के अनुच्छेद 309 परन्तु के द्वारा प्रदान की गई शक्तियों तथा इस निमित्त उन्हें समर्थ बनाने वाली सभी अन्य शक्तियों का प्रयोग करते हुए हरियाणा के राज्यपाल, इसके द्वारा, पंजाब वरिष्ठ न्यायिक सेवा नियम, 1963, हरियाणा राज्यार्थ को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. ये नियम पंजाब वरिष्ठ न्यायिक सेवा (हरियाणा द्वितीय संशोधन) नियम, 2003, कहे जा सकते हैं।
2. पंजाब वरिष्ठ न्यायिक सेवा नियम, 1963, में नियम 8 में, उप-नियम (1) के स्थान पर, निम्नलिखित उप नियम रखा जायेगा, अर्थात् :-

“(1) सेवा में भर्ती निम्नलिखित ढंग से की जायेगी, -

- (i) 50 प्रतिशत सिविल न्यायाधीश (सीनियर डिविजन) में से योग्यता एवं ज्येष्ठता तथा उपयुक्तता परीक्षा पास करने के आधार पर पदोन्नति द्वारा ;
- (ii) 25 प्रतिशत सिविल न्यायाधीश (सीनियर डिविजन) जिनकी अर्हक सेवा पांच वर्ष से कम न हो की लिमिटेड विभाग प्रतियोगिता परीक्षा के योग्यता के आधार पर प्रतिनियुक्ति द्वारा ।
- (iii) 25 प्रतिशत उच्च न्यायालय द्वारा संचालित की जाने वाली 200 अंकों की लिखित परीक्षा तथा 50 अंकों की मौखिक परीक्षा को मिलाकर परीक्षा आयोजित करके पात्र अधिवक्ताओं में से सीधी भर्ती द्वारा”।

ए० एन० माथुर,
मुख्य सचिव, हरियाणा सरकार।

[Authorised English Translation]

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
(GENERAL SERVICES)

Notification

The 25th November, 2003

No. G.S.R.30/Const./Art. 309/2003- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling him on this behalf, the Governor of Haryana hereby makes the following rules further to amend the Punjab Superior Judicial Service Rules, 1963, in their application to the State of Haryana, namely :-

1. These rules may be called the Punjab Superior Judicial Service (Haryana Second Amendment) Rules, 2003.
2. In the Punjab Superior Judicial Service Rules, 1963 in rule 8, for sub rule (I) the following sub rule shall be substituted, namely :-

"(I) Recruitment to the Service shall be made :—

- (i) 50% by promotion from amongst the Civil Judges (Senior Division) on the basis of merit-cum-Seniority and passing a suitability test ;
- (ii) 25% by promotion on the basis of merit through limited department competitive examination of Civil Judges (Senior Division) having not less than 5 years qualifying service ;
- (iii) 25% by direct recruitment from amongst the eligible advocates by holding a test consisting of written examination of 200 marks and *viva voce* test of 50 marks to be conducted by the High Court."

A.N. MATHUR,
Chief Secretary to Government, Haryana.

PART I

LEGISLATIVE DEPARTMENT

Notification

The 12th March, 2004

No. Leg. 10/2004.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 9th March, 2004, and is hereby published for general information :-

Haryana Act No. 8 of 2004

**THE HARYANA PUBLIC SERVICE COMMISSION (ADDITIONAL
FUNCTIONS) AMENDMENT ACT, 2004**

AN

ACT

*further to amend the Haryana Public Service Commission
(Additional Functions) Act, 1974.*

BE it enacted by the Legislature of the State of Haryana in the Fifty-fifth Year of the Republic of India as follows :—

- | | | |
|----|--|--|
| 1. | This Act may be called the Haryana Public Service Commission (Additional Functions) Amendment Act, 2004. | Short title. |
| 2. | In the long title of the Haryana Public Service Commission (Additional Functions) Act, 1974 (hereinafter called the principal Act), for the words "local bodies' officers", the words "local bodies' officers and other body corporate's officers" shall be substituted. | Amendment of long title of Haryana Act 21 of 1974. |
| 3. | In section 2 of the principal Act, the existing clause (a) shall be renumbered as clause (aa) and before the clause so renumbered, the following clause shall be inserted, namely :- | Amendment of section 2 of Haryana Act 21 of 1974. |

'(a)"body corporate" means-

(i)Haryana Electricity Regulatory Commission ;

OR

(ii)Haryana Vidyut Prasaran Nigam Limited,
Haryana Power Generation Corporation Limited,
Uttar Haryana Bijli Vitran Nigam Limited or
Dakshin Haryana Bijli Vitran Nigam Limited ;

OR

(iii) any other Corporation incorporated under any other law for the time being in force or a Company registered under the Companies Act, 1956 (1 of 1956) and under the administrative control of the State Government.

Substitution of
section 3 of
Haryana Act 21
of 1974.

4. For section 3 of the principal Act, the following section shall be substituted, namely :—

"3. Additional Functions.—Notwithstanding anything contained in any other law for the time being in force, the Commission shall recruit such posts carrying an initial pay of eight thousand rupees or above per mensem under a local authority or under a body corporate as the State Government may, by notification in the Official Gazette, direct :

Provided that it shall not apply to the—

- (i) recruitment made for a period not exceeding six months ; and
- (ii) recruitment of an Executive Officer of a Municipal Committee under the Haryana Municipal Act, 1973."

Repeal & Saving.

5. (1) The Haryana Public Service Commission (Additional Functions) Amendment Ordinance, 2003 (Haryana Ordinance No. 4 of 2003), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

R. S. MADAN,
Secretary to Government Haryana,
Legislative Department.

हरियाणा सरकार

विधायी विभाग

अधिसूचना

दिनांक 6 मई, 2004

संख्या लैज. 10/2004 - दि हरियाणा पब्लिक सर्विस कमीशन (एडीशनल फन्क्शनज) अमेन्डमेन्ट ऐक्ट, 2004, का निम्नलिखित हिन्दी अनुवाद हरियाणा के राज्यपाल की 24 अप्रैल, 2004, की स्वीकृति के अधीन एतद्द्वारा प्रकाशित किया जाता है और यह हरियाणा राजभाषा अधिनियम, 1969 (1969 का 17), की धारा 4 क के खण्ड (क) के अधीन उक्त अधिनियम का हिन्दी भाषा में प्रामाणिक पाठ समझा जाएगा :-

2004 का हरियाणा अधिनियम संख्या 8

हरियाणा लोक सेवा आयोग (अतिरिक्त कृत्य) संशोधन अधिनियम, 2004

हरियाणा लोक सेवा आयोग (अतिरिक्त कृत्य)

अधिनियम, 1974, को आगे संशोधित करने के लिए अधिनियम

भारत गणराज्य के पचपनवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

- | | | |
|----|--|--|
| 1. | यह अधिनियम हरियाणा लोक सेवा आयोग (अतिरिक्त कृत्य) संशोधन अधिनियम, 2004 कहा जा सकता है। | सक्षिप्त नाम। |
| 2. | हरियाणा लोक सेवा आयोग (अतिरिक्त कृत्य) अधिनियम, 1974 (जिसे, इसमें, इसके बाद, मूल अधिनियम कहा गया है), के दीर्घ शीर्ष में, “स्थानीय निकायों के कतिपय अधिकारियों”, शब्दों के स्थान पर, “स्थानीय निकायों तथा अन्य निगमित निकाय के कतिपय अधिकारियों” शब्द प्रतिस्थापित किये जायेंगे। | 1974 के हरियाणा अधिनियम 21 के दीर्घ शीर्ष का संशोधन। |
| 3. | मूल अधिनियम की धारा 2 में, विद्यमान खण्ड (क), खण्ड (कक) के रूप में पुनः संख्याकित किया जायेगा तथा इस प्रकार पुनः संख्याकित खण्ड से पूर्व, निम्नलिखित खण्ड रखा जायेगा, अर्थात् :- | 1974 के हरियाणा अधिनियम 21 की धारा 21 की संशोधन। |

(क) “निगमित निकाय” से अभिप्राय है -

(i) हरियाणा विद्युत विनियामक आयोग ;

या

(ii) हरियाणा विद्युत प्रसारण निगम लिमिटेड ;
हरियाणा विद्युत उत्पादन निगम लिमिटेड ;
उत्तर हरियाणा बिजली वितरण निगम लिमिटेड या
दक्षिण हरियाणा बिजली वितरण निगम लिमिटेड ;

या

- (iii) तत्समय प्रवृत्त किसी अन्य विधि के अधीन निगमित कोई अन्य निगम या कम्पनी अधिनियम, 1956 (1956 का 1), के अधीन पंजीकृत तथा राज्य सरकार के प्रशासनिक नियन्त्रण के अधीन कोई कम्पनी ; ।

1974 के हरियाणा अधिनियम 21 की धारा 3 का प्रतिस्थापन।

4. मूल अधिनियम की धारा 3 के स्थान पर, निम्नलिखित धारा प्रतिस्थापित की जायेगी, अर्थात् :-

“3. अतिरिक्त कृत्य.- तत्समय प्रवृत्त किसी अन्य विधि में दी गई किसी बात के होते हुये भी, आयोग, स्थानीय प्राधिकरण के अधीन या निगमित निकाय के अधीन प्रतिमास आठ हजार रुपये या अधिक आरम्भिक वेतन वाले ऐसे पदों पर भर्ती करेगा जिन्हें राज्य सरकार, राजपत्र में अधिसूचना द्वारा निर्दिष्ट करे :

परन्तु यह -

- (i) छह मास से अनधिक अवधि के लिए भर्ती को ; तथा
(ii) हरियाणा नगरपालिका अधिनियम, 1973, के अधीन नगरपालिका समिति के कार्यपालक अधिकारी की भर्ती को, लागू नहीं होगी।”।

निरसन तथा व्यावृत्ति।

5. (1) हरियाणा लोक सेवा आयोग (अतिरिक्त कृत्य) संशोधन अध्यादेश, 2003 (2003 का हरियाणा अध्यादेश संख्या 4), इसके द्वारा निरसित किया जाता है।

(2) ऐसे निरसन के होते हुए भी उक्त अध्यादेश के अधीन की गई कोई बात या की गई कोई कार्रवाई, इस अधिनियम के अधीन की गई बात या गई कार्रवाही समझी जायेगी ।

आर० एस० मदान,
सचिव, हरियाणा सरकार, विधायी विभाग।

हरियाणा सरकार

विधायी विभाग

अधिसूचना

दिनांक 6 मई, 2004

संख्या लैज० 11/2004. - दि पंजाब कोर्टस (हरियाणा अमेन्डमेन्ट) ऐक्ट, 2004, का निम्नलिखित हिन्दी अनुवाद हरियाणा के राज्यपाल की 24 अप्रैल, 2004, की स्वीकृति के अधीन एतद्द्वारा प्रकाशित किया जाता है और यह हरियाणा राजभाषा अधिनियम, 1969 (1969 का 17), की धारा 4क के खण्ड (ख) के अधीन उक्त अधिनियम का हिन्दी भाषा में प्रामाणिक पाठ समझा जाएगा :-

2004 का हरियाणा अधिनियम संख्या 9

पंजाब न्यायालय अधिनियम, 1918,

हरियाणा राज्यार्थ को

आगे संशोधित

करने के लिए

अधिनियम

भारत गणराज्य के पचपनवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

1. यह अधिनियम पंजाब न्यायालय (हरियाणा संशोधन) अधिनियम, 2004 कहा जा सकता है। संक्षिप्त नाम।
2. पंजाब न्यायालय अधिनियम, 1918 (जिसे, इसमें, इसके बाद, मूल अधिनियम कहा गया है) में, “सिविल न्यायाधीश (वरिष्ठ मण्डल)” तथा “सिविल न्यायाधीश (कनिष्ठ मण्डल) तथा “सिविल न्यायाधीशों (वरिष्ठ मण्डल)” शब्दों तथा कोष्ठकों के स्थान पर, क्रमशः 1918 के पंजाब अधिनियम 6 की कतिपय धाराओं का संशोधन।

“सिविल न्यायाधीश (वरिष्ठ मण्डल संवर्ग) मध्यस्थ स्तर पर :-

- (i) वरिष्ठ सिविल न्यायाधीश ;
- (ii) अपर वरिष्ठ न्यायाधीश ;
- (iii) उच्चतर वरिष्ठ न्यायाधीश तथा

“सिविल न्यायाधीश (कनिष्ठ मण्डल संवर्ग) प्रवेश स्तर पर :-

- (i) सिविल न्यायाधीश ;
- (ii) सिविल न्यायाधीश, ग्रेड II ;
- (iii) सिविल न्यायाधीश, ग्रेड I" तथा

“सिविल न्यायाधीशों (वरिष्ठ मण्डल संवर्ग) मध्यम स्तर पर :-

- (i) वरिष्ठ सिविल न्यायाधीशों ;
- (ii) अपर वरिष्ठ न्यायाधीशों ;
- (iii) उच्चतर वरिष्ठ न्यायाधीशों” तथा

“सिविल न्यायाधीशों (कनिष्ठ मण्डल संवर्ग) प्रवेश स्तर पर :-

- (i) सिविल न्यायाधीशों ;
- (ii) सिविल न्यायाधीशों, ग्रेड II ;
- (iii) सिविल न्यायाधीशों, ग्रेड I”

शब्द, कोष्ठक, चिह्न तथा अंक प्रतिस्थापित किये जायेंगे।

3. मूल अधिनियम में, धारा 18 के स्थान पर, निम्नलिखित धारा प्रतिस्थापित की जायेगी, अर्थात् :-

1918 के पंजाब
अधिनियम 6 की
धारा 18 का
प्रतिस्थापन।

“18 न्यायालयों की श्रेणियां-प्रान्तीय लघुवाद न्यायालय अधिनियम, 1887, के अधीन स्थापित लघुवाद न्यायालयों तथा तत्समय प्रवृत्त किसी अन्य अधिनियमिति के अधीन स्थापित न्यायालयों के अतिरिक्त सिविल न्यायालयों की निम्नलिखित श्रेणियां होंगी, अर्थात् :-

- (1) जिला न्यायाधीश का न्यायालय ;
- (2) अपर जिला न्यायाधीश का न्यायालय ;
- (3) सिविल न्यायाधीश (वरिष्ठ मण्डल संवर्ग; का न्यायालय मध्यस्थ स्तर पर :-
 - (i) वरिष्ठ सिविल न्यायाधीश ;
 - (ii) अपर वरिष्ठ न्यायाधीश ;
 - (iii) उच्चतर वरिष्ठ न्यायाधीश ; तथा
- (4) सिविल न्यायाधीश (कनिष्ठ मण्डल संवर्ग) का न्यायालय प्रवेश स्तर पर :-
 - (i) सिविल न्यायाधीश ;
 - (ii) सिविल न्यायाधीश, ग्रेड II ;
 - (iii) सिविल न्यायाधीश, ग्रेड II” ।

आर० एस० मदान,
सचिव, हरियाणा सरकार, विधायी विभाग।

HARYANA GOVERNMENT

PERSONNEL DEPARTMENT

(SERVICES-III BRANCH)

Notification

The 4th April, 2007

No.G.S.R.9/Const./Art.320/2007.—In exercise of the powers conferred by the proviso to clause (3) of article 320 of the Constitution of India, the Governor of Haryana hereby makes the following regulations further to amend the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, namely :-

1. These regulations may be called the Haryana Public Service Commission (Limitation of Functions) fourth Amendment Regulations, 2007.
2. In the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973, in Part-II Limitations, in regulation 3, after clause (o), the following clause shall be added, namely :

“(p) Promotion of Group A and B posts.”

PREMPRASHANT,

Chief Secretary to Government, Haryana

No. 66/71/2005-6SIII

From

The Chief Secretary to Government Haryana

To

1. All the Heads of Departments.
2. The Commissioners, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh and all District and Sessions Judges in Haryana.
4. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the 15th June, 2007

Subject :— Amendment in the Haryana Public Service Commission (Limitation of Functions) Regulations, 1973.

Sir,

I am directed to refer to Haryana Government letter No. 2/10/97-2GSI, dated 22.03.2006 on the subject noted above to say that these instructions *interalia* provide that after issue of promotion orders to Group 'A' and 'B' posts, the Haryana Public Service Commission is requested to grant its concurrence to the promotion approved by the Departmental Promotion Committee within one month from the date of receipt of the proposal and in case the Commission does not respond within this period, then its approval is deemed to have been granted.

2. On further consideration of the matter in the light of proviso to Article 320(3) it has been decided by the Government that it shall not be necessary to consult the Commission in the matter of all promotions from Group 'C' to Group 'B' to Group 'A' posts/services of the State. An amendment to this effect has been carried out in the Haryana Public Service Commission (Limitations of Functions) Regulations, 1973 *vide* Haryana Government notification No. G.S.R. 9/Const/Art.320/2007, dated 4th April, 2007 a copy of which is enclosed for their information and necessary action.

These instructions should be brought to the notice of all concerned for their information and compliance. The receipt of this communication may please be acknowledged.

Yours faithfully,

Sd/-

Deputy Secretary Services-III
for Chief Secretary to Government Haryana

A copy is forwarded for information and necessary action to all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana.

Sd/-

Deputy Secretary Service - III,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners and Principal Secretaries/
Commissioners and Secretaries to Government Haryana

U.O.No.66/71/2005-6SIII

Dated Chandigarh, the 13-6-07

INTERNAL DISTRIBUTION

1. PS/CS
 2. PS/SSPS
 3. PA/DSSIII
-

No. 66/11/2008-6SIH

From

The Chief Secretary to Government Haryana

To

1. All the Heads of Departments
2. The Commissioners, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh and all District and Sessions Judges in Haryana.
4. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the 4-7-2008

Sir,

I am directed to refer to the subject noted above and to say that it has been observed by the Government that while making correspondence with Haryana Public Service Commission by addressing in memo shape which is contrary to the Government instructions, as contained in para-6 of part IV of Regulation and Instructions Governing the work of the Haryana Public Service Commission which is as under :—

Para-6

All reference shall be made to the Commission by the Administrative Department concerned in the form of an official letter, with which all relevant papers or copies of papers should be forwarded, provided that no reference on general service matter shall be made save with the previous concurrence of the Chief Minister obtained through the Chief Secretary (in Service III Branch) and provided further that if a general case involves financial consideration, the advice of the Finance Department shall first be taken.

The matter has been considered by the Government and it has been decided that all the references shall be made to the Commission by the Administrative Department and Head of Department concerned in the form of an official letter.

These instructions should be brought to the notice of all concerned for their information and compliance.

Yours faithfully,

Sd/-

Under Secretary Service-III,
for Chief Secretary to Government Haryana

A copy is forwarded for information and necessary action to all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana.

Sd/-
Under Secretary Services-III,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners and Principal Secretaries/
Commissioners and Secretaries to Government Haryana.

U.O. No. 66/11/2008-6SIII

Dated Chandigarh, the 4-7-2008

No. 66/11/2008-6SIII

Dated Chandigarh, the 4-7-2008

A copy is forwarded to Secretary, Haryana Public Service Commission with reference to their letter No.BF5/2003/CAG/2655 dated 09.01.2008 for information.

Sd/-
Under Secretary Services-III,
for Chief Secretary to Government Haryana

URGENT

DATE BOUND

Government of Haryana
Chief Secretary's Office
(General Administration Department)
General Services-I Branch

No. 42/116/2009-5GSI

Chandigarh, 4th June, 2009

To

1. All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries of the Government of Haryana.
2. All the Heads of the Departments
3. The Commissioners, Ambala, Hisar, Gurgaon, Rohtak Divisions.
4. All the Deputy Commissioners of the State.

Subject :— Amendment in Service Rule of Group 'D' Employees of Departments of the State Government

Sir/Madam,

I am directed to refer to the subject noted above and to say that it has been observed that different academic qualifications for the posts of Peon, Chowkidar and Peon--cum-Chowkidar have been prescribed by various Government departments. Some Departments have prescribed knowledge of Hindi & English. Yet there are some departments which have prescribed Middle as a minimum educational qualification for these posts.

2. The Government has considered the matter and it has been decided to bring about uniformity in respect of qualifications for the such posts in all the departments. Further, it has been decided to prescribe 'Middle pass with Hindi' as educational qualification for the posts of Peon, Chowkidar and Peon-cum-Chowkidar.

3. The concurrence/approval of Finance Department, Legal Remembrancer and Council of Ministers has been obtained in the matter. It has been decided that it will also serve as model amendment for all departments of Haryana Government and they would amend their Service Rules accordingly without sending the proposal to Council of Ministers, General Administration, Finance Department and Legal Remembrance for approval.

4. You are, therefore, requested to amend relevant Service Rules accordingly within a period of two weeks positively under intimation to the Government. A copy of Service Rules after amendment may also be provided to the General Administration.

5. These instructions may please be brought to the notice of all concerned for information and necessary action.

Yours faithfully
(Rajeev Ranjan)

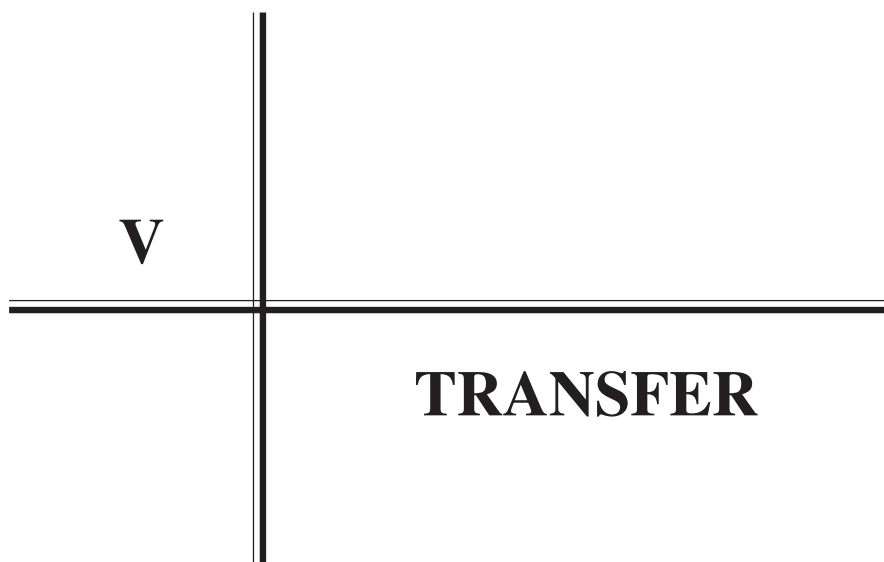
Joint Secretary, General Administration.

A copy is forwarded to the following for information and necessary action :—

1. The Financial Commissioner and Principal Secretary to Government of Haryana, Finance Department with reference to his U.O.No. 3/1/2009-IFGI/(09), dated 22.05.2009.
2. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University Kurukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar, Ch. Devi Lal University, Sirsa and Bhagat Phool Singh Mahila Vishav Vidyalya Khanpur, Sonapat.
- 3 All the Managing Directors/CAs of Boards/Corporations/State Public Sector Undertakings.
4. The Secretary, Council of Ministers, Haryana with reference to his U.O.No. 9/54/2009-2Cabinet, dated 25.05.2009.
5. The State Informatics Officer (NIC) Haryana Civil Secretariat, Chandigarh for uploading on the websites of the State Government and Chief Secretary's office as well. He is also requested to send this letter by e-mail to all concerned.

(Rajeev Ranjan)

Joint Secretary, General Administration.



Transfer

Copy of letter No. 6917-PG-50/7072, dated Simla-2 the 18th July, 1950 from the Chief Secretary to Government, Punjab to All Heads of Departments, Commissioners of Divisions, Deputy Commissioners and District and Sessions Judges in the Punjab.

Sir,

Government have noticed that lately there has been an increasing tendency on the part of subordinate officers to approach M.L.As. and Hon'ble Ministers direct with requests for transfers, cancellation of transfers and promotions etc. This is against the Government Servants Conduct Rules and instructions on the subject issued from time to time. It is, therefore, requested that the urgent need of compliance of these instructions should be enjoyed on the members of your staff who should be told in explicit terms that any instances that come to the notice of Government for action in defiance of these instructions will be suitably dealt with.

Yours faithfully

Sd/-

Chief Secretary to Government, Punjab.

Copies are forwarded to all Administrative Secretaries to Government, Punjab, for information and guidance.

Sd/-

Chief Secretary to Govt., Punjab.

To

All Administrative Secretaries to Govt. Punjab.

U.O. No. 6917-PG-50,

dated Simla-2, the 18th July, 1950.

Copies are forwarded to Personal Assistants to Hon'ble Ministers for the information of the letter. Hon'ble Ministers are requested to take suitable action against officials who approach them, except through proper channel, whether directly or through M.L.As, or through other influential publicmen.

Sd/-

Chief Secretary to Govt., Punjab.

To

The Personal Assistants to Hon'ble Ministers, Punjab

U.O. No. 6917-PG-50,

dated Simla-2, the 18th July, 1950

Copy of Circular letter No. 8522-GI-59/19157, dated the 26th October, 1959 from the Chief Secretary to Government, Punjab to all Heads of Departments, etc.,etc.

Subject :— Leave on medical certificate at the time of posting/transfer of a Government servant.

I am directed to say that Govt of Punjab have had under consideration for some time past the question of taking suitable steps to eliminate the possibility of a Government servant applying for leave on medical certificate after receiving orders of his transfer from a particular place merely to avoid an inconvenient posting. After careful consideration, it has been decided to lay down the following procedure in super session of the instructions issued in Punjab Government letter No. 9825-GI-57/13993, dated the 14th August, 1957 and No. 3076-GI-58/11202, dated the 18th 22nd April, 1958:-

- (1) The Medical Certificate issued by a Civil Assistant Surgeon, Class I (Gazetted), or a Civil Surgeon to a gazetted officer recommending him leave for a period not exceeding one month, when he is under transfer orders, should be got Countersigned from the Director of Health Services, Punjab. If the leave applied for exceeds one month, the Medical Certificate is to be issued by a Medical Board or a Medical Committee and in that case it would not be necessary to get the Certificate Countersigned by the Director of Health Services.
- (2) Similarly the Medical Certificate issued by a Medical Officer to a non-gazetted official drawing pay more than Rs.80 per mensem should be countersigned by the Civil Surgeon of the district. In this connection it may be made clear that in such cases it will be necessary to have a Medical Certificate from a Government Medical Officer and the Medical Certificate issued by a Private Medical Practitioner will not be entertained.
- (3) It shall be the duty of the Government servant concerned to send telegraphic intimation his Head of officer/ Head of Department, if he Proceeds on medical leave at the time of his transfer orders.
- (4) On receipt of telegraphic intimation of Government servants intention of proceeding on medical leave, the authority issuing the transfer orders, if it has reasons to suspect the bona fides of the officer, will make a telegraphic request to the Director, Health Services, Punjab, for enquiring whether the Medical Certificate granted to the Government servant is genuine. The Director, Health Services, will find out the truth promptly and intimate the result to the authority concerned.

2. These orders are not intended to be made applicable to Government servants drawing pay at Rs.80 per mensem or less.

Copy of letter No. 8954-5GS-60/36687, dated the 5th October, 1960 from the Chief Secretary to Government, Punjab, to all Heads of Departments, etc. etc.

Subject : — Posting of father and son and very close relatives in the same office-policy regarding.

I am directed to address you on the above subject and to say that question whether a father and his son or very close relations among whom there is either material or substantial dependence should be posted in the same office, has been considered by Government. It has been decided that as a general principle, as far as possible, father and son or very close relatives should not work in the same office as this may lead to various kinds of abuse or at least various kinds or accusation or suspicion. However, in respect of lower grade employees or in smaller offices *e.g.* the establishment of a Deputy Commissioner where it is not practical to enforce this principle rigidly, an effort should be made to appoint persons in relationship of this kind to work in different branches of the same office.

2. The receipt of this letter may be acknowledged.

—————
Copy of Circular letter No. 15905-2G8-60/46567, dated 19th December, 1960 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc.

Subject :— Implementation of decisions taken at the Conference of Commissioners and Deputy Commissioners held at Simla in October, 1960, Restrictions on the posting of officials in their Home Tehsils.

I am directed to say that in the Conference of Commissioners and Deputy Commissioners held at Simla in October, 1960, it has been recommended to Government that for practical considerations and because opportunities of misbehavior resulting there from are negligible, the ministerial and peon staff of District and Sub-Divisional offices should be exempted from the rule that an official may not be posted in his home tehsil and that in their case posting in the home tehsil should be permissible.

2. From the instructions contained in Punjab Government letter No. 9508-GI-58/25184, dated the 16th August, 1958, it is clear that these do not apply to the ministerial and peon staff and there is no bar to their being posted in their home tehsils. However, it is understood that some departments have issued orders placing restrictions on the posting of such staff in their home tehsils. Government have carefully considered this matter and it has been decided that as recommended by the Conference, there should be no restriction to the ministerial and peon staff being posted in their home tehsils.

3. The receipt of this letter may please be acknowledged.
-

No. 16424-DSGS-II-63/40/750

From

Shi Saroop Krishan, I.C.S.,
Planning Commissioner & Additional
Chief Secretary to Government, Punjab.

To

All Heads of Departments etc.
Date Chandigarh, the 12th November, 1963.

Subject :—Approaching Minister and other higher officers.

Sir

- | |
|---|
| 1. No.6917-PG/7072,
dated 18-7-50 |
| 2. No. 4174-P-54/17154,
dated 28-7-54 |
| 3. No. 16110-8GS/62/
3900, dated 6-11-62 |

I am directed to invite your attention to the instructions contained in Punjab Government circular letters noted in the margin on the subject noted, and to say that it has again been brought to the notice of the Government that in breach of these instruction some Government employees are still approaching the Minister and higher officers through M.L.A's and other non-officials for the redress of official grievances regarding transfers, promotions etc. I am to observe that the Government take very serious view of the contravention of these instructions and desire that they should be enforced rigidly. It is accordingly requested that strict disciplinary action should be taken against the employees who are guilty of default in this

regard in future.

2 The receipt of these instruction may kindly be acknowledge.

Yours faithfully,
Sd/-M.Seth

Deputy Secretary, General Administration,
for Planning Commissioner & Additional C.S.

A copy is forwarded to :—

- (i) All F .Cs (ii) All Administrative Secretaries to Govt. Pb. for necessary action in continuation of Punjab Government circular letter No. 16110—8GS-62/139005, dated the 6th November, 1962.

Sd/-

Dhandev Singh
Deputy Superintendent, General Services,
for Planning Commr. and Addittional C.S.

To

- (i) All F.Cs (ii) All Administrative Secretaries to Govt. Pb. D.O. No. 16424-DSGS-II-63, dated the 12th November, 1963.

**Copy of Circular letter No. 2423-IGS (1)-64/12900, dated 27th April, 1964 from the
Chief Secretary to Government, Punjab to all Heads of Departments, etc., etc.**

**Subject :— Procedure to be followed in the event of Government Officers/officials returning to duty
after having suffered from serious illness.**

I am directed to address you on the subject noted above and to say that of late the Government has been receiving an increasing number of requests from all categories of officers/officials who return to duty after serious illness for postings on light duty assignments. However, it has been found that it is generally very difficult to accept all such requests. While if may necessary for very such officer/officials to have proper rest after a serious illness, the Government is also justified in expecting that on resumption of duty the officer/official should be fit to shoulder the full responsibilities of the post he takes over. As will be appreciated it is very difficult for Government to find light duty posts or sinecures for its employees, especially in the present-day context, when on account of the needs of heavy development work all round every officer/official is required to put in his very best with hard work.

Accordingly, in order to deal with all such cases suitably, Government desire that the relevant provisions of the existing Civil Services Rules should be used carefully for giving adequate relief to such officers/officials concerned as well as for safeguarding the Government and public interest in the matter of maintaining proper efficiency. Rule 8.44 of the Punjab Civil Services Rules, Volume I, clearly lays down that when a Gazetted officer resumes duty after sick leave for more than three months, he should produce a medical certificate of fitness from a Medical Board, and in case the leave is less than three months, such certificate should be from a Civil Surgeon. Similarly in the case of non-gazetted employees, they have to produce a certificate from Registered Medical Practitioner. The appointing authorities are also competent to require a Government employee, under rule 3.5 (a) of the Punjab Civil Services Rule Volume 1, to appear before a Medical Board for medical examination whenever the appointing authority has reason to believe that the Government employee is not physically fit to carry out his duties satisfactorily. Rule 5.1 I of the Punjab Civil Services Rule Volume II, further provides that Government employees can be retired or put on invalid pension, on certain grounds as mentioned in the rule.

3. To ensure proper compliance of the rules mentioned just above, so that the interests of both Government employees as well as of Government work are properly safeguarded no Government employee who is not quite fit to resume duty should be recommended or allowed to come back to work until he has been properly certified to be fit for undertaking the full load of his responsibilities.

4. The receipt of the letter may kindly be acknowledged.

Copy of Punjab Government Circular letter No. 3734-IGSII-65/17769, dated the 27th May, 1965, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :— Fixation of tenure of Secretaries/Heads of Departments Deputy and Under-Secretaries/ Commissioners/ Deputy Commissioners.

I am direct to invite a reference to Punjab Government letter No. 345 I -IGSII-65/1390, dated the 29th/30th April, 1965, regarding tenure of Heads of Departments and to say that Government have further decided that the tenure of the following classes of posts should be as under :—

- | | |
|--|-----------------|
| (1) Secretaries and Heads of Departments and Commissioners |5 years |
| The tenure to start from the beginning of the fourth years of the current plan and terminate at the end of the third year of the next-plan . | |
| (2) Deputy Commissioners | 3-4 years |
| (3) Deputy Secretaries | 3 years |
| (4) Under-Secretaries | 2 years |

2. Although the tenures mentioned above will be the normal rule, so that officers in the field and the Secretariat circulate adequately yet in any special circumstances an officer after holding the post of a Secretary/Deputy Under-secretary may have to posted in some other department in the Secretariat also, after completion of this tenure in one Department, on account of exigencies of public service. However, special care will have to be taken generally that Officers should circulate in the field and Secretariat reasonably.

3. It is requested that these instructions should be properly observed and any exception should be made only in compelling circumstances when exigencies of public service so demand.

—————

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्ष आदि को सम्बोधित परिपत्र क्रमांक 28-4 जी.एस. 72/14558, दिनांक 10-5-72 की प्रति।

विषय :- स्थानांतरण सम्बन्धित पालिसी में तबदीली।

मुझे निदेश हुआ है कि मैं उपरोक्त विषय पर आपका ध्यान आकर्षित करूँ और आपको यह सूचित करूँ कि सरकारी खर्च में बचत करने के उद्देश्य से यह निर्णय लिया गया है कि अब कोई सामान्य स्थानांतरण न किये जाएं और यदि इस समय या बाद में लोकहित में किसी कर्मचारी/अधिकारी का स्थानांतरण किया जाना बिल्कुल अनिवार्य हो तो उस केस में स्थानांतरण के आदेश जारी करने से पहले ही कार्य भारी मन्त्री महोदय की अनुमति अवश्य प्राप्त कर ली जाए।

2. उपरोक्त आदेश स्थानांतरण के विषय पर सभी पिछली हिदायतों को Supersede करते हैं और अब किसी भी कर्मचारी /अधिकारी का स्थानांतरण चाहे वह सामान्य स्थानांतरण की अवधि में हो या मध्यवर्ती स्थानांतरण हो, करने से पहले कार्यभारी मन्त्री महोदय की पूर्व अनुमति प्राप्त करनी आवश्यक होगी। यह हिदायतें तब तक जारी रहेगीं जब तक कोई अन्य आदेश राज्य सरकार द्वारा इस विषय पर जारी नहीं कर दिए जाते इन हिदायतों की ठीक अनुपालना के लिए नोट कर लिया जाये व अपने अधीन सभी सम्बन्धित अधिकारियों/कर्मचारियों के ध्यान में ला दिया जाये।

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 2904-4 जी.एस. 72/15484 दिनांक 18 मई, 1972 की प्रति।

विषय :- स्थानांतरण सम्बन्धित पालिसी में तबदीली।

महोदय,

मुझे निदेश हुआ है कि उपयुक्त विषय पर आपका ध्यान हरियाणा के पत्र क्रमांक 2812-4 जी.एस. 72/14558 दिनांक 10-5-72 की ओर दिलाऊँ और आप को सूचित करूँ कि इस पत्र द्वारा जारी की गई हिदायतों में सरकार ने यह संशोधन करने का निर्णय किया है कि किसी भी कर्मचारी/अधिकारी का स्थानांतरण, चाहे वह सामान्य स्थानांतरण अवधि में हो या मध्यवर्ती स्थानांतरण हो, करने से पहले कार्यभारी मन्त्री महोदय अपनी अनुमति देने से पहले मुख्य मन्त्री महोदय की अनुमति प्राप्त करेंगे। इस प्रकार सभी कर्मचारियों/अधिकारियों के स्थानांतरण के प्रस्ताव मुख्य मन्त्री महोदय को अनुमोदन के लिए प्रस्तुत किए जाएंगे और यह आदेश तब तक जारी रहेगा जब तक कि कोई अन्य आदेश इस विषय पर सरकार द्वारा जारी नहीं कर दिए जाते।

प्रेषक

मुख्य सचिव, हरियाणा सरकार

सेवा में,

मुख्य सचिव,
हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 3345-4 जी.एस. - 72/12827,
दिनांक 12 जून, 1972 की प्रति।

दिनांक, चण्डीगढ़, 12 जून, 1972

विषय :- स्थानांतरण सम्बन्धी पोलिसी में तबदीली।

महोदय,

मुझे निदेश हुआ है कि मैं उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के पत्र क्रमांक 2812-4-जी.एस.1-72/14558, दिनांक 10-5-72 तथा 2904-4 जी.एस. 1-72/15489, दिनांक 18-5-1972 की ओर दिलाऊँ और आपको सूचित करूँ कि ऐसा देखने में आया है कि इन हिदायतोंनुसार स्थानांतरण के प्रस्ताव अधिक मात्रा में सरकार को प्राप्त हो रहे हैं। अगर इन सभी प्रस्तावों को स्वीकार कर लिया जाता है तो जिस उद्देश्य से इन प्रस्तावों को संबंधित मंत्री, मुख्यमंत्री महोदय की अनुमति प्राप्त करने के लिए भेजा जाना है, उसकी पूर्ति नहीं होती। इसलिये सरकार ने अब यह निर्णय लिया है कि बिल्कुल अनिवार्य किस्म के स्थानान्तरण के प्रस्ताव ही संबंधित मंत्री/मुख्य मंत्री महोदय की अनुमति के लिए भेजे जायें। ऐसा हो सकता है कि उन केसों में, जहां कि अधिकारियों/कर्मचारियों की पदोन्नति की जाती है या पद सीधी भर्ती द्वारा भरे जाते हैं, वहां किसी किसी एडजेस्टमेंट के लिए स्थानांतरण करना बिल्कुल अनिवार्य हो तथा केवल ऐसे केसों को ही संबंधित मंत्री/मुख्य मंत्री महोदय की अनुमति के लिए प्रस्तुत किया जाए। बाकि सभी केसों में नए आदेश जारी होने तक किसी प्रकार का स्थानांतरण नहीं किया जा सकता और न ही ऐसे आवश्यक केसों को सम्बन्धित मंत्री/मुख्य मंत्री महोदय की अनुमति के लिए प्रस्तुत किया जाए।

2. यह आदेश उन केसों पर भी लागू होंगे जहां स्थानांतरण एक स्टेशन पर ही एक पोस्ट पर किया जाना है।

हस्ता / -

उप सचिव, राजनैतिक एवं सेवायें,
कृते : मुख्य सचिव, हरियाणा सरकार।

प्रेषक

मुख्य सचिव, हरियाणा सरकार द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 1927-5 जी.एस.
1-76/7287 दिनांक 23 मार्च, 1976

विषय :- स्थानांतरण सम्बन्धी नीति में परिवर्तन।

मुझे निदेश हुआ है कि मैं उपर्युक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 4900-जी.एस. 1-75/25078, दिनांक 13 अगस्त, 1975 में जारी की गई हिदायतों की ओर दिलाऊँ और कहूँ कि सरकार ने इस मामले पर पुनः विचार करके यह निर्णय लिया है कि 1 अप्रैल से 30 अप्रैल तक इन हिदायतों में ढील देकर स्थानान्तरण किये जा सकते हैं। अप्रैल के महीने में नियुक्ति प्राधिकारी किसी भी सरकारी कर्मचारी को स्थानान्तरित कर सकते हैं। केवल श्रेणी-I के अधिकारी को स्थानान्तरित करने के लिए मुख्यमंत्री महोदय की पूर्व अनुमति आवश्यक होगी। 30 अप्रैल के बाद 13 अगस्त, 1975 की हिदायतें पुनः लागू हो जायेंगी।

2. इस बात पर जोर दिया जाना आवश्यक है कि स्थानान्तरण बहुत कम और नितान्त आवश्यक हालात में ही किए जाने चाहियें तथा इनकी संख्या सीमित रखी जानी चाहिए।

भवदीय,

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति सूचनार्थ तथा आवश्यक कार्यवाही हेतु वित्तायुक्त, हरियाणा सरकार, सभी प्रशासकीय सचिव, हरियाणा सरकार को कार्यवाही के लिए भेजी जाती है।

No. 2324-5GSI-76/8968

Dated 9th April, 1976

From

Chief Secretary to Government, Haryana

To

All Heads of Departments, Haryana.

Subject: — Transfers made at the request of Government servants.

I am directed to invite a reference to Rule 2.57 of the Punjab Civil Services Rules, Volume III (T.A. rules) which *inter alia* lays down that travelling allowance may not be drawn by a Government servant on transfer from one station to another unless he is transferred in public interest and is entitled to pay during the period spent on the journey. It has further been provided therein that a transfer at the request of a Government servant should not be treated as a transfer in public interest unless the authority sanctioning the transfer, for special reasons to be recorded, otherwise directs.

2. It has come to the notice of Government that various Departments are allowing transfer travelling allowance in all cases of transfers including those made at the request of the Government servants concerned. This is against the provisions of rules and Government have viewed with concern this tendency on the part of various departments. I am accordingly directed to request that transfer travelling allowance should not be allowed where the transfer has been made at the specific request of the Government servant concerned and it should be specifically mentioned in the transfer orders whether the transfer was being made in the Public interest or at the request of the employee concerned.

3. In this connection, I am also to invite your attention to the provisions of Note-I below Rule 9.15 of the Punjab Civil Services Rules. Volume I, Part I according to which the Government servant on transfer is not entitled to be paid while on joining time unless his transfer is made in public interest. This provision is also brought to your notice with the request that this should also be strictly complied with.

4. I am further to request that these instructions should be noted carefully and should be brought to the notice of all officials working under you for their information and strict compliance.

Yours faithfully,

Sd/-

Deputy Secretary, Political and Services,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information to the Financial Commissioner, Haryana and all Administrative Secretaries to Government, Haryana.

**मुख्य सचिव, द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 549-5 जी.एस. I-77-3960
दिनांक 22 फरवरी, 1977 की प्रति।**

विषय :- स्थानांतरण सम्बन्धी नीति में तबदीली।

मुझे निदेश हुआ है कि मैं उपरोक्त विषय पर आपका ध्यान पत्र क्रमांक 5440/4 जी.एस.1-72/27403, दिनांक 15/18 सितम्बर, 1972 की ओर आकर्षित करूँ तथा कहूँ कि अब सरकार ने यह निर्णय लिया है कि एक ही स्टेशन पर एक कार्यालय से दूसरे में स्थानांतरण पर प्रतिबंध नहीं होगा। अतः इस प्रकार के स्थानांतरण यही अधिकारी कर सकेंगे जो कि पहले सक्षम थे।

हस्ता / -

उप सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

इसकी एक प्रति सूचनार्थ तथा आवश्यक कार्यवाही हेतु वित्तायुक्त, हरियाणा सरकार सभी प्रशासकीय सचिव, हरियाणा सरकार।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 1906-5 जी. एस. 1-77/9712
दिनांक 8 अप्रैल, 1977 की प्रति।**

विषय :- स्थानांतरण सम्बन्धी नीति में परिवर्तन।

मुझे निदेश हुआ है कि मैं उपर्युक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 4900-5 जी.एस. 1-75/25078, दिनांक 13 अगस्त, 1975 में जारी की गई हिदायतों की ओर दिलाऊँ और कहूँ कि सरकार ने इस मामले पर विचार करके यह निर्णय लिया है कि इस वर्ष 10 अप्रैल तक इन हिदायतों में ढील देकर स्थानांतरण किया जा सकते हैं। इस अवधि में नियुक्त प्राधिकारी किसी भी सरकारी कर्मचारी को स्थानांतरित कर सकते हैं। केवल श्रेणी-I के अधिकारी को स्थानान्तरित करने के लिए मुख्यमंत्री महोदय की पूर्व अनुमति आवश्यक होगी। 30 अप्रैल के बाद उपरोक्त 13 अगस्त, 1975 की हिदायतें पुनः लागू हो जाएंगी।

2. इस बात पर जोर दिया जाना आवश्यक है कि स्थानांतरण बहुत कम और नितान्त आवश्यक हालात में ही किए जाने चाहिए तथा इनकी संख्या सीमित रखी जानी चाहिए।

भवदीय,

उप सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति सूचनार्थ एवं आवश्यक कार्यवाही हेतु निम्नलिखित को भेजी जाती है। वित्तायुक्त, हरियाणा सरकार, सभी प्रशासकीय सचिव, हरियाणा सरकार।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 4363 जी.एस.-I-77
दिनांक 9 जुलाई, 1977 की प्रति।**

विषय :- स्थानान्तरण नीति में परिवर्तन।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 2698-5 जी.एस.-177/12418, दिनांक 5 मई, 1977 में जारी की गई हिदायतों की ओर दिलाऊँ, जिन द्वारा सभी नियुक्ति प्राधिकारियों को अपने अधीन कर्मचारियों के स्थानान्तरण करने की शक्तियाँ दी गई थी तथा कहूँ कि सरकार ने अब यह निर्णय किया है कि आगामी आदेशों तक सभी विभाग अपने कर्मचारियों/अधिकारियों के स्थानान्तरण प्रस्तावों को लम्बित रखें और उन पर कोई कार्यवाही न की जाए। कृपया इन हिदायतों का कड़ाई से पालन किया जाए।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति निम्नलिखित को सूचनार्थ तथा आवश्यक कार्यवाही हेतु वित्तायुक्त हरियाणा सरकार और सभी प्रशासकीय सचिव, हरियाणा सरकार को भेजी जाती है।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 4882-5 जी.एस. -1-77-20612
दिनांक 27 जुलाई, 1977**

विषय :- स्थानान्तरण नीति में परिवर्तन।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 4363-5 जी.एस. 1-77/दिनांक 9 जुलाई, 1977 में जारी की गई हिदायतों की ओर दिलाऊँ, जिन द्वारा सभी स्थानान्तरण प्रस्तावों को आगामी आदेशों तक लम्बित रखने को कहा गया था तथा कहूँ कि अब सरकार ने इस बारे विचार करके निर्णय किया गया है कि सभी नियुक्ति प्राधिकारी अपने अधीन कार्य करने वाले कर्मचारियों/अधिकारियों के स्थानान्तरण 15 अगस्त, 1977 तक करने के लिए समक्ष होंगे। इस बात पर जोर दिया जाता है कि स्थानान्तरण बहुत कम और नितान्त आवश्यक परिस्थितियों में और जनहित में ही किए जाएँ। उन्हें यह स्पष्ट किया जाता है कि 15 अगस्त, 1977 के पश्चात् कोई स्थानान्तरण न किए जाएँ तथा केवल विशेष परिस्थितियों में ही मुख्यमंत्री महोदय की अनुमति के बाद स्थानान्तरण किए जाएँ।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 4983-5 जी.एस. - I-77/21309
दिनांक 2 अगस्त, 1977 की प्रति ।**

विषय :- स्थानान्तरण नीति में परिवर्तन।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 4882-5 जी.एस. I-77/20612, दिनांक 27 जुलाई, 1977 में जारी की गई हिदायतों की ओर दिलाऊँ, जिन द्वारा नियुक्त प्राधिकारियों को अपने अधीन कर्मचारियों/अधिकारियों के स्थानान्तरण 15 अगस्त, 1977 तक करने की अनुमति दी गई थी। हरियाणा राज्य में बाढ़ की स्थिति को ध्यान में रखते हुए सरकार ने मामले पर विचार करके यह निर्णय किया है कि गुडगांव, रोहतक, महेन्द्रगढ़, सोनीपत तथा कुरुक्षेत्र जिलों में निम्नलिखित विभागों के कर्मचारी/अधिकारियों, जो बाढ़ ग्रस्त क्षेत्रों में या बाढ़ सम्बन्धी कार्यों के लिए नियुक्त हैं कि स्थानान्तरण 15 अगस्त, 1977 तक स्थगित कर दिए जाएं।

1. राजस्व विभाग।
2. सिंचाई विभाग।
3. स्वास्थ्य विभाग।
4. पशु चिकित्सा विभाग।
5. खाद्य एवं पूर्ति विभाग।
6. शिक्षा विभाग।
7. लोक निर्माण विभाग (भवन तथा मार्गशाखा)

कृपया यह सुनिश्चित करें कि सरकार की उपरोक्त हिदायतों की दृढ़ता से पालन की जाए।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 5218-5 जी.एस. - I-77/22425 दिनांक 12 अगस्त, 1977 की प्रति ।

विषय :- स्थानान्तरण नीति में परिवर्तन।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 4983-5 जी.एस. I-77/21309, दिनांक 2 अगस्त, 1977 की ओर दिलाऊँ जिन द्वारा हरियाणा राज्य में बाढ़ की स्थिति को ध्यान में रखते हुए गुड़गांव, रोहतक, महेन्द्रगढ़, सोनीपत तथा कुरुक्षेत्र जिलों में कुछ विभागों के अधिकारियों/कर्मचारियों के स्थानान्तरण 15 अगस्त, 1977 तक स्थगित किए गए हैं। सरकार ने मामले पर और विचार करके निर्णय किया है कि यह हिदायतें विकास एवं पंचायत विभाग पर भी लागू होंगी।

कृपया यह सुनिश्चित करें कि सरकार की उपरोक्त हिदायतों की दृढ़ता से पालना की जाए।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 6513-5 जी.एस. - I-77/30195 दिनांक 30 सितम्बर, 1977 की प्रति ।

विषय :- स्थानान्तरण नीति में परिवर्तन।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 5218-5 जी.एस. I-77/22427, दिनांक 15 अगस्त, 1977 की ओर दिलाऊँ और सूचित करूँ कि सरकार ने मामले पर पुनः विचार करके यह निर्णय लिया है कि सभी विभागों के अधिकारियों/कर्मचारियों के स्थानान्तरण 31 मार्च 1978 तक स्थगित कर दिए जाएँ। यदि प्रशासकीय हित में कोई स्थानान्तरण करना अनिवार्य हो तो उसके लिए मुख्यमंत्री महोदय की पूर्ण अनुमति प्राप्त की जाए।

2. कृपया उपरोक्त हिदायतों की दृढ़ता से पालना की जाए।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति निम्नलिखित को सूचना तथा आवश्यक कार्यवाही हेतु वित्तायुक्त, हरियाणा, सभी प्रशासकीय सचिव, हरियाणा सरकार को भेजी जाती है।

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 36/2/78-5 जी.एस. I
दिनांक 24 जनवरी, 1978 की प्रति ।

विषय :- स्थानान्तरण नीति में परिवर्तन।

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 6513-5 जी.एस. I-77/30195, दिनांक 30-9-77 की ओर दिलाऊँ और सूचित करूँ कि सरकार ने मामले पर पुनः विचार करके निर्णय लिया है कि 31 मार्च 1978 से पूर्व यदि किसी अराजपत्रित कर्मचारी का स्थानान्तरण करना प्रशासकीय हित में अनिवार्य हो तो इसके लिए कार्यभारी मन्त्री की पूर्व अनुमति प्राप्त की जाए। राजपत्रित कर्मचारियों के बारे में पहले की भांति मुख्यमंत्री महोदय की पूर्व अनुमति प्राप्त करनी होगी।

कृपया उपरोक्त हिदायतों की दृढ़ता से पालना की जाए।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक-एक निम्नलिखित को सूचनार्थ तथा आवश्यक कार्यवाही हेतु वित्तायुक्त, राजस्व, हरियाणा और सभी प्रशासकीय सचिव, हरियाणा सरकार।

**Copy of letter No. 36-2-78-GSI dated 5th April, 1978 from the Chief Secretary to Government,
Haryana to all Heads of Departments, etc., etc.**

Subject :— Change in Transfer Policy.

I am directed to refer to the correspondence resting with Haryana Government letter No. 36/2/78-58Gl, dated the 24th January, 1978, on the subject noted above and to say that, in order to adopt a uniform transfer policy with proper delegation of authority, the following decisions have been taken :-

- (a) Government employees in various departments who have stayed at a particular station for a period of more than three years should be considered for transfer except where public interest demands otherwise. Such employees should be asked to indicate three places of their choice for posting. Those employees, if transferred, should, as far as possible, be adjusted at one of the aforesaid three places.
- (b) No employee should be transferred unless he has completed a tenure of three years at his present place of posting. This condition will not apply where transfer is necessary in public interest of a specific request is made by an employee with adequate proof in support of his request.
- (c) Cases in which employees will not be transferred in spite of having stayed at a station for more than three years and cases in which employees will be shifted prior to their completing three years tenure should be exceptional and decisions in each case should be taken with due care.
- (d) Unnecessary transfers should be avoided.
- (e) In the case of employees working in the Secretariat or head offices of departmental heads etc., those who have been at the same seat for more than three years should be considered for transfer to a different seat, consistent with considerations of efficiency.
- (f) As regards the period during which general transfers should be effected, it is felt that because of the exigencies of work at different times of the various departments, it is not feasible to fix a uniform period for transfers. It has, therefore, been decided that this period which should be one month may be fixed by each department as may be considered appropriate between the 15th April, 1978 to 30th June, 1978. (In the case of the Department of Civil Supplies, the one month period of general transfers should be extended upto the 15th July, 1978.)
- (g) During the period of annual transfers to be fixed by the departments, the appointing authority or the authority to whom those functions may be delegated shall be competent to order transfers. Where the appointing authority is the State Government, orders of the Minister-in-Charge in the case of Class-II officers and of the Chief Minister in case of Class-I officers, will be obtained. There may be cases where transfers become expedient in public interest after the aforesaid nominated period of one month. In such cases the appointing authority should order transfers with the approval of the next higher authority.

2. It is requested that action in the matter may be taken on the lines indicated above.

Transfer

3. The above instructions will not apply in the case of the Education Department as they have already issued separate instructions to the Director of public Instruction vide their Memo. No.17285-Ed. III-3E-77/ 228, dated the 26th December, 1977

Sd/-
Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy for information and necessary action is forwarded to the Financial Commissioner, Revenue, Haryana and All Administrative Secretaries to Government, Haryana.

Copy letter No. 36-2-78-GS-I dated 6th June, 1978 from the Chief Secretary to Government, Haryana to All Heads of Departments, etc., etc.

Subject :— Change in Transfer Policy.

I am directed to invite a reference to the instructions contained in Haryana Government letter No. 36/2/78-GS-I, dated the 5th April, 1978, on the subject noted above and to say that on further consideration it has been decided that female employees who are living with their parents or husbands should not be transferred unless it is necessary to do so in public interest and administrative grounds like complaints, etc.

2. You are requested to ensure compliance of these instructions.

Yours faithfully.
Sd/-
Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy for information and necessary action is forwarded to the Financial Commissioner, Revenue, Haryana and All Administrative Secretaries to Government, Haryana.

Copy of letter No. 36-2-78-5GSI dated 20th April, 1979 from the Chief Secretary to Government Haryana to All Heads of Departments etc., etc.

Subject :— Change in Transfer Policy.

I am directed to invite a reference to the instructions contained in Haryana Government circular letter No. 36/2/78-GSI, dated the 5th April, 1978, on the subject noted above and to say that these instructions will continue to be applicable, so far as general transfers mid-term transfers are concerned during the year 1979-80 hitherto for except in the case of the Food and Supplies and the Industrial Training Departments which will complete their transfers by 15th July 1979 and 30th September, 1979 respectively.

2. The Education Department will issue separate instruction with regard to the transfer policy of their teaching staff, but shall complete transfers by the 15th July, 1979.
3. While effecting general transfer, the State Government's instructions regarding the transfers of female employees contained in circular letter No. 36-2-78-GS-I, dated the 6th June, 1978 should also be kept in view.
4. These instructions may place be brought to the notice of all concerned for strict compliance.

Copy of letter No. 36/6179-5GSI, dated 31st August, 1979, from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :— General Elections to Lok Sabha, 1979-Ban on postings and transfers.

I am directed to address you on the subject noted above and to say that it has been decided by the Government that officers and other personnel who are actually connected or are likely to be associated with the work relating to the revision of electoral rolls, conduct of elections and maintenance of law and order during elections, namely, Deputy Commissioners, Superintendents of Police, District Election Officers, Sub Divisional Magistrates, General Assistants, Assistant General Assistants, Tahsildars Block Development Officers, officers of Local Bodies, State Undertakings, teachers and others whose services are expected to be required for work relating to elections should not be transferred from the 1st of September, 1979 onwards till the 31st December, 1979 and no proposals for such transfers should be sent to the Government.

2. You are also requested to ensure that grant of leave to these officers and personnel is restricted to the barest minimum and that too, in exceptional circumstances, so that the election work does not suffer.

Yours faithfully,
(S.D.BHAMBRI)

Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to Financial Commissioner, Revenue and Development, Haryana; and All Administrative Secretaries to Government, Haryana.

Copy of letter No. 36/2/78-5-GS I, dated the 17th September, 1979 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :—Transfer Policy.

I am directed to invite reference to Haryana Government circular letter of even number dated the 20th April, 1979 on the subject noted above and to say that, as stated therein, instructions contained in the circular letter of even number dated the 5th April, 1979 would continue to be applicable in so far as general transfers/ midterm transfers during the year 1979-80 are concerned, except that the Food & Supplies Department and the Industrial Training Department will complete their transfers by the 15th July, 1979 and the 30th September, 1979 respectively. It has been noticed that sometimes there is a tendency to violate the instructions and it has therefore, been felt that these should be reiterated for meticulous compliance. I am, therefore, to request that the instructions relating to transfer policy referred to above should be followed strictly during the year 1979-80.

2. Attention is also invited to the instructions contained in the Haryana Government circular letter No. 36/6/79- 5GS-I, dated the 31st August, 1979, vide which transfers of certain categories of Government employees have been banned from the 1st September, 1979 to the 31st December, 1979 on account of General Elections to Lok Sabha, 1979. These should also be kept in view while processing the cases of postings and transfers of Government employees.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to the Financial Commissioner, Revenue and Development, Haryana, and All Administrative Secretaries to Government, Haryana for information and necessary action.

Copy of letter No. 36/4/80-SGS-I, dated the 18th April, 1980 from the Chief Secretary to Government Haryana to all Heads of Departments, etc., etc.

Subject :— Ban on Transfers on account of Census Operations upto 30th April, 1981.

I am directed to address you on the subject noted above and to say that the next Census of India is being taken in February, 1981. In effect, the Census operations must be considered as already having commenced because the house listing operations are being held this year. The entire work is being conducted through the State agency. From now on the tempo of census work will increase enormously culminating in the enumeration in February, 1981. The census operations are a highly controlled exercise where attention to detail and complete familiarity with jurisdictions of the officers concerned is essential. All officers including the Deputy Commissioners, Sub Divisional Officers, Tahsildars, Block Development Officers and others, particularly teachers, are being trained in this work. It would adversely affect the quality of work and quantity of coverage if at this stage large scale transfers were to take place of such officers in as much as continuity of administration of the census is essential in March, 1981.

2. In the above context, the question of transfers of Govt. employees has been considered by the State Govt. It has been decided that there should not be large scale transfers of such Govt. employees, particularly teachers, who are connected with the census work till March -April, 1981.

3. The above instructions may kindly be brought to the notice of all concerned working under you, for strict compliance.

Yours faithfully,

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to the Financial Commissioner, Revenue, Haryana and All Administrative Secretaries to Government Haryana for information and necessary action.

Copy of letter No. 36/5/80-5 GSI, dated the 18th April, 1980 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :— Transfers.

I am directed to refer to the subject noted above and to say that in regard to the transfers of Government employees during the year 1980-81 the following decisions have been taken :-

- (a) Government employees in various departments who have stayed at a particular station a period of more than three years should be considered for transfer except where public interest demands otherwise. Such employees should be asked to indicate three places of their choice for posting. Those employees, if transferred, should, as far as possible, be adjusted at one of the aforesaid three places.
- (b) No. employee should be transferred unless he has completed a tenure of three years at his present place of posting. This condition will not apply where transfer is necessary in public interest or specific request in this behalf is made an employee with adequate proof in support of his request.
- (c) Cases in employees will not be transferred in spite of having stayed at a station for more than three years and cases in which employees will not be shifted prior to their completing three years tenure should be exceptional and decision in each case should be taken with due care:
- (d) Unnecessary transfers should be avoided.
- (e) In the case of employees working in the Secretariat or head offices of departmental heads etc. those who have been as the same seat for more than three years should be considered for transfer to a different seat, consistent with considerations of efficiency.
- (f) The transfers in all the departments should be completed by 30-4-1980 at the latest (Food and Supplies Department has already taken action in regard to annual transfers)
- (g) During the period as mentioned in sub para (f) above viz upto 30-4-80, the appointing authority or the authority to whom these functions may be delegated shall be competent to order transfers. Where the appointing authority is the State Government, orders of the Minister-in-charge in the case of Class-II officers and of the Chief Minister in case of Class-I officers, will be obtained. There may be cases where transfers become expedient in public interest after the aforesaid period. In such cases the appointing authority should order transfers with the approval of the next higher authority.
- (h) The Education Department will issue separate instructions with regard to the transfer policy of their teaching staff, but shall complete transfers by the 15th July, 1980.
 - (i) Female employees who are living with their parents or husbands should not be transferred unless it is necessary to do so in public interest and administrative grounds like complaints etc.

2. While affecting transfers, instructions contained in Haryana Government circular letters No. 1288-R-IV- 80/13585, dated the 16th April, 1980 and No. 36/4/80-5GS-I, dated the 18th April, 1980

should be kept in view. These instructions inter-alia provide that all the officers/ officials engaged in the Census work down to the enumerator level should not be shifted or transferred from their present places of posting till the middle of May, 1980, by which time the house listing operations are expected to be completed and that there should not be large scale transfers of such Government employees, particularly teachers who are connected with the Census work till March-April, 1981.

3. It is requested that action in the matter may be taken on the lines indicated above.

Yours faithfully,

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy forwarded to the Financial Commissioner, Revenue, Haryana; and All Administrative Secretaries to Government, Haryana for information and necessary action.

—————
**Copy of letter No. 36/5/80-5GS I dated 3rd May, 1980 from the Chief Secretary to Government,
Haryana to All Heads of Departments, etc., etc.**

Subject :—Transfers

Sir,

I am directed to invite a reference to Haryana Government letter No. 36/5/80-5GS-I, dated the 18th April, 1980 wherein it was directed that the transfers in all departments should be completed by the 30th April, 1980 at the latest. It has come to the notice of Government that the certain departments had not been able to complete this work by the 30th April, 1980. The period was therefore, extended by three days. It was not been decided that shall be complete embargo on transfers after the 3rd May, 1980.

2. It is requested that action in the matter be taken accordingly.
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**Copy of letter No. 36/5/80-5GS I, dated 3rd July, 1980 from the Chief Secretary to Government,
Haryana to all Heads of Departments etc., etc.**

Subject :—Transfer Policy.

Sir,

I am directed to refer to para 1 (g) of Haryana Government letter No. 36/5/80-5GSI, dated 18-4-1980 on the subject noted above which interalia provides that upto the 30th April, 1980 the appointing authority or the authority to whom these functions may be delegated shall be competent to order transfers. Where the appointing authority is the State Government, orders of the Minister-In-Charge in the case of class II officers and of the Chief Minister in the case of Class I officers will be obtained. Subsequently, vide Haryana Government letter No. 36/5/80-5GSI, dated the 3rd May, 1980, complete embargo was placed on transfers after the 3rd May, 1980. In this regard clarification has been sought from the State Government whether transfers can be effected now where they become expedient in public interest. It is clarified that transfers which are necessary in public interest can be made. However, such transfers should be very rare and should be made on grounds of public interest only Further, in case of Class III and class IV employees where the appointing authority is lower than the Head of the Department, the approval of the Head of Department should be obtained for such transfers and where the appointing authority is the Head of Department, the approval of the State Government should be obtained. In case of class I and II officers, orders of the Chief Minister shall be obtained.

2. Attention is also invited to para 2 of the Haryana Government letter No. 36/5/80-5GSI, dated 18-4-1980 mentioned above stating that there should not be large scale transfers of Government employees, who are connected with census work till March' April, 1981.

**Copy of letter No. 36/5/80-5GS I dated 7th May, 1980 from the Chief Secretary to Government,
Haryana to all Heads of Departments, etc., etc.**

Subject :—Transfers.

I am directed to refer to Haryana Government letter No. 36/5/80-5GSI, dated the 18th April, 1980 in regard to transfer of Government employees during 1980-81 and to circular letter No. 36/5/80-5GSI, dated the 3rd May, 1980 communicating the decision of the Government that there shall be complete embargo on transfer after the 3rd May, 1980.

2. Rule 20 of the Government Employees (Conduct) Rules, 1966 provides that no Government employees shall bring or attempt to bring my political or other influence to bear upon any superior authority to further has interest in respect of any matter pertaining to service. I am directed to re-iterate that if any Government employee bring any political or other influence to bear upon his superior authority in the matter of transfer, disciplinary action will be taken against such employee.

3. The above instructions should be brought to the notice of all employees working under your control.

**Copy of Letter No. 36/1/81-5GSI, dated 7th May, 1981 from the Chief Secretary to Government
Haryana to all Heads of Departments etc., etc.**

Subject:—General Transfers 1981.

Sir,

I am to refer to the Haryana Govt. circular letter No. 36/1/81-5GSI, dated the 10th April, 1981 on the subject noted above and to direct that since the prescribed period of general transfers has already expired, there should be no further cases of general transfers now. The cases which are under process should also be finalized latest by the 10th May, 1981. These instructions may please be observed very strictly.

2. Government have also decided that any official who tries to use any approach for obtaining a transfer should be sternly be dealt with and disciplinary action taken against him.
3. You are requested to complete the work of transfers immediately as per the above instructions.

**Copy of letter No. 36/1/81-5GSI, dated 10th April, 1981 from the Chief Secretary to Government,
Haryana to all Heads of Departments etc., etc.**

Subject:—Transfers

Sir,

I am directed to refer to the Haryana Government circular letter No.26/5/80-5GSI, dated the 18th April, 1980 on the subject noted above and to say that while effecting the transfers of Government employees during the year 1981-82, as per the guidelines already issued, care may be taken to see that minimum transfers are made. Further more, the general transfers should be completed by 30-4-1981.

2. It may be added that the officers/officials engaged in the Census work down to the enumerator level should, as far as possible, not be shifted or transferred from their present places of posting till the house-listing operations are completed.

**Copy of letter No. 45/2/82-5 GSI dated 7th April, 1982 from the Chief Secretary to Government,
Haryana to all Heads of Departments, etc., etc.**

Subject :—Transfers.

I am directed to refer to Haryana Government circular letter No.36/1/81-5GSI, dated the 25th May, 1981, on the subject noted above and to say that while affecting the transfers of Government employees during the year 1982-83, as per guidelines already issued, here may be taken to see that minimum transfers are made. Further more, the general transfers should be completed by 15-4-1982 positively.

**Copy of letter No. 45/2/82-5GSI dated 14th July, 1982 from the Chief Secretary to Government,
Haryana to All Heads of Departments, etc., etc.**

Subject :— Policy and guidelines for postings and transfers for 1982-83.

I am directed to refer to the subject noted above and to state that Government has decided that the following policy and guidelines should be followed while making postings and transfers of Government employees during 1982-83.

2. In the interest of economy, number of transfers should be kept to the minimum.
3. In order to maintain continuity and in the interest of efficiency of work the normal tenure of an officer/ official on a post should be three years. Employees should not be transferred from a post earlier unless it is essential to do so on exceptional grounds of public interest.
4. Employees should be discouraged from approaching higher authorities by-passing the normal channels, in the matter of their posting and transfers. It should be made clear that such approaches will render them liable to disciplinary action and suitable adverse entries will be made in their annual confidential reports. The competent authorities should however, consider sympathetically the cases involving hardship, e. g. cases of serious illness, couple cases etc.
5. Heads of Departments and other authorities empowered to order postings and transfers should issue such orders in accordance with these guidelines. No proposal for postings and transfers of non-gazetted staff should be referred to the Government, save in accordance with these guidelines, or in exceptional circumstances.
 - (b) Proposals concerning those gazetted and other employees will however, continue to be referred to Government for order, in whose, in case Government is the competent authority for ordering postings and transfers.
6. All transfers should be completed by 31-7-1982. No orders of transfers should be issued after this date without the prior approval of the Chief Minister.
7. The instructions contained in letter No. 8508-GI-8/25184, dated 16-8-1958 (copy enclosed) regarding restrictions on posting of officers in their home district should be followed.

प्रेषक

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 42/20/82/5-जी.एस. I दिनांक 19 अगस्त, 1982 की प्रति।

विषय :- तृतीय श्रेणी के पदों को स्थानान्तरण आधार पर भरने हेतु क्या अधीनस्थ सेवाएं प्रवरण मण्डल का अनुमोदन प्राप्त किया जाना वांछनीय है या कि नहीं, के संबंध में स्थिति का स्पष्ट किया जाना ।

उपरोक्त विषय के संदर्भ में।

2. राज्य सरकार के यह प्रश्न विचाराधीन था कि श्रेणी III के पदों पर स्थानान्तरण आधार पर नियुक्ति करने में क्या अधीनस्थ सेवाएं प्रवरण मण्डल का अनुमोदन प्राप्त किया जाना वांछनीय है या कि नहीं। इस बिन्दु पर विस्तृत रूप से परीक्षण किया गया है तथा राज्य सरकार द्वारा अधीन सेवाएं प्रवरण मण्डल को सौंपे गए कार्यों के दृष्टिगत कानूनी दृष्टि को मध्य नजर रखते हुये, विधि विभाग की मन्त्रणा भी प्राप्त की गई थी। इस संबंध में निम्नलिखित हिदायतों को ध्यान में रखा जाये।

(क) श्रेणी III पद/सेवा से श्रेणी III के ही किसी अन्य पद/सेवा में यदि कोई नियुक्ति एक विभाग से दूसरे विभाग में स्थानान्तरण आधार पर की जाए तो ऐसी नियुक्ति पर अधीनस्थ सेवाएं प्रवरण मण्डल का अनुमोदन प्राप्त किया जाना वांछनीय नहीं है, बशर्ते कि :-

- (1) जिस विभाग में ऐसी नियुक्ति की जानी हो, उसके सेवा नियमों में उस पद को स्थानान्तरण आधार पर भरने की व्यवस्था हो,
- (2) स्थानान्तरण आधार पर नियुक्ति किये जाने वाले कर्मचारी को प्रारंभिक नियुक्ति (initial appointment) अधीनस्थ सेवाएं प्रवरण मण्डल/लोक सेवा आयोग, जैसा भी आवश्यक हो, के माध्यम से हुई हो,
- (3) स्थानान्तरण आधार पर जिस पद को भरा जाना आवश्यक हो, उस पद की सभी विभागों को परिपत्र द्वारा सरकुलेट (circulate) किया गया हो,
- (4) ऐसी सलेक्शन (selecion) के लिए किसी भी कर्मचारी का सीधे ही आवेदन पत्र एंटरटेन (entertain) नहीं किया जाना चाहिये, बल्कि सम्बन्धित कर्मचारी के विभागाध्यक्ष से प्राप्त होने वाली रिकमैन्डेशन पर ही कार्यवाही की जानी चाहिये, तथा,
- (5) केवल उन्हीं कर्मचारियों का चयन किया जाना चाहिये जो कि सम्बन्धित पद की निर्धारित योग्यताएं/अनुभव रखते हों,

(ख) स्थानान्तरण आधार पर निम्न प्रकार से, की जाने वाली नियुक्तियों/पद एस.एस. बोर्ड का अनुमोदन प्राप्त किया जाना वांछनीय है :-

- (1) यदि किसी कर्मचारी की प्रारंभिक नियुक्ति (initial appointment) अधीनस्थ सेवाएं प्रवरण मण्डल/लोक सेवा आयोग, जैसी भी स्थिति हो, के माध्यम से न हुई हो, तथा
- (2) यदि कोई नियुक्ति स्थानान्तरण आधार पर श्रेणी 4 के पद/सेवा से श्रेणी III के किसी पद/सेवा में की जाए।

- (3) उपरोक्त के अतिरिक्त यह भी स्पष्ट किया जाता है कि स्थानान्तरण आधार पर यदि किसी कर्मचारी की नियुक्ति कर ली जाती है, जिसकी प्रारंभिक नियुक्ति (initial appointment) अधीनस्थ सेवाएं प्रवरण मण्डल के माध्यम से न हुई हो, तो ऐसी नियुक्ति पर यदि सक्षम अधिकारी एस.एस.एस. बोर्ड का अनुमोदन प्राप्त भी कर लेता है तो इसका यह तात्पर्य नहीं होगा कि उस कर्मचारी की प्रारंभिक नियुक्ति नियमित हो गई है।
- (4) कृपया उपरोक्त हिदायतों अनुसार कार्यवाही की जाए।
- _____

प्रेषक

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 5440 - जी.एस. 1-72/27403, दिनांक 15/18-9-82 की प्रति।

विषय :- स्थानांतरण सम्बन्धी पॉलिसी में तबदीली।

महोदय,

मुझे निदेश हुआ है मैं उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के पत्र क्रमांक 3245 जी.एस. 1-72/12827, दिनांक 12 जून, 1972 के पैरा 2 की ओर दिलाऊं और सूचित करूं कि इस पत्र द्वारा जारी की गई हिदायतों में सरकार ने यह संशोधन करने का निर्णय किया है कि किसी कर्मचारी के एक स्टेशन पर ही उसी आफिस में एक पोस्ट पर स्थानांतरण करने के बारे में कोई प्रतिबन्ध नहीं होगा। अतः इस प्रकार के स्थानांतरण वही अधिकारी कर सकेंगे जो कि पहले सक्षम थे।

भवदीय,

हस्ता / -

उप सचिव, राजनैतिक एवं सेवायें,

कृते : मुख्य सचिव, हरियाणा सरकार।

इसकी एक प्रति सूचनार्थ तथा आवश्यक कार्यवाही हेतु वित्तायुक्त, हरियाणा सरकार, सभी प्रशासकीय सचिव, हरियाणा सरकार।

Copy of Letter No. 45/2/83-GSI dated 23rd March, 1983 from the Chief Secretary to Government, Haryana to all Head of Department, etc., etc.

Subject :— Transfers.

I am directed to refer to Haryana Government circular letter No. 45/2/82-5GDI, dated the 14th July, 1982 (copy enclosed) on the subject noted above and to say that while affecting the transfer of Government employees during the year 1983-84 care may be taken to see that minimum transfers are made. The guide-lines contained in the aforementioned letter should be followed. Furthermore, the general transfers for the 1983-84 may be completed as under :-

- (i) By the 30th April, 1983 of the Staff of all the Department except the teaching staff of Education, Technical Education and Industrial Training Department ; and
- (ii) By the 15th July, 1983, of the Staff of Education, Technical Education and Industrial Training Department.

Transfer

**Copy of letter No. 45/2/83-SGSI, dated 24th May, 1983 from the Chief Secretary to Government,
Haryana to all Heads of Departments, etc., etc.**

Subject :— General Transfers for the Year 1983-84.

I am directed to invite your attention to Haryana Government circular letter No. 45/2/83/5GSI, dated the 6th May 1983, on the subject noted above and to say that the general transfers for the year 1983-84 of the staff of various departments (except of Education, Technical Education and Industrial Training Departments) required to be completed by 15th May 1983, may now be effected by the 31st May, 1983.

Immediate.

Through R.A.

It has come to the notice of the Chief Minister that in certain departments, the general transfers are still being implemented. It is requested that all orders in pursuance of general transfers should, be Issued by 17th June, 1983. No. transfer orders in pursuance of general transfers may be issued after this date.

(P.P. Caprihan)

C.S.

16-6-1983.

All Administrative
Secretaries & Heads of
department,

Endst. No. PS-CS-83/

Dated the 16th June, 1983

A copy is forwarded to PSCM and Private Secretaries to all Minister for information and necessary action.

(P.P. Caprihan)

C.S.

16-6-1983.

Copy of letter No. 45/11/83/5GSI, dated 2nd December, 1983 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :— By elections to Lok Sabha seat from 4-Sonepat constituency and Vidhan Sabha seat from 78- Fatehabad constituency-Ban on transfers upto 31-12-1983.

I am directed to state that as per programme drawn up by the Election Commission of India, by-elections to the Lok Sabha seat from 4-Sonepat constituency and the Vidhan Sabha seat from 78-Fatehabad Constituency, are to be completed by 31-12-83. Out of nine segments of, Sonepat parliamentary constituency, six fall in Sonepat district, one (Bahadurgarh) in Rohtak District and two (Safidon and Julana) in Jind District. The Fatehabad assembly constituency falls in Hisar District. The Deputy Commissioners and District Election Officers Sonepat, Rohtak, Jind and Hisar will require the services of a large number of officers/officials for appointment as Presiding! Polling Officers etc. in connection with the by-elections. It has therefore, been decided to impose a ban on the transfer of officers/officials of department posted in the afore-mentioned districts upto 31-12-1983. The Deputy Commissioners, Superintendents of Police of these district, IAS/HCS officers and Addl. General Asstt. posted in Sonepat District, Sub divisional officers (C) Jind, Sonepat, Bahadurgarh and Fatehabad and Tehsildars and Block Development Officers etc. posted in the afore-mentioned districts and Tehsils, whose services will also be required for conducting the by elections and maintenance, of law and order during the by the elections, should also not be transferred upto 31-12-1983. If it is considered necessary to transfer any officer /official before 31-12-83, prior approval of the Election Commission of India, should be obtained through the Chief Electoral Officer, Haryana after giving full justification for effecting the transfer.

Copy of letter No. 45/1/84-5GSI, dated 3rd Feb., 1984 from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject:— Transfers during 1984-85.

Sir,

I am directed to refer to Haryana Government circular letter No. 45/2/82-5GSI, dated the 14th July, 1982 (copy enclosed) on the subject noted above and to say that affecting the transfers of Government employees during the year 1984-85, care may be taken to see that minimum transfers are made. The guide-lines contained In the aforementioned letter should be followed. Furthermore, general transfers for the year 1984-85 may be completed as under:-

- (i) by the 30th April, 1984 of the staff of all departments except the staff of the Food and Supplies Department and teaching staff of the Education/technical Education/Industrial Training Departments; and
- (ii) by the 31st July, 1984 of the staff of Food and Supplies Department and the teaching staff of education/ Technical Education/Industrial Training Departments.

**Copy of letter No. 45/1/84-SGSI, dated 16th April, 1984 from the Chief Secretary to Government,
Haryana to all Heads of Departments, etc.etc.**

Subject :— **Transfers during 1984-85.**

I am directed to invite a reference to circular letter No. 45/1184-5GSI, dated the 3rd February, 1984, on the subject noted above, in which the transfer policy for 1984-85 was laid down and guidelines were also enclosed. It is urged once again annual transfers except in the case of the staff of the Food & Supplies Department and the teaching staff of Education/ Technical Education/Industrial Training Departments, should be completed by the 30th April, 1984 at the latest. Care should be taken that the transfers are kept to the absolute minimum.

विषय :- हरियाणा लोक सेवा आयोग के कार्य की 1-4-1982 से 31-3-1983 तक की अवधि की वार्षिक रिपोर्ट-विभागों द्वारा आयोग को प्रस्ताव/मांग पत्र आदि भेजने में सरकार द्वारा समय-समय पर जारी की गई हिदायतों की अवहेलना करना।

क्या वित्तायुक्त राजस्व एवं सभी प्रशासकीय सचिव, हरियाणा सरकार, उपरोक्त विषय की ओर ध्यान देने की कृपा करेंगे।

2. हरियाणा लोक सेवा आयोग ने अपने कार्य की 1982-83 की वार्षिक रिपोर्ट में मुख्यतः निम्नलिखित अवलोचनाएं की हैं :-

- (क) विभागों द्वारा सीधी भर्ती के लिए आयोग को निर्धारित फार्म में मांग पत्र ठीक ढंग से भरकर नहीं भेजे गए, जिनको पूर्ण करवाने हेतु विभागों को आयोग द्वारा पुनः लिखना पड़ा, जिसके कारण भर्ती में अनावश्यक विलम्ब हुआ।
- (ख) तदर्थ नियुक्ति के 15 दिनों के अन्दर-2 विभागों द्वारा आयोग पूर्णरूप से भरे हुए मांग पत्र नहीं भेजे गए जैसा कि सरकारी हिदायतों के अनुसार वांछनीय है तथा तदर्थ नियुक्तियों को आयोग की अनुमति के बिना छः मास से आगे सरकारी अनुदेशों की अवहेलना करके चालू रखा गया।
- (ग) विभागों द्वारा पदोन्नति के प्रस्ताव आयोग को सरकारी हिदायतों के अनुसार निर्धारित प्रोफार्मा में पूर्ण सूचना के साथ नहीं भेजे गए जिनके निपटान में अनावश्यक विलम्ब हुआ क्योंकि प्रस्तावों को पूरा करवाने हेतु विभागों को आयोग द्वारा बार-बार लिखना पड़ा।
- (घ) अनुसूचित जाति के उम्मीदवारों की कमी उन्हीं पदों के लिए जिनके लिए तकनीकी ज्ञान अपेक्षित था।

3. आयोग ने अपनी वार्षिक रिपोर्ट 1980-81 में भी लगभग इसी प्रकार की अवलोचनाएं की थी, जिनको सरकार के परिपत्रों क्रमांक 66/55/82-7 जी. एस. 1 दिनांक 1-10-82, सम संख्य परिपत्र दिनांक 1-10-82 तथा दिनांक 29-4-83 द्वारा आपके ध्यान में लाते हुए औरों के साथ यह अनुरोध किया गया था कि समय-समय पर जारी की गई सरकारी हिदायतों की पालना करते हुए यह सुनिश्चित करें कि पदोन्नति प्रस्ताव पूर्णरूप से आयोग को भेजे जाएं, तदर्थ नियुक्तियों के 15 दिनों के अन्दर-2 पूर्णरूप से भरे हुए मांगपत्र आयोग को भेजे जाएं, तदर्थ नियुक्तियों को 6 मास से आगे आयोग की अनुमति के बिना चालू रखा जाए तथा अनुसूचित जाति के उम्मीदवारों को उनके लिए आरक्षित स्थानों के विरुद्ध तकनीकी संस्थानों में प्रवेश करवाएं ताकि तकनीकी सेवाओं में इनको उचित प्रतिधित्व मिल सके।

4. सरकार को खेद है कि बार-बार हिदायतें जारी करने के बावजूद भी इस प्रकार की त्रुटियां आयोग द्वारा सरकार के ध्यान में पुनः लाई गई हैं। अतः आपसे पुनः अनुरोध है कि कृपया यह सुनिश्चित करें कि भविष्य में सरकारी अनुदेशों की उल्लंघना न हो।

5. कृपया इस पत्र की पावती भिजवायें।

भवदीय,

हस्ता / -

संयुक्त सचिव, हरियाणा सरकार,
राजनैतिक एवं सेवाएं विभाग।

सेवा में

1. वित्तायुक्त राजस्व, हरियाणा।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा. क्रमांक 66/16/84-7 जी. एस. I,

दिनांक 20-2-1985

पृ० क्रमांक 66/16/84-7 जी. एस. I,

दिनांक 20-7-1985

इसकी एक-एक प्रति सभी विभागाध्यक्ष, हरियाणा सरकार को सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है तथा अनुरोध किया जाता है कि भविष्य में सरकारी हिदायतों की दृढ़ता से पालना की जाए।

भवदीय,

हस्ता / -

संयुक्त सचिव, हरियाणा सरकार,
राजनैतिक एवं सेवाएं विभाग।

No. 2/10/85-5-GSI

From

The Chief Secretary to Government Haryana.

To

1. All the Heads of Departments Commissioners Ambala and Hisar Divisions.
 2. All Deputy Commissioners and SDO's (Civil) in Haryana.
 3. The Registrar,
Punjab and Haryana High Court and All District and Sessions Judges in Haryana.
- Dated, Chandigarh the 9th May, 1985.

Subject :— Policy regarding promotion of officials to the higher posts-Raising of criteria from 50% to 70% of good reports.

Sir,

I am directed to invite your attention to the instructions contained in Haryana Govt. letter No. 931-IGSI-72/10308, dated 13-1-1972 on the subject noted above, wherein it was provided inter alia that the officials who earned 50% or more good or better than average reports during the last ten years of service should alone be considered eligible for promotion to a higher post.

2. The matter has been considered further by the State Government and it has been decided that in further only such officials/officer(s) who have obtained at least 70% or more reports of 'good' or better categories during the last 10 years should be considered eligible for promotion to a higher post. However, as before greater weightage shall be given to the reports earned on the higher post from which further promotion is being considered.

These instructions may please be noted for careful compliance and brought to the notice of all concerned.

Kindly acknowledge receipt of this letter.

Yours faithfully,

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Govt. Haryana.

Transfer

No. 45/6/86-5GS-I

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments Commissioners, Ambala & Hissar Divisions, All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
2. The Registrar,
Punjab & Haryana High Court, Chandigarh.

Dated Chandigarh, the 26th September, 1986.

Subject :— Transfer/posting of spouses at same stations.

Sir,

I am directed to address you on the subject noted above and to say that it was decided by the Haryana Government that female employees who are living with their payments or husbands should not be transferred unless, it is necessary to do so in public interest and administrative grounds like complaints etc and instructions to this effect were issued vide Haryana Government Circular letter No. 36/2/78-GSI, dated the 6th June, 1978. The Government of India have issued guidelines for the posting of husband and wife, as possible and within the constraints of administrative convenience at the same station. The Government of India have given the utmost importance to the enhancement of women's status in all sectors and all walks of life. It has also been considered necessary to have a policy which can enable women employed under the Government and the Public Sector undertakings to discharge their responsibilities as wife/mother on the one hand and productive workers on the other hand more effectively.

2. The State Government, after considering the guidelines issued by the Government of India have decided that the female employees who are living with their parents, if unmarried or with their husbands, should not normally be transferred unless it is considered absolutely unavoidable on administrative grounds. It has further been decided that the husbands and wife should be posted at the same station as far as possible and within the constraints of administrative convenience to enable them to lead a normal family life and to ensure the education and welfare of their children. For this purpose each department/transferring authorities will maintain a register of those employees whose husband/wife is also a Government servant so that couples do not get separated at the time of annual transfers owing to routine transfers.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

No. 45/6/86-5GS-I, dated Chandigarh the 26th September, 1986.

A copy is forwarded to all the Chairman/Administrators/Managing Directors of all the Boards/Corporations/Public Undertakings in the State of Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to the :-

1. All the Financial Commissioner, Haryana, and
2. All the Administrative Secretaries to Govt. Haryana.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners, Haryana.
2. All the Administrative Secretaries to Govt., Haryana,

U.O.No.45/6/86-5GSI, dated Chandigarh, the 26th September, 1986.

A copy is forwarded to the Principal Secretary/Deputy Principal Secretary/O.S.D. to Chief Minister, Secretaries/Private Secretaries to all Ministers and State Ministers for information of the Chief Minister Ministers/State Ministers.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Deputy Principal Secretary/O.S.D. to Chief Minister, Secretaries/Private Secretaries to all Ministers and State Ministers.

U.O.No. 45/6/86-5GSI,

dated, Chandigarh, the 26th September, 1986.

Transfer

45/7/89-5GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, Commissioners, Ambala and Hisar Divisions.
2. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana
3. The Registrar,
Punjab and Haryana High Court, Chandigarh.

Dated, Chandigarh, the 3rd May, 1990.

Subject :— **Annual transfer during 1990-91**

Sir,

I am directed to address you on the subject cited above and to say it has been decided by Government that would be General annual transfer during the year 1990-91. However all transfers, as are considered essential administrative or other reasons may be made after obtaining the approval of the Chief Minister.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to all Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners
and Secretaries to Government, Haryana.

U.O. 45/7/89-5GSI

Dated, Chandigarh, the 3rd May, 1990.

No. 2/46/88-2GSI

From

The Chief Secretary to Govt., Haryana.

To

All Heads of Departments, Commissioners of Divisions,
All Deputy Commissioners and All Sub-Divisional Officers in Haryana.
Dated Chandigarh, the 15th May, 1990.

Subject :— Policy regarding promotion of official to higher post-down grading of ACRs.

Sir,

I am directed to invite your attention to this department letter of even number dated the 17th May, 1989, on the subject cited above and say that some departments have sought clarifications on certain points. The matter has been further examined keeping in view the points raised and it is clarified that :—

- (i) When the period of Omission and Commission is spread over a period of more than one year, in such cases, the A.C.R. of the last year of the acts of omission/commission may be down graded.
- (ii) Down grading of ACR is a sequence of punishment awarded to the employee, no fresh/separate show caused notice is required to be issued but the order of down grading may
 5. Kanungo = 2
 6. Steno Typist = 10
 7. Head Clerk/Account = 1
 8. Junior Engineer-42
 9. Asstt. Draftsman (Arch) = 1
 10. Asstt. Draftsman (Civil) = 1
 11. Electrician = 8
 12. Plumber = 5
 13. Tracer = 7
 14. Assistant Secretary = 14
 15. D.E.O. cum-Secretary = 14
 16. Mandi Supervisor = 4
 17. S.D.O's = 2

The N.B.A.C. is issued subject to the condition that instruction issued by Financial Department in this respect from time to time will be complied with.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Govt. Haryana.

No. 45/7/89-5GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, and Commissioners Ambala, Hisar and Gurgaon Divisions.
 2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
 3. The Registrar,
Punjab and Haryana High Court, Chandigarh.
- Dated Chandigarh the 20th November, 1990.

Subject :— Annual transfers during 1990-91.

Sir,

I am directed to invite your attention to Haryana Government instructions issued vide Haryana Govt. letter of even No. dated the 3rd May, 1990 in which ban on general transfers during the year 1990-91 has been imposed. However, the transfers as are considered essential for administrative or other reasons could be made after obtaining the approval of the Chief Minister. Government has further considered the matter and it has been decided that the ban transfer will continue, with the modification that the powers to order transfers of Class-III and IV employees (in relaxation of the ban) may now be exercised by the Minister-in-Charge. However, Minister-Incharge will exercise these powers on administrative grounds where it is absolutely necessary. A copy of such transfer orders will also be endorsed to the Under Secretary, C.M. Cell for the information of Chief Minister.

Yours faithfully,

Sd/-

Under Secretary General Administration.
for Chief Secretary to Govt., Haryana.

A copy each is forwarded for information and necessary action to all Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

Sd/-

Under Secretary General Administration.
for Chief Secretary to Govt., Haryana.

To

All the Financial Commissioners/Commissioners and
Secretaries to Government, Haryana

Compendium of Instructions — Miscellaneous Matters— Vol. IX

U.O. No. 45/7/89-5GSI

Dated Chandigarh , the 10th Nov., 1990

A copy is forwarded to the Principal Secretary/Additional Principal Secretary/OSD to Chief Minister, Secretaries/Private Secretaries to Ministers/State Ministers and Chief Parliamentary Secretary, for information of the Chief Minister/Deputy Chief Ministers/ Minister and Chief Parliamentary Secretary.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

To

The Principal Secretary/Additional Principal
Secretary/OSD to C.M., Secretaries Private Secretary
of Ministers/State Ministers and Chief Parliamentary Secretary.

U,O, No. 45/7/89-5GSI

Dated Chandigarh, the 20th November, 1990.

Transfer

No. 45/7/89-5GSI

From

Chief Secretary to Govt., Haryana.

To

1. All Heads of Departments and Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions .
2. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana .
3. The Registrar ,
Punjab and Haryana High Court, Chandigarh.

Dated, Chandigarh, the 7th December, 1990.

Subject : — Annual transfers during 1990-91 .

Sir

I am directed to invite your attention to Haryana Government instructions issued vide Haryana Govt. letter of even Nos. dated the 3rd May, 1990 and 20th November, 1990 and to say that a lot of expenditure is being incurred by Govt. unnecessarily on account of large scale transfers of employees even during the period of ban on transfer . While the person making a request for transfers against a vacancy foregoes his transfer TA/DA, financial liability is involved when a person making a request displaces some body else at another station and the other person so displaced has to be paid transfer TA/DA under the TA Rules of the Govt. The Government, after careful consideration of the matter, have decided that whenever any request for transfer during the period of ban on transfer is accepted and transfer ordered accordingly, involving displacement of another employee, the employee making a request thorough Ministers/Legislatures/Publicman/Superior authorities etc should be made to therefore admissible transfer TA/DA of the other employee who has to be so shifted. You are, therefore requested that an undertaking from the employee making a request for transfer to the effect that he will bear the expenditure of transfer TA/DA of the other employee as mentioned above should be taken and attached with the request for transfer . These instructions may please be brought to the notice of all concerned for strict compliance .

Yours faithfully

Sd/-

Under Secretary General Administration,
for Chief Secretary to Govt., Haryana

Compendium of Instructions — Miscellaneous Matters—Vol. IX

A copy each is forwarded for information and necessary action to all the Financial Commissioners/ Commissioners & Secretary to Govt. Haryana .

Yours faithfully

Sd/-

Under Secretary General Administration
for Chief Secretary to Government., Haryana

To

All the financial Commissioners/ Commissioners & Secretary to Govt. Haryana.

U.O.NO.45/7/89-5GSI

Dated : Chandigarh the 17th December, 1990

A copy is forwarded to the Principal Secretary/Additional Principal Secretary/OSD to C .M., Secretaries/Private Secretaries to Ministers/State Ministers and Chief Parliamentary Secretary for information of the C.M./Minister and Chief Parliamentary Secretary.

Sd/-

Under Secretary General Administration
for Chief Secretary to Government., Haryana

To

The Principal Secretary/Additional Principal
Secretary/OSD to CM, Secretaries/Private Secretaries
of Ministers/State Ministers and Chief Parliamentary Secretary.

U.O.No.46/7/19-5GSI

Date Chandigarh, the 7th December, 1990.

नं. 45/3/91-5 जी.एस.-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष, आयुक्त अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल।
2. सभी उपायुक्त एवं सभी उप मण्डल अधिकारी (नागरिक) हरियाणा राज्य।
3. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय।

दिनांक चण्डीगढ़ 13 मई, 1991।

विषय :- मानसिक रूप से विकलांग/कमजोर बच्चों के माता पिता को सुगम स्थानों पर नियुक्ति/स्थानान्तरित करने बारे।

महोदय,

मुझे निर्देश हुआ है कि उपरोक्त सन्दर्भित विषय की ओर आपका ध्यान दिलाऊँ और यह कहूँ कि सरकार ने स्थानान्तरण की नीति में यह बिन्दु भी जोड़ने का निर्णय लिया है कि मानसिक रूप से विकलांग/कमजोर बच्चों के माता-पिता को ऐसे बच्चों के इलाज के लिए जिन स्थानों पर चिकित्सा सुविधायें उपलब्ध हैं वहाँ सामान्य स्थानान्तरण के समय स्थानान्तरित किया जाये। इन निर्देशों की अनुपालना दृढ़ता से की जाए।

भवदीय,

हस्ता / -

अवर सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी वित्तायुक्त एवं सचिव, हरियाणा सरकार को सूचनार्थ एवं आगामी कार्यवाही हेतु प्रेषित है।

भवदीय,

हस्ता / -

अवर सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त एवं सचिव, हरियाणा सरकार।

अशा० क्रमांक 45/3/91-5 जी.एस. I

दिनांक 13 मई, 1991।

क्रमांक 45/22/90-5 जी.एस.-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष, आयुक्त अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल।
2. सभी उपायुक्त तथा सभी उप मण्डल अधिकारी (नागरिक) हरियाणा राज्य।
3. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय।

दिनांक चण्डीगढ़ 13 सितम्बर 1991.

विषय :- सामान्य स्थानान्तरण निति-राजपत्रित अधिकारियों का गृह जिले में स्थानान्तरण ।

महोदय,

उपरोक्त विषय की ओर मुझे आपका ध्यान आकर्षित कराते हुए यह कहने का निदेश हुआ है कि सरकार के ध्यान में आया है कि कई विभाग सरकार के परिपत्र क्रमांक 45/7/89-5 जी.एस.-I दिनांक 7-4-1989 द्वारा जारी की गई हिदायतों के पैरा (5) का पालन दृढ़ता से नहीं करते या राजपत्रित अधिकारियों को उनके गृह जिले में लगाने के लिए किसी न किसी आधार पर केस हिदायतों में छूट प्रदान करने के लिए मुख्य सचिव को भेजते हैं। इन हिदायतों के पैरा (5) में सरकार ने इस उद्देश्य से यह व्यवस्था की थी कि केवल उन अधिकारियों/विभागों को छोड़ कर जिनका उल्लेख इन हिदायतों में किया गया है किसी राजपत्रित अधिकारी को उसके गृह जिले में न लगाया जाये। इन हिदायतों में छूट तभी दी जानी चाहिये जब कि ऐसा किया गया करूणामूल आधार एवं मानवीय दृष्टि से अनिवार्य हो। अतः इस बारे पुनः अनुरोध किया जाता है कि इन हिदायतों का कठोरता से पालन किया जाए।

इसके अतिरिक्त सरकार ने यह भी निर्णय लिया है कि जो अधिकारी मुख्य सचिव (सामान्य प्रशासन शाखा)की अनुमति से गृह जिले लगे हुए हैं। जिला महेन्द्रगढ़ तथा जिला भिवानी में लोहारू (तहसील को छोड़कर) उपरोक्त के दुष्टिगत उन्हें भी गृह जिले से बाहर बदल दिया जाये और किसी अधिकारी को उपरोक्त दिये गये कारणों से अपने गृह जिले में रखना अति आवश्यक हो तो वह मामला मुख्य सचिव को पुनः अनुमति के जिले भेज दिया जाये।

भवदीय,

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी वित्तायुक्त एवं सचिव, हरियाणा सरकार को सूचनार्थ/आवश्यक कार्यवाही हेतु भेजी जाती है।

हस्ता / -

उप सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त/आयुक्त एवं

सचिव/हरियाणा सरकार।

अशा क्रमांक 45/22/90-5 जी. एस. I

दिनांक चण्डीगढ़, 13 सितम्बर, 1991.

No. 44/2/92-5SGI

From

The Chief Secretary to Govt., Haryana.

To

1. All Heads of Departments, Commissioner,
Ambala, Hisar Rohtak and Gurgaon Divisions
2. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
3. The Registrar,
Punjab and Haryana High Court, Chandigarh, and
All District and Sessions Judges in Haryana.

Dated, Chandigarh, the 20th May, 1992.

Subject :— Policy and guidelines for postings and transfers.

Sir,

I am directed to refer the subject noted above and to state that it has been brought to the notice of Govt. that the employees dealing with the pension cases are frequently transferred which results in delay in finalisation of the pension cases. As you are aware, the work relating to grant of pension and other benefit to the retirees as well as to the families of the Govt. employees is time bound and involves many technicalities. As such it is necessary that the employees dealing with such cases should not be transferred too frequently. It has therefore, been decided that in addition to the guidelines contained in the transfer policy issued vide No. 45/6/890-5GSI, dated 7-4-89 the departments should curtail the transferability of the employees dealing with pension and they should not be transferred at least for three years.

However, when such an employee is transferred his substitute should seek guidance from him in respect of the methods/techniques and rules and instructions on the subject, so that the transfer may not have effect on the disposal of the pension cases.

Yours faithfully,

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

क्रमांक 45/1/93-5 जी0 एस0-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष, आयुक्त अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल।
2. सभी उपायुक्त एवं सभी उप मण्डल अधिकारी (नागरिक) हरियाणा राज्य।
3. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय।

दिनांक 16-8-1993

विषय :- सामान्य स्थानान्तरण निति राजपत्रित अधिकारियों का गृह जिले में स्थानान्तरण ।

महोदय,

मुझे निदेश हुआ है कि मैं आपका ध्यान उपरोक्त विषय पर हरियाणा सरकार के परिपत्र क्रमांक 45/7/89-जी.एस. I दिनांक 7-4-89 की ओर दिलाऊँ जिसके पैरा 5 में राजपत्रित अधिकारियों को अपने गृह जिले में लगाने पर रोक लगाई गई है। अम्बाला तथा यमुनानगर जिले में राजपत्रित अधिकारियों को लगाने का मामला सरकार के विचाराधीन रहा और अब यह निर्णय लिया गया है कि इन जिलों के केवल पहाड़ी क्षेत्रों में राजपत्रित अधिकारियों को लगाने के लिये उक्त परिपत्र के पैरा 5 में लगाये इस प्रतिबंध में छूट दे दी जाए।

इन हिदायतों का कठोरता से पालन किया जाए।

भवदीय,

हस्ता / -

अवर सचिव, सामान्य प्रशासन-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार को सूचनार्थ/अनुमोदनार्थ भेजी जाती है।

हस्ता / -

अवर सचिव, सामान्य प्रशासन-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त/आयुक्त एवं सचिव,

हरियाणा सरकार।

अशा : क्र. 45/1/93-5 जी.एस.-I

दिनांक 16-8-1993.

क्रमांक 44/3/93-5 जी0 एस0-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष।
2. आयुक्त अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल हरियाणा।
3. सभी उपायुक्त एवं उप मण्डल अधिकारी (नागरिक) हरियाणा।
4. रजिस्ट्रार, पंजाब एवं हरियाणा, उच्च न्यायालय, चण्डीगढ़।

दिनांक चण्डीगढ़ 17 अगस्त, 1993.

विषय :- सामान्य स्थानान्तरण नीति।

महोदय,

उपरोक्त विषय की ओर आपका ध्यान आकर्षित करते हुए मुझे यह कहने का निदेश हुआ है कि सरकार की हिदायतानुसार स्थानान्तरण पर लगे प्रतिबन्ध के दौरान सभी प्रकार के स्थानान्तरण मुख्य मंत्री महोदय की अनुमति से किये जाने जरूरी होते हैं। इस सम्बन्ध में प्रश्न यह उठा है कि जहां टी०ए०/डी०ए० तथा ज्वॉइनिंग टाईम निहित नहीं जैसे एक ही स्टेशन पर किसी कार्यालय के एक अनुभाग या शाखा से दूसरे अनुभाग या शाखा से किये जाने वाले, स्थानान्तरण को स्थानान्तरण माना जाना चाहिए या एडजस्टमेंट और क्या ऐसे केस भी मुख्य मंत्री को भेजे जाने चाहिए ? विचारोपरांत अब यह निर्णय लिया गया है कि क्लास-I के अधिकारियों को छोड़ शेष सभी ऐसे कर्मचारियों/अधिकारियों के स्थानान्तरण जो एक ही स्टेशन पर हों और जिसमें कोई टी०ए०/डी०ए० तथा ज्वॉइनिंग टाईम निहित न हो उनको करने के लिए मुख्य मंत्री महोदय से अनुमोदन करवाने की आवश्यकता नहीं बल्कि सक्षम प्राधिकारी ऐसा करने में सक्षम हैं।

इन हिदायतों की दृढ़ता से पालन की जाए।

भवदीय,

हस्ता/-

अवर सचिव, सामान्य प्रशासन-प्प

कृते : मुख्य सचिव, हरियाणा सरकार।

इसकी एक प्रति सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार को सूचनार्थ/आवश्यक कार्यवाही हेतु भेजी जाती है।

भवदीय,

हस्ता/-

अवर सचिव, सामान्य प्रशासन-प्प

कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त/आयुक्त एवं सचिव,
हरियाणा सरकार।

अशा : क्र. 44/3/93-5 जी.एस.-I

दिनांक चण्डीगढ़

No. 62/23/95-6GSI

From

The Chief Secretary to Government, Haryana.

To

All Land Acquisition Collectors
in Haryana (By Name).

Dated, Chandigarh, the 22nd August, 1995.

Subject :— Disposal of applications filed under section 18 of the Land Acquisition Act-referring thereof concerned District Judges within three months.

Sir,

I am directed to refer to the subject cited above and to say that while disposing of the CWP No. 13400 of 1994 titled Jai Ram and others of Haryana, the Hon'ble the Punjab and Haryana High Court had expressed their displeasure about inordinate delay being caused by the Land Acquisition Collectors in referring applications under section 18 of the aforesaid act to the District Judges concerned and has again been reiterated by the Hon'ble High Court in the CWP No. 544 of 1995. The Hon'ble Courts has also desired that General directions be issued to all the Land Acquisition Collectors in the State of Haryana to comply with the aforesaid directions.

2. You are accordingly requested to ensure strict compliance of aforesaid directions of the Hon'ble Punjab and Haryana High Court while disposing of the applications filed before you under section 18 of the land Acquisition Act.

Any lapse in this matter will be viewed seriously.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioner & Administrative
Secretaries to Government, Haryana.

U.O.No. 62/23/95-6GSI

Dated, Chandigarh, the 22nd August, 1995.

Endst. No. 62/23/95-GSI

Dated, Chandigarh, the 22nd August, 1995.

A copy is forwarded to Registrar, Punjab and Haryana High Court, Chandigarh for information.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

Transfer

No. 62/30/95-6GSI

From

The Chief Secretary to Government, Haryana.

To

- (1) All Heads of Departments,
the Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions.
- (2) All Deputy Commissioners and All Sub-Divisional Officers (Civil) in Haryana.
- (3) The Registrar, Punjab & Haryana High Court Chandigarh.

Dated, Chandigarh, the 4th January, 1996.

Subject :— Allocation of Business and disposal of works at various levels of the Government-Implementation of Court Orders.

Sir,

I am directed to address you on the subject noted and to say that it has to the notice of Government that Court Orders are not processed timely and also orders/judgements are not implemented well in time with the result that the contempt petitions are filed against the concerned Administrative Secretaries to Government Haryana and the Chief Secretary to Government, Haryana, where the issues involved in the writ petitions are not at all require to be decided at their level. Further in such a situation the Chief Secretary to Government Haryana continues to be respondent though his name should have been deleted from the list of respondents on the grounds of misjoinder of parties at the first instance.

2. It has been decided that in all such cases the name of the Chief Secretary to Government Haryana should be got deleted from the list of respondents on the grounds of misjoinder of parties.

3. It has been further decided that in cases where a very short notice has been given by the High Court, in case the requisite written statement is not prepared in time, an official of the concerned department should be present in the court with the relevant records of the assistance of the Court.

4. These instructions should be brought to the notice of all concerned for strict compliance failing which strict action will be taken against the defaulters.

Receipt of the letter may please be acknowledged.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and immediate necessary action.

2. They are also requested that all the Court cases of their departments should be monitored at their own level so that court orders are implemented well in time.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners/Commissioners
and Secretaries to Government Haryana.

U.O.No. 62/30/95-6GSI

Dated, Chandigarh, the 4th January, 1996.

No. 45/9/98/IGSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, Commissioners
Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional
Officers (Civil) in Haryana.
3. The Registrar,
Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the July 15, 1998.

Subject :— Transfer made on the request of Government servants.

Sir,

I directed to refer to Haryana Government letter No. 5GSI-76/8968, dated 9.4.76 which interalia provides that transfer traveling allowance should not be allowed where the transfer has been made at the specific request of the Government servant concerned. These instructions further lay down that a Government servant on transfer is also entitled to be paid while on joining time unless his transfer is made in public interest.

2. Instances have come to the notice of the Government that while giving requests to the departments for transfer of an officer/official, the Ministers do not clearly specify whether the transfer is to be effected at the request of the employees concerned and that accordingly no TA/DA should be allowed to him. On the other hand, the departments also do not bother to verify whether the requests from the Minister is in response to a request of an employee concerned and often presume that the direction from the Minister for transfer of an employee concerned is being given in response to the personal request by the employee and orders are issued indicating that no TA/DA will be admissible.

3. The matter has been considered by the Government and it has been decided that in future departments would first ascertain from the Minister concerned whether the transfers in question are being ordered at the request of the employees concerned and after such verification it would be mentioned in the transfer orders that no TA/DA and joining time would be admissible to the official concerned. Simultaneously, the Ministers are also being request to obtain a written request from the employees concerned before acceding to such request so that there remains no confusion in the minds of the official/officers dealing with the transfers cases.

These instructions should be followed strictly.

Yours faithfully,

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters—Vol. IX

A copy is forwarded to all Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-
Joint Secretary General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners/Commissioners and Secretaries to Government Haryana.

U.O. No.45/9/98-IGSI Dated Chandigarh, the July 15,1998.

A copy is forwarded to the Principal Secretary/Dy. Principal Secretary/OSD to Chief Minister, Secretaries/Private Secretaries to the Chief Minister/Ministers/Ministers of State with the request that the contents of the above instructions may be brought to the notice of Ministers/Ministers of State for their kind information and necessary action.

Sd/-
Joint Secretary General Administration,
for Chief Secretary to Government Haryana

To

The Principal Secretary/Dy. Principal Secretary/OSD to Chief Minister, Secretaries/Private Secretaries to the Chief Ministers/ Ministers/Ministers of State.

U.O. No.45/9/98-IGSI Dated Chandigarh, the July 15,1998.

No. 45/9/98-IGSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments, Commissioners
Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional
Officers (Civil) in Haryana.
3. The Registrar,
Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 19th November, 1998.

Subject :— Policy and Guidelines for postings and transfers.

Sir,

I am directed to invite your attention to sub para (iii) of Para of Haryana Government circular letter No. 45/7/89-5GSI, dated 7.4.89 regarding policy and guidelines for posting and transfers, which provides, *interallia*, that maximum tenure of five years shall not apply to such employees as are due to retire within the next two that they may be allowed to continue on their present posts till retirement.

2. Government have re-examined the matter and careful consideration have decided that in future this relaxation in tenure beyond five years shall be admissible to only such employees-as are due to retire within one year (repeat one year). In other words this maximum period of the five years shall also not apply to Government employees both gazetted and non gazetted who are due to retire within the next one year and they may be allowed to continue on their present posts till retirement.

Receipt of this letter may be acknowledged and these instructions should be strictly complied with.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government Haryana.

U.O.No. 45/9/98-IGSI

Dated Chandigarh, the 19.11.98

No. 45/57/2008-5GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners & Administrative Secretaries.
2. All the Heads of Departments, Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the Deputy Commissioners in Haryana State.

Dated, Chandigarh, the 23rd December, 2008.

Subject :— Policy and Guidelines for postings and transfers of blind employees.

Sir/Madam,

I am directed to refer to the Government circular letter No.45/7/89-50SI, dated 7.4.1989 on the subject noted above and to say that in para 1(vii) it was suggested that as far as possible, the handicapped and the blind employees be shown due consideration to mitigate their inconvenience while considering the question of their postings and transfers.

2. Now, the Ambala Chapter of the National Blinds Association Haryana has inter-alia demanded that their postings/transfers should not be effected without their consent and they should also not be posted in the rural areas. The matter has been re-considered by the Government and it has been decided that henceforth no blind employees may be posted in rural areas without their consent.
3. These instructions may be brought to the notice of all concerned and may be complied meticulously.

Yours faithfully,

Sd/-

Superintendent General Services-I,
for Chief Secretary to Government of Haryana

Transfer

Endst. No. 45/57/2008-5GSI

Dated Chandigarh, the 23rd December, 2008.

A copy is forwarded to the following for information and necessary action :—

1. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar , Ch. Devi Lal University, Sirsa and Bhagat Phool Singh Mahila Vishwa Vidyalaya Khanpur, Sonapat.
2. All the Managing Directors of Boards/ Corporations/State Public Undertakings.

Sd/-

Superintendent General Services-I,
for Chief Secretary to Government of Haryana.

Endst. No. 45/57/2008-5GSI

Dated Chandigarh, the 23rd December, 2008.

A copy is forwarded to the State Informatics Officer (NIC) Haryana Civil Secretariat, Chandigarh for uploading on the Website of the State Government.

Sd/-

Superintendent General Services-I,
for Chief Secretary to Government of Haryana

VI

GENERAL INSTRUCTIONS

Copy of letter No. 684-GII 58/13153, dated the 14th February, 1958, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject:— Grant of Special casual leave to sportsmen.

I am directed to enclose a copy of Office Memo No. 46/7J50-Estt., dated 5th March, 1964, on the subject noted above and to say that it has been decided by Government to extend the concession contained therein Mutatis Mutandi is to the sportsmen, who are in the service of State Government and are deputed by Government to participate in National or International events in India or abroad.

Copy of Punjab Government Circular letter No. 3206-GII-58/54252, dated, 18th July, 1958 from the Chief Secretary to Government, Punjab addressed to all Heads of Departments etc., etc.

Subject:— Penalty for late attendance.

I am directed to address you on the subject noted above and to say that according to paragraph 17 (3) of the Punjab Civil Secretariat Instructions one day's casual leave is to be forfeited for every three days late attendance provided the official is not late for more than two hours on each occasion and this practice is strictly followed in the Punjab Civil Secretariat. An enquiry has now been received as to whether these instructions also apply to other Departments or not. In order to maintain uniformity in all the Departments of Government it is considered necessary to adopt the same procedure throughout the State. I am, therefore, to request you that in future the instructions *ibid* (copy enclosed) should be followed in all Departments of Punjab Government.

(3) *Penalty for late attendance* :— One day's casual leave will be forfeited for every three days late attendance. At the end of each month the Heads of Branches should examine the Attendance Registers and calculate the number of days on which the members of their branches were marked late and forward the statement in the form given below to the Assistant Secretary (Administration) up to the 5th of each month following the one to which it relates. In the last week of December the Heads of Branches will prepare a consolidated statement showing the total casual leave forfeited on account of late attendance and then examine whether the casual leave at the credit of an official has been exceeded or not. Any excess should be carried over as a debit entry to the next years account. This consolidated statement together with the material on which it has been prepared should be submitted to the Assistant Secretary (Administration) punctually by the 15th January each year. The Assistant Secretary will then take such action on these statements as he may deem suitable.

Permission to attend office late by one or two hours will also be treated as late attendance for the above purpose.

Statement for the month of _____ showing the names of late comers of _____ Branch..

Sr.No No.	Name of official	Date	Time of arrival	No. of days to be deducted from C.L.A./c	Total C.L. Deductions of previous months	Total	Remarks
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Copy of letter No. 2855-GII-59/10518, dated 9-4-1959, from the Chief Secretary to Government Punjab to all Heads of Departments etc. in the Punjab.

Subject:— Instructions relating to grant of casual leave.

I am directed to invite a reference to Punjab Government letter No.1 0873-G-52/31794, dated 9-12-52 and to say that the question regarding the maximum amount of casual leave which should be permissible to class four Government servant of the State Government including those paid on the contingent bill during a calendar year, has been considered by Government. After careful consideration of the matter it has been decided that the existing discriminating against such employees viz. member of class I, II and III services in the matter of casual leave should cease to operate. So henceforth they will be entitled to casual leave viz. 20 days in a year as is a II and III. They will also be governed by the same instructions in regard to the amount of spell etc. as are applicable to the later category of officials.

—————

ENCLOSURE-II

FINANCE DEPARTMENT

(REGULATION)

Notification

The 26th May, 1959

No. 3691-FRII-S9/S176 :— 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 Government of Punjab is pleased to make the following amendments in the Punjab Civil Services Rules, Volume Part I, namely:

AMENDMENTS

A—Leave beyond the date of compulsory retirement

(1) Rule 8.21,-

- (i) in sub-rule (a) (2), for the words 'six months' in the 7th line, the words "four months." shall be substituted.
- (ii) in sub-rule (a) (2), the words, 'subject to a maximum of 120 days', shall be inserted after the word 'leave' in the penultimate line.
- (iii) in sub- rule (b) the figure and words '1/12th' shall be substituted for '1/11th'.

B- Modification of the Old Leave Rules-Admissibility of Leave on Average Pay

- (2) In Rule 8.69 the words and figures "5/22nds, 2/11th and 1/11th" wherever they occur shall be replaced by "5/24th, 1/6th and 1/12th", respectively.
- (3) In clause (a) Rule 8.73 after the words "plus one-eleventh of the period spent on duty subsequent to that date" the words "up to 30th June, 1959, and one-twelfth of the period spent on duty thereafter" shall be added.
- (4) In clause (b) (i), Rule 8.73 after the words "one-eleventh of the period spent on duty after that date" the words "up to 30th June, 1959, and one-twelfth of the period spent on duty thereafter" shall be added.
- (5) In clause (b) (ii) of Rule 8.73, after the words "four months" the words "or six months in the case of leave 'reparatory to retirement'" shall be inserted.
- (6) In clause (b) (ii) of Rule 8.73, the following shall be added at the end before the provision : up to 30th June,

1959 and 1/12th of the period spent on duty there after."

C—Modification of the Revised Leave Rules:—

- (a) *Earned leave, its admissibility and accumulation,*
- (b) *Grant of extra- study leave.*

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(7) The following shall be substituted for Rule 8.116 of the said rules—

8.116 (1) The earned leave admissible to a Government servant in permanent employ is :—

- (a) 1/24 of the period spent on duty, during the first 10 years of his service,
- (b) 1/18 of the period spent on duty during the next 10 years of his service, and
- (c) 1/12 of the 'period spent on duty thereafter.

Note:— For the purpose of assessing the length of service under this sub-rule break in service caused as a result of retrenchment shall not entail forfeiture of previous. Further-in the case of women Government Servants Taravanis break in service due to resignation as a result of family circumstances of the Government servant concerned shall also be condoned by the re-appointing authority provided the duration of break does not exceed 10 years.

(2) Accumulation of earned leave shall be permissible to any extent but the maximum earned leave that may be granted at a time to a Government servant shall be (a) 120 days if spent in India (b) 240 days, if the entire leave so granted or any portion thereof is spent outside India, Burma, Ceylon, Daman, Deu, Nepal and Pakistan, provided that where earned leave exceeding 120 days is granted under this sub-rule the period of such leave spent in India shall not in the aggregate exceed 120 days :

Provided further that except as provided in the Study Leave Rules contained in Appendix 20 to the Punjab, Civil Services Rules Volume I, Part II, if a Government servant goes on a course of study or research or work which in the Government view increases his competence knowledge of efficiency or adds to the technical knowledge he may be granted earned leave to the extent it is due to him and not limited to 120 to 240 days.

Note: The consent of the Finance Department is not presumed to the grant of such study leave.

(3) Leave preparatory to retirement may be allowed upto 180 days on full pay provided it is due”,

(c) *Earned leave admissible vacation departments.*

(8) The following shall be substituted for clause (b) of Rule 8.117 of the said rules :—

- (b) The earned leave admissible to such Government servant in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of the following periods as the number of days of vacation not taken bears to the full vacation :
 - (i) to a Government servant with 10 years' service or less 15 days
 - (ii) to a Government servant with more than ten years' service but not exceeding 20 years' service 20 days
 - (iii) to a Government servant with over 20 years' service 30 days

If in any year he does not avail himself of the vacation earned leave will be admissible in respect of that year in accordance with the provisions of Rule 8.116".

- (9) In clause (c) of Rule 8.117, the words "or under the exception thereto as the case may be" shall be deleted.

D—Earned Leave, etc., to Government servants not in permanent employee.

- (10) The following shall be substituted for Rule 8.133:-

“8.133. The provisions of rule 8.116 to 8.119 apply at so to a Government servant not In permanent employ, provided that--

- (a) no half pa y leave shall be granted unless the authority competent to sanction leave as reason to believe that the officer will return to duty on its expiry; and
- (b) no leave not due shall be granted.

- (11) Rule 8.134 of the rules shall be deleted.

E—Date of effect

These amendments shall come into force on the 1st July, 1959.

J.S.BASUR
Secretary to Government, Punjab,
Finance Department.

Copy of Punjab Government Circular letter No. 4376. GII-59/27671, dated 28th May, 1959, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments, etc., etc.

Subject :— Revised system of Earned Leave, Holidays Working Hours.

1 INTRODUCTION

1. *The need for revision.* The question of rationalising the system of holidays and working hours at present observed by the Punjab Government and also of the leave enjoyed by Punjab Government servants has been examined at some length. The present system is defective in many ways. The incidence of holidays is eccentric and often disturbs the continuity of work. Possibly because of their eccentric incidence holidays are in fact not always allowed to be treated as such, and miscellaneous work is often required to be done on these days. A system in which neither work nor leisure is undisturbed obviously needs reform so that both are more effective. Leave rules are not realistic in that although leave, both privilege and casual is admissible to Government servants at a liberal scale, it is seldom possible to take it in full actual practice. Government are, therefore, of the view that a reform in the present organisation of work and leisure is necessary so that work is done and leisure enjoyed on a more rational basis. Government are convinced that with a better and more effective organisation of leisure it will be possible for Government servants to work longer and harder, particularly in the cooler months. Harder work from the Government servants is required in the context of the country's present economic struggle and should be well within their capacity if they are given adequate and systematic rest and leisure.

2. *Aims of Revised system.* Government have, therefore, decided to increase working hours during the cooler months so that more work is done, to re-organise holidays so that adequate rest is given and the continuity of work is not disturbed, and to rationalise leave rules so that an official without being entitled to inordinately long periods of absence can, and in fact generally does, take the leave due to him. The object is to introduce a system which combines hard work with real leisure.

II DATE OF COMMENCEMENT

The revised will come into force on the 1st July, 1959

III WORKING HOURS

3. (1) *Hours of work will be :—*
- (a) September 1st to April 30th 9.00 a.m. to 5.30 p.m. with half an hour's break for food
 - (b) May 1st to August 31st 7.00 a.m. to 1.30 p.m.
- (2) *Exceptions :—*
- (a) The High Court have decided that subject to the provision for hill stations at
 - (b) below, District Courts and Subordinate Courts shall observe these hours also except that these Courts shall work in the cooler months from 9.30 a.m. to

4.00 p.m. Offices attached to Courts will however, work from 9.00 a.m. to 5.30 p.m. The decision regarding Courts is experimental for one year to begin with.

- (b) In the hill stations of Shimla, Kasauli, Kandagbat, Dharamsala, Dalhousie, Dagshai, Kulu Sub-Division and Palampur hours of work will be –

March 1st to October 31st .. as at (1)(a) above.

November 1st to the end of February .. 9.30 a.m. to 4.00 p.m.

Offices attached to Courts will work as above and District and Subordinate Courts from 9.30 a.m. to 4.00 p.m. throughout the year.

IV. HOLIDAYS

4. (1) *General Holidays will be as follows:*

All Sundays.

All Saturdays during the period September 1st to April 30th.

Republic Day (January 26th).

Independence Day (August 15th)

Mahatma Gandhi's Birthday (October 2nd)

A midsummer break of three days Thursday to Saturday (inclusive) nearest to June 21st (to be fixed each year by Government-for example for 1960, this will be June 23rd to 25th inclusive)

- (2) *Optional Holidays:—* Six in the year.

As Government will not now be allowing any holiday's on festive and religious occasions, and as Government is nevertheless anxious that each employee should get the fullest opportunity of celebrating and observing such occasions as are important to him a Government servant will be able to take at his option, six holidays in a year. He may, if he so chooses, take two half days off work instead of an entire day. No particular days for this purpose will be prescribed and he will be able to take off any six days he likes. He should normally not be refused permission to take these days nor questioned about his choice unless there are circumstances of urgency or crisis which require some adjustment. For each Government servant an account of such holidays similar to his casual leave account will be maintained.

In the half year, July 1 to December 31, 1959, four such optional holidays will be permitted.

5. *Courts:—* The High Court has decided that as an experimental measure for an year to begin with, these holidays will also be observed by Courts and optional holidays will likewise be given to the officials working in the Courts and Offices attached to them.

6. *Notifying Holidays :—* (1) The notification issued by Government declaring the holidays to be observed by Government for the second half to 1959, is at Enclosure I. A notification for Courts is being issued by the High Court containing an identical list of holidays.

- (2) This list of holidays does no effect the list of holidays which are observed by banking and commercial institutions and which are notified under the Negotiable Instruments Act.

V. EARNED LEAVE

7. (1) *Scale.* Earned leave will be admissible as follows:
- | | |
|---|----------------------|
| To employees with ten years service or less.
spent on duty. | 1/24th of the period |
| To employees with above ten and upto twenty years service.
spent on duty | 1/18th of the period |
| To employees with over twenty years service.
spent on duty. | 1/12th of the period |
- (2) *Assessing length of service* :— For purposes of deciding the leave due to any employee, under the above slab system, length of service shall be determined as follows :
- (a) Generally length of service will be counted from the date of appointment of the employee in continuous service ; but
 - (b) Where an employee has been retrenched from a previous job in the Punjab Government and then again appointed continuously his period of service in the previous job shall be considered in determining the slab of leave to which he is entitled. For example, X has worked for 3 years as an assistant in the Rehabilitation Department, been retrenched, and after a gap of two years been appointed continuously for seven years in the Excise Department. He will be considered to have 10 years service for purposes of calculating the leave due to him.
 - (c) In the case of women if an employee resigned a previous job on grounds of having to look after her children, and is then appointed again, any service rendered before resignation shall be included in determining her "length of Service. "
- (3) *Contingent paid and allied Employees* :— No leave will be admissible to temporary establishment paid from contingencies on contingent bills. Such establishment may, as hitherto be allowed extraordinary leave under Rule 8.137 of the Punjab C.S.R. Volume I, Part 1.
8. Accumulation of earned leave will be permitted to any extent but the leave actually given at a time will be subject to the following limits:
- (i) India120 days
 - (ii) Abroad240 days
 - (iii) Where an official goes on leave preparatory to retirement, whether in India or abroad180 days
- Provided that the limit of refused leave preparatory to retirement allowed to an employee by way of extension in service shall be limited to120 days
- (iv) If an official goes on a course of studies or research or work which in the view of the Government in the Administrative Department in consultation with Finance Department, increases his competence, knowledge or efficiency or adds to technical knowledge.

9. *Notification* :—A copy of the notification No. 3691-FRII-59/5176, dated Chandigarh the 26th May, 1959 amending rules 8.21, 8.116, 8.117 (b), 8.117 (c), 8.134, 8.13, 8.69, 8.73 is at Enclosure 2 [These are the main rules affected. Some minor amendments in some other rules of comparatively rare applicability e.g. rules 8.92, 8.97, 8.129 etc.] will also be necessary and will be notified in due course.

10. *Other Leave*. — The existing rules regulating other kinds of leave i.e.-leave on half average pay [rule 8.73 Punjab C.S.R. Vol. I, Part I, leave on half average pay (rule 8.119) leave on medical grounds Special Disability Leave rules 8.82 and 8.124] Study Leave (rule 8.85 and 8.126) read with appendix 20 of Punjab C.S.R. [Vol. 1. Part II] and Maternity and Hospital leave (rules 8.127 and 8.128) will stand as they are and no change in them is contemplated.

11. *Leave accumulated prior to New System* : —As the revised system will be brought into force from the 1st July, 1959 the leave accumulated upto the 30th June, 1959 at the existing scale will not lapse but will be counted. From the 1st July, 1959 onwards the earned leave will be counted and added at the new scale given above. In adding earned leave accumulated up to 30th June, 1959 fractions will be resolved into whole numbers. Half a day or more will be counted as a full day and less than half a day will be ignored.

12. *Exception*: — These leave rules will be applicable to all Government servants, leave is regulated by the Punjab Government whether they were appointed before the issue of these instructions or are appointed afterwards with the following exceptions;

- (i) *Member of the Punjab Public Service Commission* : - Holding office prior to the issue of these instructions and the enclosed amendments will continue to be governed by the leave rules applicable to them at the time of their appointment. Members of the commission appointed after the issue of these instructions will however be governed by the new leave rules contained in this letter.
- (ii) *Members of the ex-Secretary of State Services and of All-India Services*.: - The Punjab Government is not competent to amend rules regulating their leave.
- (iii) Employees appointed on contract will be governed by the terms of their contract. In future contracts terms of leave should conform to the revised scale.
- (iv) *Employees in a Vacation Department*. :—To whom the existing rules 8.74 and 8.117 of C.S.R. Vol. Part I apply will not be entitled to any earned leave except at the scale and in the manner provided for in these rules. These rules have also been amended to provide for leave at the revised scale to those who are prevented from availing of the vacation. The notification amending these rules is at Enclosure 2.

VI. CASUALLEAVE

13. (1) *Scale*. Casual leave will be admissible as follows:

- (i) To employees with 10 years service or less-10 days.
- (ii) To employees with more than 10 years service but less than 20 years service-15 days.
- (iii) To employees with over 20 years service-20 days.

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(2) *How calculated* :— From the date on which an employee completes his 10th or 20th year of service as the case may be he will be given leave in that year according to the next higher scale. Thus if an employee completes 10 years service on the 30th April 1960 he will be entitled to 15 days casual leave for the entire year 1970. Length of service will be assessed as at paragraph 7(2).

(3) *Accounting of casual Leave* :—The casual leave account will be maintained annually from the 1st of January to 31st of December. All casual leave accounts will be closed on the 31st December and new accounts opened on the 1st of January, following, irrespective of the fact that an official takes a spell of casual leave which includes the last few days of December, and the first few days of January. Thus if an official takes leave from the 26th December, 1959 to 5th January, 1960, the period 26th December to 31st December will be debited to his leave account for the year 1959 and the period 1st January to the 5th January, 1960, will be debited to his leave account for the year 1960.

(4) *Arrangement for half year of 1959* :— As casual leave is not accumulated and as the revised scales will come into force from the 1st July, 1959, i.e., in the middle of the year, leave admissible to an employee during 1959 will be calculated as follows :—

Ten days (i.e., half of the leave due for the half year from 1st January to 30th June, 1959), plus half the leave that would be due to him in a year according to the revised scale. Thus an official with ten year's service or less will be entitled to a maximum of ten days plus five days, i.e., fifteen days, and an official with above 10 and up to 20 years service to 10 plus 7 1/2, i.e. 17 1/2 days leave during the year 1959. Those who have already availed of some leave will be given the balance which would be calculated according to the maximum limits arrived at in this manner.

However, as the new rules are being introduced in mid year and without long notice, and as some employees may already have exhausted their leave as calculated in this manner, it has been decided as a matter of grace, to allow during the half year beginning 1st July, 1959 ; a maximum of 3 days casual leave to those who have exhausted their casual leave (whether according to the revised calculations or according to the old scale) and to those who according to the revised calculations will have less than 3 days leave due to them.

(5) *Length of Leave and Combination of leave* :— In taking casual leave, within the limits admissible above, an employee may remain continuously absent from duty for a maximum of 16 days. In this spell he will be permitted to include holidays which will not be debited to his casual leave account. The total spell, however, should in no case exceed 16 days. The balance of the casual leave can be taken in dribblets. It may be emphasised that it is desirable, but not compulsory for Government servants to take such a spell. Where a Government servant desires to take such a spell, permission should not ordinarily be refused although of course the competent authority may adjust the dates on which the spell is taken for administrative convenience.

Casual leave may, at the option of the sanctioning authority, be combined with optional holidays provided that the limit of a continuous absence of 16 days is not exceeded. Casual leave should not, except in hard circumstances to be determined by the sanctioning authority, be combined with the midsummer break.

(6) *Caution* :— Heads of Departments and Heads of Offices should ensure generally that the issue of these instructions does not lead to a general tendency on the part of their employees to take all the casual leave due before the 30th June, 1959. Casual leave up to the 30th June, 1959,

should, therefore, be sanctioned with care.

VII. CONCLUSION

14. (1) *Net effect of New System:*— The following chart shows the comparative position under the existing and revised systems :

Items	Existing Position		Revised System	
			Days	
(a) Earned Leave	..33 days	Up to 10 years' Service	..15	
		11-20 years' Service	..20	Average 22
		Above 20 years' Service	..30	
(b) Casual Leave	..20 days	Up to 10 years' Service	..10	
		11-20 years' Service	..15	Average 15
		Above 20 years' Service	..20	
		(1) Sundays	..52	
(c) Public Holidays -	(1) Sunday 52	(2) Saturdays (during 8 cooler months)	..34	
	(2) Last Saturday 12	(3) National days (Republic Day Independence and Gandhi's Birthday)	..3	92
	(3) Religious and National Holidays 30	(4) Midsummer Holidays	..3	
	(4) Local Holidays 3			
(d) Optional Holidays for religious, National and festival occasion			.6	
(e) Total No. of off days	150	..135		
(f) Total No. of working days	215	..230		
(g) <i>working Hours</i>				
4 Summer months from 7 a.m. to 1.30 p.m.	4 Summer months 7 a.m. to 1.30 p.m.	6½ hrs. net		
8 Cooler months from 10 a.m. to 5.00 p.m. with half an hour lunch interval, i.e. 6½ hours net throughout the year.	8 cooler months 9 a.m. to 1.30 p.m. with half an hour lunch interval	8 hrs.net		
(h) Total No. of working hours per year	1,398	1,709		

Guidance Regarding Emphasis: - It is hoped that the new system will result in better and more work and better and more leisure. Officers at all levels are requested to conduct their activities in the spirit of new system¹ and 'in particular to respect the sanctity of holidays'. The emphasis should

not be to task or permit employees to work on holidays or to work outside office hours except in emergency or crises. Exceptions will of course have to be made in the case of specialised types of institutions and work such as those which deal with emergencies nursing in hospitals etc. but barring these special cases the success of the new system will depend substantially on its strict observance. It is also the intention of Government that at all levels leaves apply, for particularly earned leave, should be considered favorably, unless there are special circumstances which do not permit this.

ENCLOSURE-I

HOME DEPARTMENT

(GAZETTE)

Notification

Holidays

The 28th May, 1959

No. 4376-GII-5912777- In partial modification of notification No. 6784-GII-58/34912, dated the 19th November, 1958, it is hereby notified that the holidays enumerated in the annexed schedule shall be observed as holidays in public offices under the State Government during the second half of the year, 1959 i.e. 1st July, 1959 to 31st December, 1959.

In addition, all Government servants will be entitled to 4 optional holidays to celebrate festive or religious occasions according to their choice. A Government servant may at his discretion take two half holidays instead of a complete holiday.

This notification does not apply to holidays to be observed by the High Court and Civil Courts, subordinate there to or to Government servants in educational and industrial institutions which are governed by special instructions.

SCHEDULE

List of closed holidays for the second half of the year 1959

Name of Holiday	Date on which they fall	Saka era 1880-81	Day or days of the week	Number of Holidays
All Saturdays after 1st September, 1959	..		..	17
All Sundays	..		..	26
Independence Day	15th August	24th Sravan	Saturday	1
Mahatma Gandhi's Birthday	2nd October	10th Asvin	Friday	1

Subject :- Transmission of cases to the Chief Secretary for advice.

It has been observed that there is a tendency in some Departments to refer cases to the Chief Secretary for advice without first, examining the issues involved fully on their own side. Sometimes cases which are quite clear and straight and should be decided by the Administrative Departments concerned, are also referred to the Chief Secretary, quite often, the issues on which advice is sought are not even made specific which necessitates the detailed examination of departmental cases on the Chief Secretary's side resulting unavoidable delay because, after examination in the Chief Secretary's Organisation, back reference have to be made to the departments concerned for further information on several essential points. The Administrative Secretaries are accordingly requested to ensure before any cases are sent to the Chief Secretary for advice that they are properly examined in the departments bringing out clearly specific points on which the Chief Secretary's advice is needed. Consequently, it is also necessary that reference are made to the Chief Secretary for advice through the Administrative Secretaries and not direct by office subordinate to them.

Sd/-

Officer on Special Duty (Gazette)
for Chief Secretary to Government, Haryana

To

All Administrative Secretaries to Government, Punjab.

U.O.No.4730-GI-59,

Dated, Chandigarh, the 25th August, 1959.

A copy forwarded to the Financial Commissioner Revenue/Department, Punjab, for information and necessary action.

Sd/-

Officer on Special Duty (Gazette)
for Chief Secretary to Government, Haryana

To

The Financial Commissioner, Revenue/Development Punjab.

U.O.No.4730-GI-59,

Dated, Chandigarh, the 25th August, 1959.

Copy of Punjab Government circular letter No. 9091-GII-59/19233, dated the 27th October, 1959, from Shri E.N. Mangat Rai, I.C.S. Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

Subject:— Grant of casual leave to Government employees.

In continuation of Punjab Government letter No. 4376-GII-59/2767, dated the 28th May, 1959, on the subject noted above, I am directed to say that the question of the number of spells of casual leave which should be allowed to a Government servant during a calendar year and their duration has been under consideration of Government. It has been decided that there should be no restriction in regard to the duration and number of spells. Henceforth, it would be within the competence of the sanctioning authorities to sanction any amount of casual leave without any limit if spells, within the amount of casual leave admissible subject to the condition that one spell at a time will not exceed 16 days as already provided in sub-para (5) of para 13 of Punjab Government letter referred to above.

Copy of Punjab Government Circular letter No. 10343-GII-59/211 50, dated the 16th December, 1959 from the Chief Secretary to Government Punjab, addressed to all Heads of Departments etc., etc.

Subject:— Casual leave.

With the introduction of the revised system of Earned Leave, Holidays and Working hours with effect from the 1st July, 1959, some doubts have arisen and certain departments have sought clarifications as to how the amount of casual leave admissible to an employee, who has less than two years service is to be calculated in the presence of the instructions contained in paragraph 20 of the Secretariat Instructions. The whole matter has been considered at length and it has been decided not to impose any further restrictions in this behalf because the amount of casual leave has already been reduced considerably. In future no discrimination will thus be made in the case of those who have less than two years service and all employees having less than 10 years service will be entitled to 10 days casual leave in a year as laid down in the policy No. 4376-GII-59/2767, dated the 28th May, 1959.

2. Paragraph 20 of the Secretariat Instructions is being amended suitably so as to bring it in line with the instructions issued with the above-mention letter.

Copy of letter No. 10711-GII-59/24455, dated the 30th November, 1959, from the Chief Secretary to Government, Punjab, Chandigarh, to all Heads of Departments etc., etc.

I am directed to address you on the subject noted above and to say that according to the instructions contained in Punjab Government circular letter No. 684-GII-58/13153, dated the 14th/20th February 1958, special casual leave not exceeding 30 days in one calendar year can be granted to Government Servants who are sportsmen and take part in sporting events, tournaments and matches of national or international importance held either in India or abroad. The question of extending this concession to employees who participate in inter-district matches and in preliminary tests for selection to Punjab teams for inter-State, i.e., An India Sports events has been engaging the attention of Government for some-times past. After careful consideration, it has been decided that in principle there should be no objection to giving the special casual leave to such employees, but each case should be dealt with on its merits by the authorities competent to grant leave, keeping in view the type of tournament etc.

Copy of Punjab Government Circular letter No. 2202-GII-60/8429, dated the 24th March, 1960, from the Chief Secretary to Government, Punjab addressed to all Heads of Departments etc., etc.

Subject :— **Grant of special casual leave to Government servants who undergo sterilization operation under the “Family Planning Scheme”.**

I am directed to address you on the subject noted above and to say that the State Government have had under consideration the question of grant of special casual leave to their employees who undergo sterilization operation under the Family Planning Scheme. To enable Government servants to undergo this operation and to take some rest which is considered necessary immediately after the operation, it has been decided to grant special casual leave not exceeding six working days to such Government servants.

2. These orders will come into force from the date of issue.
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Copy of Circular letter No. 1929-G-II-60/12089, dated the 14th April, 1960, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :— Assessing of length of service or calculating earned leave/casual leave under the revised system.

I am directed to invite a reference to sub-para 7(2) of Punjab Government Circular letter No. 4376-GII-59/2767, dated the 28th May, 1959, on this subject and to inform you that a clarification has been sought from Government as to whether the service rendered by an employee under the Government of India or another State Government or in a semi- Government body period to his joining service under the Punjab Government will count for assessing length of service for calculating earned leave/casual leave under the revised system of earned leave, holidays and working hours. After careful consideration it has been decided that such service should not be taken into account for the aforesaid purpose. However, once a person has joined the Punjab Government service, his service, if any on deputation with the Central Government or other organisation such as Corporation, Municipalities etc. will count for the purpose of determining the extent of casual leave, Privilege Leave due.

2. I am accordingly to request you to settle all such cases in the light of the decision contained in the preceding para.

Copy of letter No. 7365-GS-60/30449, dated the 29th August, 1960 from Additional Chief Secretary to Government, Punjab to all Heads of Departments of Punjab etc., etc.

Subject:— Revised system of Earned leave, Holidays and Working hours.

I am directed to invite reference to Punjab Government letter No. 10343-GII-59/24150, dated the 16th December, 1959 with which the discrimination that existed previously in regard to the grant of casual leave to Government Servants having less than two years service was eliminated. Such employees are now entitled to the same amount of Casual Leave as is admissible to employees having less than 10 years. A clarification has now been sought as to how much casual leave is to be allowed to employees who are appointed purely on temporary basis for a period not exceeding three months, or for a period not exceeding six months against regular vacancies, during the course of the year. After careful consideration, it has been decided that no restrictions should be imposed even in the case of such employees. They may be granted casual leave in full, provided they are in dire need of it and Government work is not allowed to suffer.

2. The same procedure will also be followed in regard to the grant of Optional Holidays.

3. It is requested that the receipt of this letter should be acknowledged and these instructions be brought to the notice of all concerned for strict compliance in future.

Copy of Circular letter No. 11981-GS-60/37758, dated the 26th October, 1960 from the Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :— Assessing the length of service or calculating earned leave/casual leave under the revised system.

I am directed to invite a reference to the Punjab Government letter No. 1929-GII-60/12689, dated the 14th April, 1960, on this subject and to say that a question has arisen whether the instructions contained therein apply to employees who come to the Punjab Government for a short period of service but continue to hold lien on their substantive posts under the Central or the other State Governments and have the right to return to them. In this connection, I am to inform you that the instructions contained in the letter under reference are only meant to cover persons entering the Punjab Government service as employees, who may have worked earlier for the Central or other State Governments, but who, after joining the Punjab Government, have no connection with their parent offices. I am further to clarify that the employees who are permanent and continue to hold liens or the right to return to Central or other State Governments or are allotted to any service cadre of the Punjab State after rendering service under the Central Government or other State Government, shall carry the rights of the previous service to the extent recognized in their parent offices, in assessing the length of service for calculating earned leave, casual leave under the revised system.

Copy of letter No. 13083-5GS-60/39681, dated the 31st October, 1960, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject:— Revised System of earned leave, holidays and working hours.

I am directed to invite a reference to paragraphs 7 and 13 of the Punjab Government letter No. 4376-GII-5912769, dated the 2nd May, 1959, on the above subject and to say that a doubt has arisen whether the previous service of a re-employed pension is to be taken into account for calculating the amount of earned leave/ casual leave admissible to him under the revised Leave System. The matter has been considered and it has been decided that the previous service of officers/officials re-employed after superannuation, shall be taken into account for assessing the length of service for determining the amount of casual leave only due to them. As regards earned leave, they shall be treated as temporary Government servants and their length of service for this purpose shall count from the date of their re-employment.

Copy of Punjab Government Circular letter No. 3321-GS-611/4042, dated 19th April, 1961 from the Chief Secretary to Government Punjab, to all Heads of Departments etc., etc.

Subject :- Purchase of articles from subordinates-Instructions regarding.

I am directed to inform you that an instance has come to the notice of Government where an officer of the Revenue Department purchased a cow from a Patwari who was working under him. Subsequently a complaint was received that the officer has accepted the cow by way of illegal gratification. Although on investigation, it was revealed that he had actually purchased it, it could not be proved whether or not the bargain was really a genuine one. With a view to check such transactions between the officers and their subordinates which give rise to chances of misunderstanding in the minds of the general public, it has been decided by Government that officers should not as a matter of principle buy from their subordinates any articles or thing even though at the market price, particularly cows, buffaloes, food grains, etc. It will be in their own interest to buy such articles or things direct from the market or through other proper sources. I am to request you that these instructions should be brought to the notice of all Government servants for strict compliance.

2. The receipt of this letter may please be acknowledged.

**Copy of Circular letter No. 8372-4G8-61132040, dated the 7th September, 1961, from
Shri E.N. Mangat Rai, I.C.S., Chief Secretary to Government, Punjab,
addressed to all Heads of Departments etc., etc.**

Subject :— Grant of special casual leave to internal agents, appointed under the Small Savings Scheme.

I am directed to address you on the subject noted above and to say that the question of treating the period of absence of Government Servants working as internal Agents under the Small Savings Scheme when required to attend Shivirs organised by the Department, has been carefully considered by the Government. It has been decided that such period of absence which should not exceed 3 days in a year might be treated as special casual leave.

2. These orders will come into force from the current year, i.e. from the 1st January, 1961.

Copy of Punjab Government Circular letter No.10893-4GS-61/37545, dated the 20th October, 1961, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :— Grant of special casual leave to Government Servants for attending annual general meetings of their recognised associations and meeting with the Government representatives or the Head of Department.

I am directed to address you on the subject noted above and to say that the question as to whether the office bearers of recognised Service Association should be given some kind of special casual leave to enable them to participate in the activities of the Associations has been engaging the attention of Government for sometime past. After careful consideration of the whole matter, it has been decided that casual leave upto a maximum of ten days in a calendar year may be allowed to office bearers of the recognised Service Associations for participating in executive meetings, conferences and other activities of their respective Associations subject, however, to the condition that half of the leave enjoyed in this manner will be debited to the ordinary casual leave account of the official concerned and the remaining half to this special casual leave account for the aforesaid purpose. The maximum number of special casual leave allowed in this matter shall, therefore be five days in a year.

2. These instructions may be brought to the notice of all concerned for information and guidance.
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Copy of Punjab Government Circular letter No. 3446-8GS-6219556, dated the 26th March, 1962, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :— Grant of special casual leave to Government Servants for attending annual general meetings of their recognised associations and meeting with the Government representatives or the Head of Department.

I am directed to invite a reference to the instructions contained in Punjab Government letter No. 1089 3-4GS-61/ 37545, dated the 20th October, 1961, according to which the concession of grant of special casual leave upto a maximum of ten days in a calendar year has been allowed to office bearers of the recognised Service Associations for participating in executive meetings, conferences and other activities of their respective Associations subject to the condition that half of the leave enjoyed in this manner will be debited to the ordinary casual leave account of the official concerned and the remaining half to his special casual leave account for the aforesaid purpose. The maximum number of special casual leave allowed in this manner is to be five days in a year. I am to inform you that Government after careful consideration have decided to extend this facility of grant of special casual leave to the office bearers of the recognised associations/trade unions formed by the employees of the Government undertakings in the manner laid down above.

2. These instructions may kindly be brought to the notice of all concerned for information and guidance. The receipt of this communication may be acknowledged.

Copy of Punjab Government Circular letter No. 2703-3GS-62/9950, dated 29th March, 1962 from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject:— Refusal of Leave Preparatory to Retirement under Rule 8.21 of C.S.R., Volume I, Part I.

I am directed to invite a reference to Punjab Government letter No. 5818-GII-58/33 161, dated the 13th November, 1958, on the subject noted above, wherein it was emphasised that all cases of refusal of Leave Preparatory to Retirement should be sent to the Chief Secretary to Government, Punjab well in time. A question has arisen whether as a result of the amendment of Note 4 under clause (d) of Rule 3.26 of [C.S.R, Volume I, Part I, contained in the Finance Department Notification No. 9750-1 (5)-FRII-61/13524, dated the 28th October, 1961 according to which the period of refused Leave Preparatory to Retirement will not reckon as automatic extension in service, it is still necessary to send such cases to him. In this connection, I am to clarify that all these cases should continue to be routed through the Chief Secretary to Government, Punjab (in the General Services Branch) for the sake of uniformity of action.

2. The receipt of this letter may kindly be acknowledged.

Copy of letter No.11083-8GS-62/26744, dated the 7th August, 1962, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject:— Grant of special casual leave to Government servants who undergo sterilization operation under the “Family Planning Scheme”.

I am directed to invite a reference to the instructions contained in Punjab Government Circular letter No. 2202-GII-60/8429, dated the 24th March, 1960 and No. 3231-8GS-6217571, dated the 7th March, 1962, on the subject noted above. Government have further decided that special leave should be granted on satisfying that operation will be performed on the same or the next day of the commencement of leave.

2. These instructions may kindly be brought to the notice of all Government Servants under your control. The receipt of this communication may also be acknowledged.

Copy of Circular letter No. 2393-8GS-62/11431, dated the 9th April, 1962, from Shri E.N. Mangat Rai, I.C.S., Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject :—Grant of special casual leave to sportsmen.

I am directed to address you on the subject noted above and to say that according to the instructions contained in Punjab Government 3 Circular letter No. 684-GII-58/13153, dated the 14th/20th February 1958, special casual leave for a period not exceeding 30 days in a calendar year can be granted to Government Servants who are sportsmen and take part in sporting events, tournaments and matches of national or international importance held either in India or abroad. Vide Punjab Government letter No. 1 0711-GII-59/2445 5, dated the 30th November, 1959, this concession has also been extended to the employees who participated in inter-district matches and in preliminary tests for selection to Punjab teams for inter- State, i.e., All India Sports events. The question of extending this concession to such temporary Government servants, as are employed on six/three months basis, has been engaging the attention of Government for sometime past. I am to inform you that after careful consideration, it has been decided that special casual leave to the extent of 15 days to Government servants employed on six months basis and 7 days to those employed on three months basis may be granted; but each case should be dealt with on its merits by the authorities competent to grant leave, keeping in view the type of sporting event tournament, etc.

2. These instructions may kindly be brought to the notice of all concerned for information and guidance and the receipt of this communication be acknowledged.

Copy of Circular letter No. 14939-8GS-62/39028, dated the 14th November, 1962 from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject:— Revised system of Earned Leave, Holidays and working hours.

I am directed to refer to para 7.2(b) of Punjab Government letter No. 4376-GII-59/2767, dated the 28th May, 1959, on this subject noted above and to clarify that for the purpose of deciding the title of leave to erstwhile Pepsu employees, the service rendered by them, in the erstwhile Pepsu State shall also be taken in account, This clarifications shall be deemed to have taken effect, from the 28th May, 1959, the date on which these instructions were originally issued. This may please be brought to the notice of all concerned for information and guidance and its receipt may be acknowledged.

Copy of letter No. 1417-3GS-63/4884, dated the 13th February, 1963 from Sardar Gian Singh Kahlon, I.C.S., Chief Secretary to Government, Punjab to all Heads of Departments in the State.

Subject :— Refusal of leave preparatory to retirement under rule 8.21 of Civil Service Rules, Volume I, Part I.

I am directed to invite a reference to Punjab Government letter No.5 818-G- II -58/33121, dated the 13th November, 1958, on the subject noted above, in which it was brought to your notice that cases regarding the refusal of leave preparatory to retirement generally come to the Chief Secretary (in the General Services Branch) at the eleventh hour and as such, it becomes difficult to scrutinise them with due care. You were also requested to bring the necessary instructions to the notice of all Government servants, asking them to submit applications for leave Preparatory to Retirement at least three months before the date from which they propose to proceed on leave. It was provided in para 3 of the said instructions that having received such applications three months before the crucial date it should be possible for the departments to forward cases in which they wanted leave to be refused, to the Chief Secretary two months before the due date.

2. Again, in Punjab Government letter No. 4458-0-11-5918957, dated the 25th July, 1959, you were requested to prepare quarterly statements of all retiring officers/officials at least six months before the commencement of the quarter to which these might relate, viz, the statement in respect of Government servants due to retire during the quarter, July-Sept, 1962 should be prepared by the 15th October, 1962. It was further desired that the appointing authority should keep a watch on the progress of the case of each retiree to ensure that the question of appointing his substitute was settled well in advance of the date of his retirement or the date of his proceeding on leave preparatory to retirement, as the case might be. The statements in respect of Government servants whose substitutes are to be appointed by Government are to be submitted to the Administrative Department concerned within a week of the dates specified above for similar necessary action at their end.

3. Government observe with regret that the departments are getting indifferent to the Government instructions mentioned in para 1 and 2 above regarding the timely submission of cases in which the leave preparatory to retirement has to be refused and also in findings substitutes for the retiring officers/ officials in time. At times cases are received from the Administrative Departments when about half the period of leave preparatory to retirement is already over and in certain cases the proposals are received only at the end of the time limit and as such, the Government is forced to agree to the proposal.

4. Government has reconsidered the whole problem and it has been decided that in future each officer/official due to retirement should as a normal rule, intimate in writing his intention with regard to leave preparatory to retirement to his Head of the Department with an advance copy to the Administrative Department concerned or any other department under whom he shall be serving at that time, three months before the date in which he proposes to proceed on leave three months from the date from which ordinarily the leave preparatory to retirement will commence in his case. The department concerned may send to the Chief Secretary its views within a month from the date receipt of the leave application any period of lapse will be deducted from the amount of leave due. For instance if an officer applies only a month before hand instead of three months, he will be given only two months leave preparatory to retirement instead of four months applied for by him. In case the department fails to forward the leave applications within the stipulated period of one month, it would be presumed that they do not

want leave to be refused and any request made after the expiry of one month will not be considered. In regard to officers who do not intend taking leave preparatory to retirement, the case for replacement should invariably be put up two months before the date of retirement

5. I am to request that the procedure laid down in para 4 above should be strictly complied with and Government instructions dated the 25th July, 1950 mentioned in para 2 above rigidly followed by all concerned. These instructions will not apply to All India Service Officers.

6. These instructions will come into operation from the date of issue.

7. The receipt of this letter may kindly be acknowledged and the instructions brought to the notice of all officers officials under you.

Copy of letter No. 1952-8GS-63/6924, dated the 21st February, 1963, from the Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc;

Subject :— Coaching or Training Courses attended by the Punjab Government employees at the National Institute of Sports Patiala- Treatment of the period of their absence from duty for the purpose.

I am directed to invite your attention to Punjab Government letter No. 2393-8G8-62111431, dated the 9th April, 1962, and to say that the concession of 30 days casual leave allowed under these instructions, to Government employees who are sportsmen will also be admissible to sportsmen who are sponsored by the State Government for coaching 'or training in the National Institute of Sports, Patiala.

2. The receipt of this letter may be acknowledged.

Copy of letter No. 2152-8GS-63/7043, dated the 25th February, 1963, from the Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab, to all Heads of Departments etc., etc.

Subject :— Grant of special casual leave to sportsmen.

In continuation of Punjab Government letter No. 2393-8G8-62/11431, dated the 9th April, 1962, on the subject noted above, I am directed to enclose a copy of Government of India, Ministry of Home Affairs Office memo No. 46/13/54-Ests. (A), dated the 3rd December, 1956, on the above subject. I am to say that it has been decided by Government to extend the concession of 30 days special casual leave envisaged in Punjab Government letter No. 684-GII-58/13153, dated the 14th/20th February, 1958, to those Government employees also whose services are utilised in any of the Organisations mentioned in the sub-para 3(b)(i) of Government of India, Ministry of Home Affairs, Office Memo No. 46/17/50-Ests., dated 5th March, 1954 forming an enclosure of Punjab Government letter, dated the 14th/26th February, 1958, referred to above, or by a State, Zone or Circle in connection with the coaching or administration of the teams participating in sporting events of national or inter-national importance.

2. The instructions will come into operation from the date of issue and past cases which have already been decided will not be reopened.
3. A complete and up-to-date list of National Sports Federation Associations recognised by the All India Council of Sports will be circulated in the due course.
4. The receipt of this communication may be acknowledged.

Copy of Circular letter No. 1730-8GS-63/2044, dated the 25th February, 1963 from the Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject:— Combination of casual leave with autumn/winter/spring recess under the revised system of earned leave Holidays and working hours.

I am directed to refer to para (5) of Part VI of Punjab Government letter No. 4376-GII-59/2767, dated the 28th May, 1959, on the subject noted above and to say that a question has arisen as to whether casual leave can be combined with autumn/winter or spring recess enjoyed by Government employees in the vacations Departments. It has been decided that casual leave should not, except in hard circumstances to be determined by the sanctioning authority, be combined with autumn/winter spring recess and that such combination should not in any case be allowed to exceed the spell of 16 days admissible under the rules.

2. These instructions may kindly be brought to the notice of all concerned for information and guidance. The receipt of this communication may please be acknowledged.

Copy of Circular letter No. 3741-8GS/9352, dated the 19th March, 1963 from Shri Saroop Krishan ICS, Financial Commissioner, Planning and Additional Chief Secretary to Government, Punjab addressed to all Heads of Departments etc., etc.

Subject: - Revised system of Earned Leave, Holidays and working hours.

In continuation of Punjab Government letter No. 7365-GS-60/30440, dated the 29th August, 1960 on the subject noted above, I am directed to clarify that in the matter of earned leave temporary employees whether appointed for a period of less than six months or more will unless there are specific conditions in the terms of their appointment to the contrary, be governed by leave rules applicable to temporary employees as contained in Part C of Section III of Chapter VIII of the Punjab Civil Services Rule, Volume I, Part I.

2. These instructions are brought to the notice of all concerned for guidance. The receipt of this communication may also be acknowledged.

Copy Circular letter No. 1466-9GS-64/10394, dated the 28th March, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :— Leave to Scheduled Caste and Scheduled Tribes Government employees attending the Pre-examination training centre for L.A-S. etc., examination at Allahabad and Bangalore.

I am directed to say that it has been decided by the Government that Scheduled Castes and Scheduled Tribes Government employees selected for training at the Pre-examination Training Centres for L.A.S. etc. examination at Allahabad or Bangalore may be (granted leave earned leave) etc. as may be due to them under the normal rules, including extra-ordinary leave. Individual cases in which leave due, including extra-ordinary leave, is not sufficient to cover the period of training will, however, be considered by the Government for relaxation of the limit of extraordinary leave up to the period of leave required for training.

2. These instructions are being issued with the concurrence of the Finance Department contained in their D.O. advice No. 1339 (5)-FRII-64, dated the 6th March, 1964.

3. They will come into force from the date of issue.

4. These may kindly be brought to the notice of all concerned for information and guidance and the receipt of this communication may be acknowledged.

Copy of Punjab Government Circular letter No. 2295-9GS(II)-64/13SS1, dated the 27th April, 1964, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :— Grant of leave to Civil employees who are wives of Defence Services Personnel.

I am directed to say that this Government have had under consideration the question of providing suitable concessions to ladies in Government employ whose husbands are serving in the Defence Forces and as such have to remain in non-family stations for long periods. It has been felt that the families of such Defence Services personnel have to undergo quite a lot of extra expense on account of having to run two establishments and to suffer considerably long periods of separation in the circumstances. The wives who may have Undertaken temporary Government employment cannot, however, under the existing rules, be granted leave for any longish periods while the husbands may be posted to family stations.

In order, therefore, to alleviate hardship in such cases, it has been decided that in relaxation of any rules to the contrary the wives may be granted extra-ordinary leave for the period during which their husbands are posted to family stations, and that the wives should be entitled to rejoin their Civil Government posts on the expiry of the period of their husband's posting to family stations.

2. These instructions are issued with the concurrence of the Finance Department-Vide their D.O. advise No. 3435-FRII-64, dated the 14th April, 1964.

3. You are requested to note these instructions and to bring them to the notice of all concerned, for information and necessary action.

Copy of Circular letter No. 7899-9 GS-(II) 64/38646, dated the 8th December, 1964 from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

I am directed to refer you to the instructions contained in Punjab Government letter No. 1929-GII-60/12089, dated the 14th April, 1960 and No. 1198 I-GS-60/37758, dated the 26th October, 1960, on the subject noted above and to say that it has been decided in modification of these instructions that the service rendered by an employee under the Government of India or another State Government prior to his joining service under the Punjab Government, will count for the purposes of calculating earned/casual leave under the revised system of Earned Leave. Holidays and Working hours subject to the condition that the previous service with the Government of India or any other State of the Union has been considered as continuous for the purposes of pension.

2. These instructions may kindly be brought to the notice of all concerned and the receipt of this communication may be acknowledged.

3. This issues with the concurrence of the Finance Department. vide their U.O advice NO. 11874-FR II H-M, dated the 20th November, 1964.

Copy of Circular letter No. 4295-4GS (11)-65/27841, dated the 9th August, 1965, from the Chief Secretary to Government, Punjab, addressed to all Heads of Departments etc., etc.

Subject:— Procedure for accounting for short leave.

I am directed to address you on the subject noted above and to say that in the absence of any specific instructions regarding accounting for short leave which may range from half an hour to more than 2 or 3 hours, different procedures are being adopted in the Government offices in the State. In order to maintain uniformity in all the departments of Government it has been decided that in future the following procedure should be adopted in all the departments of Punjab Government :—

- (1) Short leave for two hours or less should be treated as one third day's casual leave.
- (2) Short leave for more than two hours should be considered as half day's casual leave, up to three and a half hours and as full day's casual leave if it exceeds three and a half hours.
- (3) The account of short leave should be adjusted in the casual leave account maintained in the Branch/Office.

2. These instructions may be brought to the notice of all concerned for information and guidance and the receipt of this letter may please be acknowledged.

Copy of letter No. 8644-GSII-765/35042, dated 22nd October, 1965 from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject :— Penalty for late attendance procedure regarding.

Sir,

I am directed to invite a reference to the instructions contained in the Punjab Government circular letter No. 3206-G-II-56/54252, dated the 18th July, 1958, according to which one day's casual leave is to be forfeited for every three days late attendance provided the official is not late for more than 2 hours on each occasion. In the last week of December, the Heads of Branches are also required to prepare a consolidated statement showing the total casual leave forfeited on account of late attendance and then exams whether the casual leave at the credit of an official has been exceeded or not. Further, such excess amount of leave is carried over as a debit entry to the next year's credit account. Instances have come to the notice of Government where certain officials were late on several occasions even as many as 70 occasions in a year and it would take years together to account for such excess amount of leave, leaving no casual for such officials during subsequent years, as normally the official is entitled to only 10 days casual leave in a year. The matter has therefore, been reconsidered by the Government and it has been decided that the system of carrying over leave to the next year should be done away with altogether as it creates unnecessary complications. The amount of casual leave forfeited by a Government employee on account of late attendance should be adjusted in his casual leave account of the same year and in case no casual leave is due to him, it should be debited to his earned leave account or treated as leave on half-pay or extraordinary leave i.e. leave without pay, as the case may be. Further, in order to avoid any complications at the close of the year, the short leave on account of late attendance should be deducted from the casual leave and the entry made in this respect in the casual leave account on the very day when the leave is granted or late attendance is marked, as the case may be, or on the following day, instead of accounting for the whole leave availed of in this manner at the close of the year.

2. These instructions may kindly be brought to the notice of all concerned for information and guidance.

Yours faithfully,

Sd/-

Superintendent General Services II,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and guidance to : —

All the Financial Commissioners, Punjab, all the Administrative Secretaries to Govt., Punjab, Secretaries/Private Secretaries to Chief Minister/Ministers/Ministers of State/Deputy Ministers/Chief Parliamentary Secretary.

Copy of Circular letter No. 1607-4GSII-66, dated the 2nd April, 1966, from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

Subject :— Grant of special casual leave to Government servants who undergo sterilization operation under the “Family Planning Scheme”.

I am directed to invite attention to Punjab Government Circular letter No. 2202-GII-60/8429, dated the 24th March, 1960, on the subject noted above under which Government employees who undergo sterilization operation under the Family Planning Scheme are entitled to special casual leave not exceeding six working days. Cases have been brought to the notice of Government wherein the initial operation not having been successful, the employees had to be operated for the second time. Government have decided that in such cases another six days should be allowed as special casual leave for re-sterilization.

—————

Copy of letter No. 2293-4GSII-66/15013, dated the 7th June, 1966 from the Chief Secretary to Government Punjab to all Heads of Departments etc., etc.

I am directed to invite a reference to Punjab Government letter No. I 0343-GII-59/24150, dated the 16th December, 1959, with which the discrimination that existed previously in regard to the grant of casual leave to Government employees having less than two years service was eliminated. Such employees are now entitled to the same amount of casual leave as is admissible to employees having less than 10 years service. It was clarified vide Punjab Govt. letter No. 7365-GS-601 30449, dated the 29th August, 1960 that no restrictions should be imposed even in the case of employees who are appointed purely on temporary basis for a period not exceeding three months, or for a period not exceeding six months against regular vacancies and they may be granted casual leave in full provided they are in dire need of it and Government work is not allowed to suffer. This question has again been considered by Government carefully and it has been decided that casual leave to such employees should admissible as under:—

- (i) To employees who after having been appointed on adhoc basis have been in Government employment for a period up to one month. ..
 - (ii) To employees who having been appointed on adhoc basis have been in Government employment for a period of more than one month but not exceeding two months. one day
 - (iii) To employees who after having been appointed on adhoc basis have been in Government employment for a period of more than two months but not exceeding three months. two days
 - (iv) To employees who after having been appointed on adhoc basis have been in Government employment for a period of more than three months but not exceeding four months. three days
 - (v) The employees who after having been appointed on adhoc basis have been in Government employment for a period of more than four months but not exceeding five months. four days
 - (vi) To employees who after having been appointed on adhoc basis have been in Government employment for a period of more than five months but not exceeding six months. five days
-

Extract of letter No. 1498-4GS-67/7089, dated the 27th April, 1967, addressed to all Heads of Departments, the Commissioner, Ambala division, all Deputy Commissioner and Sub-Divisional Officers. The Registrar, Punjab and Haryana High Court all District and Session Judges in Haryana.

Subject: - Working hours of Offices and Courts under the Haryana Government.

I am directed to refer to the subject cited above and to state that the question of working hours to be observed in the offices and courts under the Government of Haryana has been re-examined and it has been decided that the said working hours during the period of three months, from the 1st May to the 31st July every year will be from 7.00 A.M. to 1.30 P.M., without any lunch-break. The working hours to be observed during the rest of the year will continue to be from 10.00 A.M. to 5.00 P.M., with half an hour's lunch-break, as at present.

2. These orders will come into force with effect from the 1st May, 1967.

No. 6054-4GS-67/3144

From

The Chief Secretary to Government, Haryana

To

- (i) All Heads of Departments, the Commissioner, Ambala Division and all the Deputy Commissioners & Sub Division Officers in Haryana.
- (ii) The Registrar, Punjab & Haryana High Court and District and Sessions Judges in Haryana.

Dated Chandigarh, the 13th Feb., 1968.

Subject :— Grant of special casual leave to work-charged female Government employees who undergo sterilization operation under the “Family Planning Scheme”.

I am directed to refer to Haryana Government Letter No. 1735-4GS-6717890, dated the 12th May, 1967, vide which Government have allowed the grant of special casual leave not exceeding 14 days to female Government employees for undergoing non-puerperal sterilization. Government have further decided to extend this concession of special casual leave not exceeding 14 days to work-charged female Government employees also for undergoing non-puerperal sterilization under the family planning scheme. I am, therefore, to request that these orders may kindly be brought to the notice of all concerned.

Yours faithfully,

Sd/-

Under Secretary Political,
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information and necessary action to :—

The Financial Commissioner, Revenue, Haryana, All the Administrative Secretaries to Government, Haryana.

Copy of letter No. 2046-4GS-68/10561, dated the 26/27th April, 1968 from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject: - Working hours of Offices and Courts under the Haryana Government.

I am directed to invite reference to Haryana Government letter No. 1498-4GS-6717089, dated the 27th April, 1967, on the subject noted above and to say that the summer timings to be observed in the Haryana Government Offices and Courts shall come into operation on the 1st May, 1968. The working hours during the period of three months from the 1st May to 31st July, 1968 shall be from 7.00 A.M. to 1.30 P.M., without any lunch break.

Copy of letter No. 3834-4GS-68/19363, dated the 31-7-1968 from the Chief Secretary to Government, Haryana addressed to all Heads of Departments the Commissioners, Deputy Commissioners and Sub-Divisional Officers.

Subject:— Working hour and Holidays in offices and courts under the Haryana Government.

Sir,

I am directed to invite reference to Haryana Government letter No. 1498-4GS-6717089, dated the 27th April, 1967 and No. 2046-4GS-68110561, dated the 26th/27th April, 1968, on the subject noted above and to state that the question of working hours and holidays to be observed in the offices and the courts under the Government of Haryana has been re-examined and it has been decided as follows:—

- (i) There will be no change in the hours of work during the three Summer months, namely from the 1st May to the 31st July, and the hours of work during this period will be from 7.00 a.m. to 1.30 p.m. without any break. The second Saturday in the months will be holiday during this period as at present.
- (ii) The hours of work during the remaining nine months that is, from the 1st August to 30th April will be from 9.00 a.m. to 5.00 p.m. with a half an hour break for lunch from 1.30 p.m. to 2.00 p.m. All Saturdays during this period will be observed as holidays.
- (iii) The Number of other holidays during the year will be reduced to 8, as given below:—
 - (1) Id-Ul-Fitre.
 - (2) Republic Day.
 - (3) Holi.
 - (4) Independence Day.
 - (5) Mahatma Gandhi's Birthday.
 - (6) Diwali.
 - (7) Guru Nanak's Birthday.
 - (8) Christmas Day.

2. These orders will come into force with effect from the 1st August, 1968

प्रति क्रमांक 1452 - 2 जी.एस. - 70 / 7417, दिनांक 30 मार्च, 1970।

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) हरियाणा के सभी विभागाध्यक्ष,
आयुक्त, अम्बाला मण्डल, तथा सभी उपायुक्त
- (2) रजिस्ट्रार, उच्च न्यायालय, पंजाब तथा हरियाणा, चण्डीगढ़ तथा
सभी जिला व सत्र न्यायाधीश आदि।

विषय :- परिवार नियोजन प्रोग्राम-विशेष आकस्मिक छुट्टी।

सरकारी कर्मचारियों को, जिन की धर्म पत्नियां नलबन्दी का आप्रेशन करवायें, कुछ सुविधा देने के मामले पर सरकार कुछ समय से गौर कर रही थी। विचार विमर्श के बाद यह फैसला किया गया है कि जिन अधिकारियों की धर्म पत्नियां Gynance Sterilization (Tubectomy operation without delivery) करवाएं उन अधिकारियों को 7 दिन की विशेष छुट्टी (जोकि ordinary casual leave or regular leave के साथ शामिल की जा सकेगी) दी जाए। यह सुविधा केवल 1500 रुपये या इससे कम वेतन पाने वाले अधिकारियों को ही दी जाएगी।

2. सरकार का यह फैसला सभी कर्मचारियों के नोटिस में लाया जाए।

विषय :- **केसों को मुख्य सचिव की राय के लिए भेजने का ढंग ।**

क्या हरियाणा सरकार के सभी प्रशासकीय सचिव, हरियाणा सरकार के अशासकीय परिपत्र क्रमांक : 4730-जी०-1-59, दिनांक 5-8-1959 (जिसकी एक प्रति संलग्न है), उपरोक्त विषय पर, की ओर ध्यान देने की कृपा करेंगे ?

2. यह देखने में आया है कि सरकार के उन अनुदेशों की पालना ठीक ढंग से नहीं हो रही अतः फाइलों को बार-बार वापिस करना पड़ता है। यह भी देखा गया है कि जिन-जिन परिपत्रों तथा नियमों का हवाला किया जाता है उनकी प्रतियां भी नहीं लगाई जाती है और सामान्य सेवाएं शाखा के कर्मचारियों को प्रशासनिक शाखाओं से व्यक्तिगत तौर पर जाकर प्रतियां लानी पड़ती है। इन सब बातों के कारण केसों में निर्णय लेने में कठिनाई के साथ-साथ देरी भी हो जाती है इसलिए अनुरोध किया जाता है कि आगे से केस भेजते समय निम्नलिखित बातों का खास ध्यान रखा जाए :-

- (1) हवाला के तौर पर दिए गए पत्र तथा नियमों की प्रतियां जरूर लगाई जाएं।
- (2) विशेष विषय जिन में मुख्य सचिव की राय चाहिए स्पष्ट रूप से लिखी जाए ; तथा
- (3) केस भेजते समय अपने नोट की दो प्रति भेजी जाएं बाकी बातों जिनके उल्लेख संलग्न अशा : परिपत्र में किया गया है, की पालना में स्थिति ज्यों कि त्यों बनी रहेगी।

हस्ता / -

अवर सचिव, राजनैतिक,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी प्रशासकीय सचिव, हरियाणा सरकार ।

अशासकीय क्रमांक : 4890-2 जी. एस.- I-70,

दिनांक चण्डीगढ़, अप्रैल, 1970

एक प्रति सूचनार्थ तथा उचित कार्यवाही के लिए भेजी जाती है।

- (1) वित्तायुक्त राजस्व, हरियाणा,
- (2) वित्तायुक्त गृह, हरियाणा।

हस्ता / -

अवर सचिव, राजनैतिक,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) वित्तायुक्त राजस्व, हरियाणा,
- (2) वित्तायुक्त गृह, हरियाणा।

अशा: क्रमांक : 4890-2 जी. एस.- I-70,

दिनांक चण्डीगढ़, अप्रैल, 1970

Copy of letter No. 945-3GSII-71, dated the 13th April, 1971

Subject:— Refusal of leave preparatory to retirement under rule 8.21 of C.S.R. Volume I, Part I.

I am directed to invite reference to the instructions contained in composite Punjab Government letters No. 5818-G-II-58/33161, dated the 13th Nov., 1958, No. 1417-3GS-63/4884, dated 13th February, 1963 and U.O. No. 5142-3GS-I-63, dated 25th May, 1963 (a copy is enclosed), on the subject noted above and to say that the said instructions are to the effect that cases regarding refusal of leave preparatory to retirement should be initiated well in advance so that sufficient time is available for their proper scrutiny. The provision in fact is that a Government employee proposing to proceed on leave preparatory to retirement should intimate this in writing to his Head of Department (with an advance copy to the Administrative Department concerned) four months before the date from which ordinarily leave preparatory to retirement would commence in his case. Further more, all cases pertaining to the grant of benefit of refused L.P.R. should reach the Chief Secretary (in General Services Branch) within one month of the receipt of the application for such leave. It has been observed however that these instructions have not been followed in many cases. This is open to objection as the result is that there is delay in the processing of the cases and in some instances the benefit of a refused leave has to be disallowed even when it is otherwise deserved. It is, therefore, requested that the aforesaid instructions may be brought to the notice of all Government Employees working under you for strict compliance so that difficulties of the type mentioned above do not occur to the retirement of the employee.

2. The receipt of this letter may kindly be acknowledge.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 3260-2 जी.एस.
- II-71/18484, दिनांक जुलाई, 1971 की प्रति कर्मचारी ।**

विषय :- परिवार नियोजन प्रोग्राम-विशेष आकस्मिक छुट्टी ।

श्रीमान् जी,

उपरोक्त विषय पर आपका ध्यान इस कार्यालय के पत्र क्रमांक 1452-2 जी.एस.-70/7417, दिनांक 30 मार्च, 1971 की ओर दिलाया जाता है जिसमें सरकारी कर्मचारियों, जिनकी धर्म पत्नियां नलबन्दी का आपरेशन करवाये, को 7 दिन की विशेष छुट्टी दिए जाने पर के अनुदेश जारी किए गए इस सिलसिले में यह प्रश्न उठाया गया है कि क्या कथित 7 दिन का विशेष आकस्मिक अवकाश पत्नियों के आपरेशन के तुरन्त बाद सम्बन्धित कर्मचारियों को दिया जाना है या उन्हें उत्साह के तौर पर यह अवकाश बाद में भी दिए जा सकता है। इस सम्बन्ध में यह सूचित किया जाता है कि 7 दिन का विशेष आकस्मिक अवकाश किसी सरकारी कर्मचारी को जिसकी धर्मपत्नी ने नलबन्दी आपरेशन करवाया हो केवल आपरेशन के समय ही दिया जाये ताकि कर्मचारी आपरेशन के बाद कुछ समय तक अपने बच्चों आदि की देखभाल कर सके।

यह स्पष्टीकरण सभी कर्मचारियों के नोटिस में लाया जाये।

भवदीय,

हस्ता / -

उप-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति सूचनार्थ तथा उचित कार्यवाही के लिए भेजी जाती है ।

वित्तियुक्त राजस्व, हरियाणा ।

सभी प्रशासकीय सचिव, हरियाणा सरकार ।

English version of Government letter No. 6798-GS-71/37215, dated 29th December, 1971.

Subject:— Retention in service beyond the age of 55 years, Grant of L.P.R. to retiring employees.

I am directed to refer to Government letter No. 4658-IBS-70/20719, dated 6th August, 1970 which lays down *inter alia* that the Government employees retiring at the age of 55 years should be granted leave due and admissible subject to a limit of 180 days and to say that certain queries have been raised about those instructions. The following clarification may therefore be noted in regard to them:—

- (i) The Government employee concerned may apply for such leave at any stage during the period of the three months notice of retirement served on him but not after the date of retirement. .
- (ii) The leave that is granted may extend beyond the date of expiry of the three months notice of retirement.

Leave may therefore be allowed to the extent it is due and admissible subject to a maximum of 180 days from the date it is granted.

- (iii) The Government employee concerned will be deemed to have retired on the date of the expiry of the three months notice of retirement and the remaining leave (beyond the date of retirement) should be treated like benefit of refused leave. In other words the employee should be allowed to draw leave salary minus pension the period of the leave beyond the date of his retirement and also allowed to draw pension separately.

2. This issues with the concurrence of Finance Department vide their U.O. No. 7818-1 BR-7I, dated 13th December, 1971.

3. You are requested to bring the above instructions to the notice of all officers/official working under you for their guidance. The receipt of this letter may kindly be acknowledged

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 2788-2 जी.एस.-II-71/4280 दिनांक 9/72 की प्रति।

विषय :- अस्थाई कर्मचारियों को सरकारी सेवा के प्रथम कैलेन्डर वर्ष में आकस्मिक अवकाश का दिया जाना।

महोदय,

मुझे निदेश हुआ है कि आप का ध्यान उपरोक्त विषय को ओर दिलाते हुए यह लिखूं कि यह निर्णय किया गया है कि सरकारी सेवा में, हरियाणा लोक सेवा आयोग, अधीन सेवाएं प्रवरण मण्डल की सिफारिश पर (विपरीत उनके जो एम्प्लायमेंट एक्सचेंज के तदर्थ तौर पर नियुक्त होते हैं) जो नये कर्मचारी नियुक्त होते हैं, उनकी सेवा के पहले कैलेन्डर वर्ष में उन्हें आकस्मिक अवकाश का मान निम्न प्रकार से दिया जाना चाहिए :-

- | | |
|---|--------|
| (क) नए भर्ती होने वाले कर्मचारी जो 30 जून से पहले सेवा में सम्मिलित 10 दिन का अवकाश होते हैं। | अधिकतम |
| (ख) नए भर्ती होने वाले कर्मचारी जो 30 जून तथा 30 सितम्बर के मध्य 5 दिन का अवकाश सेवा में सम्मिलित होते हैं। | अधिकतम |
| (ग) नए भर्ती होने वाले कर्मचारी जो सेवा 30 सितम्बर के पश्चात् 2 दिन का अवकाश सम्मिलित होते हैं। | अधिकतम |

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 5742-4 जी.एस. I-72/29726 दिनांक 11 अक्टूबर, 1972 की प्रति।

विषय :- 55 वर्ष आयु से आगे सरकारी कर्मचारियों को सेवा में रखना। सेवा निवृत्त कर्मचारियों को सेवा निवृत्त पूर्व अवकाश प्रदान करना।

महोदय,

मुझे निदेश हुआ है कि मैं उपर्युक्त विषय पर आपका ध्यान हरियाणा सरकार के पत्र क्रमांक 6798-4 जी. एस. - I-71/37215, दिनांक 29-12-71 की ओर दिलाऊँ और यह कहूँ कि सरकार ने इस मामले पर पुनः विचार किया है और निर्णय लिया है कि उपरोक्त हिदायतों को इस हद तक संशोधित किया जाए कि 55 वर्ष की आयु पर सेवा निवृत्त किए जाने वाले कर्मचारियों/अधिकारियों को नोटिस का समय समाप्त होने पर रिटायरमेंट की तिथि के बाद के पीरियड के लिए सेवा निवृत्त पूर्व छुट्टी का लाभ 180 दिन का बजाए 120 दिन तक ही सीमित रखा जाए। यदि ऐसा कर्मचारी/अधिकारी नोटिस के समय में सेवा निवृत्त निवृत्ति पूर्व छुट्टी लेता है तो छुट्टी उसकी 180 दिन की देय एवं स्वीकार्य अवकाश से घटा दी जाएगी तथा शेष छुट्टी का लाभ रिटायरमेंट के बाद दिया जाएगा, किन्तु बाद में दिए जाने वाले छुट्टी के लाभ की अवधि 120 दिन तक ही सीमित रहेगी तथा यदि उसने रिटायरमेंट से पहले नोटिस पीरियड में छुट्टी न ली हो तो उसे रिटायरमेंट की तिथि से 120 दिन तक सेवा निवृत्ति पूर्व छुट्टी का लाभ मिल सकेगा जिसके दौरान उसे लीव सैलरी माईनस पेन्शन मिलेगी।

2. यह पत्र वित्त विभाग की अनुमति (अशा: क्रमांक 5144-5 एफ. आर.-72, दिनांक 22-9-72) के साथ जारी किया जाता है। यह आदेश उन कर्मचारियों/अधिकारियों के केस में लागू होंगे जो इन के जारी होने के बाद की तिथि से रिटायर होंगे तथा जिन्हें पिछली हिदायत के तहत छुट्टी मंजूर नहीं की जा चुकी है।

3. आपसे अनुरोध है कि उपरोक्त अनुदेश आपके अधीन काम करने वाले अधिकारियों/कर्मचारियों के ध्यान में उनके मार्गदर्शन के लिए लाया जाए।

भवदीय,

हस्ता / -

उप सचिव राजनैतिक एवं सेवाएं/मु.स।

Copy of letter No. 8488-2GSII-72/416S, dated the 13th February, 1973 from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject :— Grant of special Casual Leave to Government Servants and the Work-charged/Contingent-paid staff for undergoing “Family Planning Operations” etc.

I am directed to address you on the subject noted above and to say that according to the existing instructions, all Government employees who undergo operations etc. under the Family Planning Programme are entitled to Special Casual Leave as follows :—

- (1) Special Casual Leave not exceeding 6 working days to Government employees who undergo sterilization operations.
- (2) Special Casual Leave not exceeding 14- working days to female Government employees who undergo non-puerperal sterilization.
- (3) Special Casual Leave for one day to female Government employees who undergo L.V.C.D. insertions.

The facilities at serial Nos. 1 and 2 above have already been extended to work-charged staff under the Haryana Government (vide Nos. 3231-8GS-62/7571, dated 7-3-62 and No. 6054-4GS-67/3144, dated 13-2-1968). It has now been decided to extend the facility referred to at No.3 above also to the work charged staff. In future, therefore, female work -charged staff will be entitled one day's special casual leave for undergoing I.U.C.D. insertions.

It has further been decided that all the above benefits of special casual leave should also be extended to the contingent paid stat. In their case, it will be necessary that they should be paid full wages for the days for which a Government employee in a similar position would be allowed special casual leave. The benefit should, however, be extended to only such contingent-paid staff as work with a Government Department on a whole-time basis and have been so working for at least 6 months before undergoing the Family Planning operation in question.

Sd/-

Deputy Secretary, Secretariat Establishment
for Chief Secretary to Government, Haryana.

A copy of above is forwarded to the Secretary to Government, Haryana, Finance Department, for information, with reference to his U.O. No. 255-5FD-73, dated 6-2-73.

Copy of letter No. 3784-4GS-II-74, dated the 29th June, 1974 from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject :— Working hours and holidays in offices under the Haryana Government.

Sir,

I am directed to invite reference on the subject above and state that it has been decided that the working hours and holidays to be observed in the offices under the Government of Haryana for the month of July shall be as under :—

The hours of work will be from 9.00 a.m. to 5.00 p.m. with a half an hour break for lunch from 1.30 p.m. to 2.00 p.m. All Saturdays during this month will be observed as holidays.

These orders will come into force with effect from 1st July, 1974 and are applicable for the current year only.

A copy each is forwarded to the:—

The Principal Secretary to the Chief Minister, Haryana.

The Secretaries/Private Secretaries to the Chief Minister/Ministers/Ministers of State.

Sd/-

Deputy Secretary, Administrative Reforms,
for Chief Secretary to Government, Haryana.

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 810-4 जी.एस. I-75 दिनांक, 14 मार्च, 1975 की प्रति।

विषय :- पंजाब सी.एस.आर. वोल्यूम-1, पार्ट-I के नियम 8.21 के तहत सेवा निवृत्ति पूर्व अवकाश को न दिए जाने के संबंध में ।

महोदय,

मुझे निदेश हुआ है कि मैं आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 945-3 जी.एस.-II-71, दिनांक 30 अप्रैल, 1971 में जारी की गई हिदायतों की ओर दिलाऊँ जिसमें और बातों के साथ यह भी कहा गया था कि जब कोई कर्मचारी सेवा निवृत्ति पूर्व अवकाश पर जाना चाहता है तो वह इस संबंध में लिखित रूप में विभागाध्यक्ष को (प्रशासकीय विभाग को एक अग्रिम प्रति भेजते हुए) उस तिथि से 4 महीने पहले सूचित करें कि जिससे वह छुट्टी पर जाना चाहता है या उसके केस में सेवा निवृत्ति पूर्व छुट्टी के आरम्भ होने की तिथि से 4 महीने पहले यह भी कहा गया था कि अस्वीकृत सेवा निवृत्ति पूर्व छुट्टी का लाभ दिये जाने वाले सभी मामले मुख्य सचिव (सामान्य सेवाएं शाखा) को ऐसी छुट्टी के लिए प्राप्त आवेदन पत्र की तिथि के एक महीने के अन्दर-अन्दर भेजे जाएं।

2. अखिल भारतीय सेवाओं के अधिकारियों के बारे में सरकार ने हाल ही में यह निर्णय लिया है कि (मुख्य सचिव के पत्र, क्रमांक 1206-एस-74/5755, दिनांक 25 अप्रैल, 1974 में जारी की गई हिदायतों द्वारा) सेवा निवृत्ति के पूर्व आवेदन पत्र कम से कम उस तिथि से 2 महीने पहले प्रस्तुत किए जाएं जिससे कि वे छुट्टी पर जाना चाहते हों। अखिल भारतीय सेवाओं के अधिकारियों के बारे में इन हिदायतों के जारी होने के पश्चात् यह उचित समझा गया है कि वही हिदायतें राज्य सरकार के दूसरे कर्मचारियों के केस में भी लागू की जाएं।

3. इसलिए यह निर्णय लिया गया है कि राज्य सरकार के वे कर्मचारी जो सेवानिवृत्ति पूर्व छुट्टी पर जाना चाहते हों, उन्हें कम से कम उस तिथि से 2 महीने पहले आवेदन पत्र देना चाहिए जिससे कि वे छुट्टी पर जाना चाहते हैं। दो महीने से कम समय के नोटिस को छुट्टी में से काट लिया जाएगा। जिन मामलों में लोक हित में छुट्टी अस्वीकार की जानी है वे वर्तमान हिदायतों के अनुसार मुख्य सचिव (सामान्य सेवाएं शाखा) को पूर्ण में उस तिथि के कम से कम 21 दिन पहले पहुंच जाने चाहिए जिससे कि सेवा निवृत्ति पूर्व छुट्टी शुरू होनी है।

4. सेवा निवृत्ति पूर्व छुट्टी के लिए आवेदन पत्र देने के लिए नोटिस के समय को 4 महीने से घटाकर 2 महीने किए जाने के कारण यह जरूरी होगा कि ऐसी छुट्टी के लिए सभी आवेदन पत्र बगैर किसी देरी के परम अग्रता से निपटाया जाए ताकि उस तिथि से पहले अवश्य निर्णय लिया जा सके जिस तिथि से कि सरकारी कर्मचारी छुट्टी पर जाना चाहते हैं।

5. उपरोक्त हिदायतें सभी संबंधित कर्मचारियों द्वारा दृढ़ता से पालन करने के लिए नोट कर ली जाएं इन हिदायतों की कृपया पावती भी भेजी जाए।

भवदीय,

हस्ता/-

उप-सचिव, सामान्य प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति वित्तायुक्त, राजस्व हरियाणा तथा हरियाणा के सभी प्रशासकीय सचिवों को सूचना तथा दृढ़ता से पालन के लिए भेजी जाती है। इन हिदायतों की कृपया पावती भेजी जाए।

Copy of letter No. 4087-4GS-II-75/10664, dated the 18th April, 1975 from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Dated Chandigarh, the 18 April, 1975

Subject : —Working hours and holidays in offices under the Haryana Government.

Sir,

I am directed to invite reference on the subject noted above and state that it has been decided that the present working hours (i.e. 9.00 a.m. to 5.00 p.m.) will continue to be observed in the offices under the Government of Haryana for the month of May, 1975 also. The hours of work will be from 9.00 a.m. to 5.00 p.m. with a half an hour break for lunch from 1:30 p.m. to 2.00 p.m. All Saturdays during this month will be observed as holidays.

A copy each is forwarded for information to the:—

The Principal Secretary to the Chief Minister, Haryana. The Secretaries/Private Secretaries to the Chief Minister/ Ministers/Ministers of State.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

—————
POLICE RADIO MESSAGE

PRIORITY/IMMEDIATE

From

The Chief Secretary, Haryana.

To

The Special Representative,
Haryana Bhawan, New Delhi.

In continuation Police Radio Message issued vide Haryana Government letter No. 6239-4GS"II-75/12248 dated, 5-5-1975, Government have decided that working hours in Haryana Government Offices located at Delhi would continue to be observed from 9.00 A.M. to 5.00 P.M. Till further orders with half an hour break for lunch from 1.30 p.m. to 2.00 p.m. All Saturdays during this period will be observed as holidays.

No.6653-4GS-II-75/13773

Dated 15-5-1975

A copy is forwarded for information and necessary action to:—

All Heads of Departments, Commissioners, Ambala and Hisar Divisions, All Deputy Commissioners and Sub- Divisional Officers (Civil) in Haryana.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Copy of letter No. 6735-4GS-II-75/14514, dated the 21st/22nd May, 1975, from the Chief Secretary to Government, Haryana, to all Heads of Departments, etc., etc.

Subject:— Working hours and holidays in offices under the Haryana Government.

In continuation of Haryana Government letter No. 4087 -4GSII-75/1 0664, dated the 18th April, 1975, on the subject noted above, I am directed to state that it has been decided that for the months of June and July, 1975 as well working hours in Haryana Government offices located at Chandigarh only will continue to be from 9.00 A.M. to 5.00 P.M. with half an hour break for lunch from 1.30 P.M. to 2.00 P.M. All Saturdays during these months will be observed as holidays.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information and necessary action to:—

The Financial Commissioner, Revenue, Haryana, All Administrative Secretaries to Government Haryana.

POLICE RADIO MESSAGE

PRIORITY/IMMEDIATE

From

The Chief Secretary, Haryana.

To

Commissioners, Ambala and Hisar Divisions,
All Deputy Commissioners and Sub-Divisional
Officers in Haryana.

In continuation Haryana Government letter No. 4087 -4-GSII-75/1 0664 dated 18-4-1975, Government have decided that working hours in all Haryana Government Offices except located at Chandigarh would be from 7.00 A.M. to 1.30 P.M. without any lunch break w.e.f 7-5-1975 till further orders. Every Second Saturday of the month during this period will be observed as holiday.

No. 6239-4-GSII-75/12248

Dated 5-5-1975

A copy is forwarded for information and necessary action to:—

All Heads of Departments, Commissioners, Ambala and Hisar Divisions, all Deputy Commissioners and Sub- Divisional Officers (Civil) in Haryana.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

विषय :- **केसों को मुख्य सचिव को भेजने का ढंग ।**

क्या वित्तायुक्त राजस्व तथा हरियाणा सरकार के सभी प्रशासकीय सचिव उपरोक्त विषय पर हरियाणा सरकार के अशासकीय परिपत्र क्रमांक: 4890-2 जी-1-70, दिनांक अप्रैल, 1970 (प्रति संलग्न) की ओर ध्यान देने की कृपा करेंगे।

उपरोक्त अनुदेशों में यह स्पष्ट किया गया था कि मुख्य सचिव की मन्त्रणा के लिए केस प्रशासकीय सचिव के माध्यम से भेजे जाया करें और निम्नलिखित बातों को ध्यान रखा जाया करे।

- (1) हवाला के तौर पर दिए गए पत्र तथा नियमों की प्रतियां जरूरी लगाई जाएं।
- (2) विशेष विषय (बिन्दु) जिन पर मुख्य सचिव की मन्त्रणा चाहिए, स्पष्ट रूप से लिए जाए ; तथा
- (3) केस भेजते समय नोट की दोहरी प्रति भेजी जाए।

3. यह देखने में आया है कि कुछ विभागों द्वारा इन अनुदेशों का दृढ़ता से पालन नहीं किया जा रहा है जिसके कारण मामलों में निर्णय लेने में आवश्यक देरी हो जाती है। ऐसा न करने से ऐसी नीति सम्बन्धी मामलों में कमी एक उत्पन्न हो सकती है जब सम्बन्धित प्रशासकीय सचिव को अपना मत व्यक्त का अवसर नहीं मिलता व हो सकता है कि वे उपसचिव/अवर सचिव के मन्तव्यों से सहमत न हो किन्तु सचिव की मन्त्रणा दिए जाने के पश्चात् उन्हें अपने विचार व्यक्त करने का अवसर ही न मिले। अतः उनसे पुनः अनुरोध है कि वे सुनिश्चित कर लें कि इन अनुदेशों की भविष्य में उल्लंघना न हो तथा कोई भी केस उप सचिव/अवर सचिव के माध्यम से न भेजे जाएं बल्कि प्रशासकीय सचिव के माध्यम से ही भेजे जाया करें। यह स्पष्ट किया जाता है कि भविष्य में ऐसे मामलों जो प्रशासकीय सचिव के माध्यम से नहीं भेजे जाएंगे उन्हें स्वीकार किया जाएगा और वे विभाग को वापिस लौटा दिए जाएंगे।

हस्ता / -

अवर सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

वित्तायुक्त राजस्व तथा हरियाणा सरकार के सभी प्रशासकीय सचिव।

अशा: क्रमांक : 3023-I जी. एस.-I-75,

दिनांक, 6 जून, 1975

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 9502-4 जी.एस.-II-75/24167, दिनांक 7 अगस्त, 1975 की प्रति ।

विषय :- परिवार नियोजन प्रोग्राम-विशेष आकस्मिक छुट्टी ।

महोदय,

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान इस विभाग के पत्र क्रमांक 8488-2 जी.एस. II-72/4165 दिनांक 13 फरवरी, 1973 की ओर दिलाऊँ जिस के द्वारा सरकार ने यह निर्णय लिया था कि उन सरकारी कर्मचारियों को छः दिन का विशेष आकस्मिक अवकाश प्रदान किया जाये जो नसबन्दी आपरेशन करवाते हैं। परन्तु सरकार ने अब यह निर्णय लिया है कि यदि कोई कर्मचारी नसबन्दी करवाता है और उसके फेल हो जाने से यह आपरेशन उसे दोबारा करवाना पड़ता है तो उस सूरत में उसे छः दिन का विशेष आकस्मिक अवकाश पुनः दिया जाए। यह छुट्टी चिकित्सा अधिकारी के प्रमाण-पत्र के आधार पर दी जायेगी। इस प्रकार का लाभ कन्टीनजेंट पेड स्टाफ को भी मिलेगा।

कृपया इस पत्र की पावती भेजें।

भवदीय,

हस्ता / -

उप-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति

वित्तायुक्त राजस्व, हरियाणा, सभी प्रशासकीय सचिवों, को सूचनार्थ भेजी जाती है ।

प्रतिलिपि क्रमांक 10391-4 जी.एस.-II-75/31627 दिनांक चण्डीगढ़ 27-10-75

प्रेषक

मुख्य सचिव, हरियाणा सरकार

सेवा में

- (1) सभी विभागाध्यक्ष, आयुक्त, अम्बाला तथा हिसार मण्डल,
सभी उपायुक्त तथा सभी उपमण्डल अधिकारी, हरियाणा।
- (2) रजिस्ट्रार पंजाब तथा हरियाणा हाई-कोर्ट तथा सभी जिला व न्यायाधीश, हरियाणा।

विषय :- तदर्थ आधार पर नियुक्त सरकारी कर्मचारियों को आकस्मिक अवकाश का दिया जाना।

महोदय,

मुझे निदेश हुआ है कि उपरोक्त विषय पर आपका ध्यान संयुक्त पंजाब सरकार द्वारा जारी किए गए परिपत्र क्रमांक 2293-4 जी.एस.-II-66/15013 दिनांक 7-6-66 की ओर दिलाऊँ जिसके अनुसार तदर्थ आधार पर लगे सरकारी कर्मचारी को अधिकतम केवल 5 दिन तक के लिए आकस्मिक अवकाश प्रदान किया जा सकता है। नियमों के अनुसार ऐसे कर्मचारियों की नियुक्ति 6 मास से अधिक नहीं होती। यह देखने में आया है कि कई केसों में तदर्थ आधार पर लगाए गए कर्मचारी 6 मास के बाद भी बिना ब्रेक के सरकारी सेवा में चलते रहते हैं और पूर्ववत् आदेशों दिनांक 7-6-66 के अनुसार उन्हें 5 दिन से अधिक आकस्मिक अवकाश नहीं मिलता। राज्य सरकार ने इस सम्बन्ध में पुनः विचार किया है और यह निर्णय लिया है कि ऐसे तदर्थ कर्मचारी को एक कार्यालय में बिना ब्रेक के 6 मास बाद भी सरकारी सेवा में चलते रहते हैं, उनको हरेक कम्प्लीट मास के बाद एक दिन का आकस्मिक अवकाश दिया जाए परन्तु इस बात का ध्यान रखा जाए कि एक तदर्थ कर्मचारी को एक वर्ष में आकस्मिक अवकाश 10 दिन से अधिक न मिले।

Copy of letter No. 10303-4GSII-75/1733, dated the 20th January, 1976, from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject:— Grant of leave to wives of Defence Services, Personnel, who are in Civil Employment.

Sir,

This is in continuation of the letter No. 2295-965-(ii) 64/13551, dated the 22nd/27th April, 1964, from the Chief Secretary to Government Punjab on the above mentioned subject.

The Government has considered the matter further and it has been decided that the wives of Defence Services Personnel, who are in civil employment, whether permanent or temporary, may be granted extraordinary leave during the period of their husbands postings at family stations. This period should be subject to a maximum of six months within a span of three years.

Yours faithfully,
Sd/-
Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to The Financial Commissioner, Haryana, and All the Administrative Secretaries to Government, Haryana.

Copy of letter No. 2943-4GS-II-76/10161-62 dated 21st April 1976, from the Chief Secretary to Government, Haryana, to all Heads of Departments etc., etc.

Subject:— Working hours and holidays in offices under the Haryana Government.

I am directed to invite reference on the subject noted above and to state that it has been decided that working hours in all offices of the Haryana Government except those located at Chandigarh, will be from 7.00 a.m. to 1.30 p.m. without any lunch break. During the months of May, June and July, 1976. Every second Saturday of the month will be observed as a holiday.

2. The present working hours i.e. from 9 a.m. to 5 p.m. will continue to be observed in those offices of the Haryana Government which are located at Chandigarh. In this case, lunch break will continue to be from 1.30 p.m. to 2.00 p.m. and all Saturdays will be observed as holidays.

Yours faithfully,
Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to:—

The Financial Commissioner, Revenue, Haryana. All Administrative Secretaries to Government, Haryana

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्ष आदि को सम्बोधित परिपत्र
क्रमांक 24 - 4 जी.एस. - II - 76 / 5677, दिनांक 5 मार्च, 1976 की प्रति ।

विषय :- ब्लड बैंक सोसायटी के कार्यों में सुधार।

महोदय,

मुझे निदेश हुआ है कि मैं उपरोक्त विषय पर आपका ध्यान दिलाऊँ और कहूँ कि voluntary blood donation programme को प्रोत्साहित करने का प्रश्न सरकार कि विचारधीन रहा है। इस मामले पर विचार करने के पश्चात् सरकार ने यह निर्णय लिया है कि जिस दिन कोई अधिकारी/कर्मचारी खून दे उसे उस दिन का अवकाश दिया जाए और उसे on duty समझा जाए। किन्तु यह सुविधा, एक साल में 4 बार से अधिक न दी जाये।

2. इस पत्र की पावती भेजें।

भवदीय,

हस्ता / -

उप-सचिव, सामान्य प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति वित्तायुक्त, हरियाणा, सभी प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है।

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 5684 - 4 जी.एस.-II-76/21609 दिनांक 10 अगस्त, 1976 की प्रति।

विषय :- कनटिनजेंट पेड कर्मचारियों को आकस्मिक छुट्टियाँ प्रदान करना।

महोदय,

मुझे निदेश हुआ है कि आपका ध्यान उपरोक्त विषय पर संयुक्त पंजाब सरकार के पत्र क्रमांक 2855-जी.एस.-II-59/10518, दिनांक 9-4-1959 की ओर आकर्षित करूँ जिसमें (contingent paid) श्रेणी 4 के कर्मचारियों को आकस्मिक छुट्टी का लाभ देने की व्यवस्था की गई है। अब यह प्रश्न उत्पन्न हुआ है कि क्या (contingent paid) कर्मचारी अन्य सरकारी कर्मचारियों के समान शनिवार, रविवार तथा अन्य ऐसी छुट्टियों के हकदार हैं। ध्यानपूर्वक विचार करने के उपरान्त यह निर्णय लिया गया है कि (contingent paid) स्टाफ की सप्ताह में एक दिन का विश्राम दिया जाए जिसके लिए उन्हें पूरा वेतन दिया जाये।

भवदीय,

हस्ता / -

उप-सचिव, राजनैतिक एवं सामान्य प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति :-

1. वित्तायुक्त, हरियाणा सरकार।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ भेजी जाती हैं ।

Copy of letter No. 8073-4GSI-76/34994, dated 23rd December, 1976 from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject :— Grant of L.P.R. to employees retiring prematurely.

I have been directed to refer to the subject noted above and to say that the Government servants retiring prematurely may be given the benefit of leave preparatory to retirement in accordance with the procedure laid down in the succeeding paragraph.

2. A Government employee who is required to retire or may himself choose to retire on or after attaining the age of 50 or 55 years by giving notice less than 3 month's period under the relevant provisions of Punjab Civil Services Rules may be allowed due admissible earned leave and or half pay leave not extending beyond 180 days further subject to the condition that the leave so granted does not extend beyond 120 days from the date of expiry of the notice period or, the date of compulsory retirement, whichever is earlier. Leave salary admissible in respect of leave extending beyond the notice period shall be reduced by the amount of pension and pension equivalent of other retirement benefits.

These instructions may be brought to the notice of all concerned.

Yours faithfully,
Sd/-
Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

No. 8073-4GSI 76/34995,

Dated Chandigarh, the 23rd December, 1976.

A copy is forwarded to the Accountant General Haryana, Chandigarh for information and necessary action.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 2793-4 जी.एस.-II-77/10319, दिनांक 19 अप्रैल, 1977 की प्रति।**

**विषय :- सरकारी कर्मचारियों/अधिकारियों को परिवार नियोजन प्रोग्राम के अधीन नसबन्दी/नलबन्दी
आप्रेषन करवाने का कोई कम्पलिकेशन होने पर अतिरिक्त विशेष अवकाश प्रदान करना।**

महोदय,

मुझे निदेश हुए हैं कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 7502-जी.एस.
- II-75/24167, दिनांक 7 अगस्त, 1975 की ओर दिलाऊँ, जिसमें यह निर्णय लिया गया था कि यदि कोई सरकारी
कर्मचारी नसबन्दी आप्रेषन फेल होने पर पुनः आप्रेषन करवाता है, तो उस समय भी उसे 6 दिन का विशेष आकस्मिक
अवकाश प्रदान किया जायेगा। परन्तु अब सरकार ने यह भी निर्णय लिया है कि यदि किसी सरकारी कर्मचारी/अधिकारी
को नसबन्दी/नलबन्दी आप्रेषन करवाने के बाद कोई कम्पलिकेशन होती है तो उसे मुख्य चिकित्सा अधिकारी द्वारा
प्रमाणित किये जाने पर और विशेष आकस्मिक अवकाश प्रदान किया जाये। इस प्रकार का लाभ कन्टीन जेंट पेड स्टाफ
को भी मिलेगा।

भवदीय,

हस्ता / -

उप-सचिव, सामान्य प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति :-

वित्तायुक्त राजस्व, हरियाणा, सभी प्रशासकीय सचिवों, हरियाणा सरकार को सूचनार्थ भेजी जाती है ।

Copy of letter No. 3005-4GS-II-77/10798 dated 20th/21st April, 1977, from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject:— Working hours and holidays in offices under the Haryana Government.

I am directed to refer to the subject noted above and to say that it has been decided that working hours in all offices of the Haryana Government, except those located at Chandigarh and offices of Town and Country Planning and P.W.D. (Public Health Br.) at Panchkula, will be from 7.00 a.m. to 1.30 p.m. without any lunch break during the months of May, June and July, 1977 and every second Saturday of the month will be observed as holiday.

2. The present working hours i.e. from 9.00 a.m. to 5.00 p.m. will continue to be observed in those offices of the Haryana Government which are located at Chandigarh and offices of Town and Country Planning and P.W.D. (Public Health Branch) at Panchkula. In this case lunch, break will continue to be from 1.30 p.m. to 2.00 p.m. and all Saturdays will be observed as holidays.

3. These instruction may be brought to the notice of all concerned.

Yours faithfully

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded for information and necessary action to :—

The Financial Commissioner Revenue, Haryana; All Administrative Secretaries to Government, Haryana.

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Copy of confidential/ Most Immediate letter No. 34013/4(S)/77-Estt. (B) from the Government of India, Bharat Sarkar, Deptt. of Personnel and Administrative Reforms, Karmik Aur Prashasnik Sudhar Vibhag, Ministry of Home Affairs. New Delhi, the 10th May, 1977.

Subject:- Action against Central Government servants under proviso (c) to Article 311(2) of the Constitution Review of the cases of employees who were dismissed remove from service.

OFFICE MEMORANDUM

The undersigned is directed to say that Government have since reviewed the Policy relating to the cases of central Government employees who had been dismissed or removed from service during the internal emergency by invoking the provisions of proviso (c) to Article 311(2) of the Constitution. It has now been decided that all the Central Government employees who had been dismissed/removed from service under proviso(c) to Article 311 (2) of the Constitution for their alleged links with the RSS, CPM, (ML), Jamaate-Islami and Anand Marg should be reinstated immediately. As regard the employees who were associated with the activities of CP (ML) prior to the dismissal or removal from service, a written undertaking should be obtained from them that they will eschew the path of violence prior to their being reinstated. The question of reinstating those connected with the Mizo National Fronts is being examined separately.

2. It has also been decided that such of the Central Government employees, as were involved in espionage and other objectionable & illegal activities are not to be reinstated. In the event of any doubt in regard to any particular case, the Department of Personnel & A.R. may be consulted.

3. Further it has also been decided that the period between the date of dismissal/removal from service and the date of reinstatement of the employee concerned shall be treated as duty for purposes of drawl of increments and pension and for this intervening period the employees shall be paid 50% of the salary. Where the reinstated Government servant has secured employment during any period between the dismissal removal and reinstatement, the amount payable to him after reinstatement for the intervening period shall be reduced by the emoluments earned by him during such employment. Further while making the payment to the employee concerned, the actual amount of compassionate allowance including the death-cum-retirement gratuity, if any, paid to the employee during the intervening period should be recovered.

4. It has further been decided that all Central Government employees who had been detained under MISA and who have since been released should be reinstated forthwith. The period for which such employees were under suspension would be treated as on duty for purposes of increment and pension. They would be paid subsistence's allowance for the period of suspension an amount equal to 50% of the salary.

5. Cases of such employees as were convicted by the courts under any substantive law like the DISIR should also be reviewed without further delay.

6. Ministry of Finance etc., are requested to take urgent action according and bring the contents of this O.M. to the notice of all heads of Departments/Offices under their control.

7. Hindi version will follow.

Sd/-
(R. RAGHAV ACHARI)
DIRECTOR (ESTABLISHMENT)

MOST/IMMEDIATE CONFIDENTIAL

No. 34013/4(S)/77-Estt. (B) Government of India/Bharat Sarkar Department of Personnel and Administrative Reforms, Karmik Aur Prashasnik Sudhar Vibhag, Ministry of Home Affairs,

New Delhi, the 10th May, 1977.

To

The Chief Secretaries of all State Governments/Administrations in
Union Territories.

Subject:- **Action against Central Governments Servants under proviso(c) to Article 311(2) of the constitution Review of cases of employees who were dismissed/removed from service.**

I am directed to forward herewith a copy of the instructions issued by the Government of India to the various Ministries Departments on the subject mentioned above and to request that the State Governments, if they have no objection, may also like to review on these lines, the cases of the State Government employees who might have been dismissed/ removed from service during internal emergency under proviso(c) to Article 311 (2) of the Constitution, for their links with various political parties.

Yours faithfully,

Sd/-

(R. RAGHAVACHARI)
DIRECTOR (ESTABLISHMENT)

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 5672-3जी.एस.-I-77/25892 दिनांक 14-9-77 की प्रति।**

विषय :- संविधान की धारा 311(2) के परन्तुक (सी) के तहत केन्द्रीय सरकार के कर्मचारियों के विरुद्ध की गई कार्यवाही सेवा पदच्युत से निष्कासित कर्मचारियों के मामलों का पुनरीक्षण।

मुझे निदेश हुआ है कि उपरोक्त विषय की ओर आप का ध्यान दिलाऊँ और भारत सरकार के पत्र क्रमांक 34013/4 (एस)/77-एसटेबलिशमेंट (बी), दिनांक 10-5-1977 तथा अनुलग्नक की प्रति संलग्न करते हुए आप से अनुरोध करूँ कि इस सम्बन्ध में भारत सरकार द्वारा लिए गए निर्णय के अनुसार राज्य सरकार के कर्मचारियों के मामलों में ऐस ही कार्यवाही की जाए।

2. इस सम्बन्ध में वित्त विभाग की सहमति उनके अशा: क्रमांक 4097-I-एस.जी.-I, दिनांक 8-8-1977 द्वारा ले ली गई है।

3. कृपया इस पत्र की पावती भेज दें।

भवदीय,

हस्ता/-

उप-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

क्रमांक 5672-3जी.एस.-I-77/25093

दिनांक 14-9-1997

एक प्रति वित्तायुक्त, राजस्व/प्रशासकीय अधिकारी को अनुलग्नकों सहित, महालेखाकार, हरियाणा, चण्डीगढ़ को सूचनार्थ भेजी जाती है।

Copy of letter No. 34013/4(S)77-Estt. (B) dated the 28th October, 1977 from Director (E) Government of India, Deptt. of Personnel and Administrative Reforms, Ministry of Home Affairs, New Delhi addressed to the Chief Secretaries of all State Government/Union Territory Administrations and to etc.

Subject :- Review of cases of Central Government servants convicted under DISIR during internal emergency- Guidelines for.

In para 5 of this Department's OM of even number dated the 10th May, 1977, it had been stated that cases of Central Government employees who were convicted by the courts under the DISIR during the internal emergency should be taken up for review. The following guidelines may be followed in reviewing such case:-

- (i) A Government servant convicted in a court of law of an offence is to be dismissed, removed or compulsorily retired from service if the offence is of such a nature as to render further retention of the Government servant in public service prima facie undesirable. Keeping this general principle in view, the disciplinary authority should call for and examine a copy of the judgment (leading to his conviction) with a view to decide whether the action already taken to dismiss, remove or compulsorily retire the Government servant needs modification or cancellation.

If a Government servant is found to have been convicted for economic offences or acts of violence or for acts prejudicial to national security act there would be no case for showing leniency. But in regard to other convictions which do not involve (a) any moral turpitude or (b) any participation in violent activities, a lenient view would be justified considering that most of the convictions under DISIR during the Emergency were on account of participation in the activities of the erstwhile banned organisations or distribution of anti-emergency literature.

- (ii) In cases where it is felt that the action earlier taken in the form of dismissal, removal or compulsory retirement appears to be excessive but not to tally without jurisdiction, the competent authority may set aside the order imposing the penalty of dismissal or removal or compulsory retirement and order a departmental enquiry for imposing an appropriate minor penalty.
- (iii) In the case of officers where the Service Commission was consulted before imposing the penalty of dismissal removal or compulsory retirement, the Commission may have to be consulted formerly again before setting aside such penalties.
- (iv) In all cases where the Government servants have been reinstated, half pay and allowances may be paid for the Intervening period (calculation of the amount being made in the same manner as in the case of subsistence allowance).
- (v) Central Government employees who were suspended from service pending investigation or pending trial in courts under the DISIR may be reinstated if the investigation has been dropped or the cases withdrawn.

As regards appointment to a post under the Government, in respect of applicants who were convicted for political offences during the internal emergency, care should be taken to ensure that no adverse inference is drawn against the interest of an applicant unless the conviction is for an offence

involving moral turpitude, which could be regarded as sufficient ground for considering the applicant ineligible for Government service except where the appointing authority comes to a considered conclusion that there are features and grounds to believe that the person has rid himself of the weakness in which case specific approval of Government should be obtained before his employment. In this connection, attention is invited to paragraph (a) Home Department O.M. No. 20/58/45-Estts. (S) dated the 7th Feb., 1947 and also MHA-OM No. 2/11/56-Estts. (B) dated the 1st December, 1956 (vide pages 23 and 43 of the Brochure on verification of character and antecedents of Government servants issued by the Ministry of Home Affairs.

3. Ministry of Finance etc. are requested to take action accordingly and bring the contents of this O.M. to the notice of all Heads of Departments/Offices under their control.

Copy of letter No. 34013/4(S)77-Estt. (B) dated the 1st November, 1977 from Director (E) Government of India, Deptt. of Personnel and Administrative Reforms, Ministry of Home Affairs, New Delhi addressed to the Chief Secretaries of all State Government/Union Territory Administrations and to etc.

Subject :- Review of cases of Central Government servants convicted under DISIR during internal emergency- Guidelines for.

I am directed to forward herewith a copy of the Office Memo. No. even number dated the 28th October, 1977 issued to the Ministries/Departments of the Government of India on the above mentioned subject for information and guidance. In this connection I am to invite reference to this Ministry's letter of even number dated the 10th May, 1977 regarding review of cases of employees whose services were terminated by invoking the provisions of proviso (c) to Article 311 (2) of the Constitution of with which a copy of this Department's OM of even number dated the 10th May, 1977 was enclosed.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 8274-3जी.एस. I-77/40119 दिनांक 28-12-77 की प्रति।**

विषय :- संविधान की धारा 311(2) के परन्तुक (सी) के तहत केन्द्रीय सरकार के कर्मचारियों के विरुद्ध की गई कार्यवाही सेवा पदच्युत/निष्कासित कर्मचारियों के मामलों का पुनरीक्षण।

मुझे निदेश हुआ है कि उपरोक्त विषय की ओर आप का ध्यान हरियाणा सरकार के पत्र क्रमांक 5672-3 जी.एस. - I-77/25092, दिनांक 14-9-1977 की ओर दिलाऊँ और भारत सरकार के पत्र क्रमांक 34013/4 (एस)/77-स्थापना (बी), दिनांक 5-10-1977 तथा अनुलग्नक की प्रति संलग्न करते हुए आपसे अनुरोध करूँ कि इस सम्बन्ध में भारत सरकार द्वारा लिए गए निर्णय के अनुसार राज्य सरकार के कर्मचारियों के मामलों में ऐसा ही कार्यवाही की जाये।

2. इस सम्बन्ध में वित्त विभाग की सहमति उनके अशा: क्रमांक 6535-I-एस.जी. - 77, दिनांक 18-12-1977 द्वारा ले ली गई है।

3. कृपया इस पत्र की पावती भेज दें।

भवदीय,

हस्ता/-

उप-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

क्रमांक 8274-3 जी.एस. - I-77/40120,

दिनांक चण्डीगढ़ 28 दिसम्बर, 1977

एक प्रति अनुलग्नकों सहित, महालेखाकार, हरियाणा, चण्डीगढ़ को हरियाणा सरकार के पृष्ठांकन क्रमांक 5672-3 जी.एस. - I-77/2509, दिनांक 14-9-1977 के संदर्भ में सूचनार्थ भेजी जाती है।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र क्रमांक 11/8/78 जी.एस.1/
दिनांक 13-3-78 की प्रति।**

**विषय :- संविधान की धारा 311(2) के परन्तुक (सी) के तहत केन्द्रीय सरकार के कर्मचारियों के विरुद्ध
की गई कार्यवाही-सेवा पदच्युत/निष्कासित कर्मचारियों के मामलों का पुनरीक्षण।**

मुझे निदेश हुआ है कि उपरोक्त विषय की ओर आप का ध्यान हरियाणा सरकार के पत्र क्रमांक 5672-3 जी.एस. - I-77/25092, दिनांक 14-9-1977 की ओर दिलाऊँ और भारत सरकार के पत्र क्रमांक 34013/4 (एस)/77-स्थापना (बी), दिनांक 1-11-1977 तथा अनुलग्नक की प्रति संलग्न करते हुए आपसे अनुरोध करूँ कि इस सम्बन्ध में भारत सरकार द्वारा लिए गए निर्णय के अनुसार राज्य सरकार के कर्मचारियों के मामलों में ऐसा ही कार्यवाही की जाये।

2. इस सम्बन्ध में वित्त विभाग की सहमति उनके अशा: क्रमांक 636 - I-एस.जी. - I-78, दिनांक 15-2-1978 द्वारा ले ली गई है।

3. कृपया इस पत्र की पावती भेज दें।

भवदीय,

हस्ता / -

उप-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

क्रमांक 11/8/78 जी.एस. - I-चण्डीगढ़

दिनांक 13-3-1977

एक प्रति वित्तायुक्त, राजस्व, सभी प्रशासकीय सचिव को अनुलग्नकों सहित, महालेखाकार, हरियाणा, चण्डीगढ़ को हरियाणा सरकार के पृष्ठांकन क्रमांक 5672-3 जी.एस. - I-77/25093, दिनांक 14-9-77 के संदर्भ में सूचनार्थ भेजी जाती है।

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 28-6-78 / जी.एस.-II- दिनांक 16 मार्च, 1978 की प्रति।**

विषय :- सरकारी कर्मचारियों/अधिकारियों को नसजोड़/नलखोल आप्रेशन करवाने के लिए विशेष अवकाश प्रदान करना ।

महोदय,

मुझे निदेश हुए हैं कि उपरोक्त विषय पर आपका ध्यान हरियाणा सरकार के परिपत्र क्रमांक 7502-4 जी.एस.-II-75/24167, दिनांक 7 अगस्त, 1975 की ओर दिलाऊँ, जिसमें यह निर्णय लिया गया था कि यदि कोई सरकारी कर्मचारी नसबन्दी आप्रेशन फेल होने पर पुनः आप्रेशन करवाता है, तो उस समय भी उसे 6 दिन का विशेष आकस्मिक अवकाश प्रदान किया जायेगा। परन्तु अब सरकार ने यह भी निर्णय लिया है कि पुरुष कर्मचारियों की नसजोड़ आप्रेशन के लिए 14 दिन और महिला कर्मचारियों को नलखोल आप्रेशन के लिए 21 दिन का विशेष अवकाश प्रदान किया जाये। इस प्रकार का लाभ कन्टीन जैट पेड स्टाफ को भी मिलेगा।

भवदीय

हस्ता / -

उप-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति :-

वित्तियुक्त राजस्व, हरियाणा, सभी प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ भेजी जाती है ।

Copy of letter No. 24/14/78-GS-II dated 25th April 1978, from the Chief Secretary to Government Haryana to all Heads of Departments, etc., etc.

Subject : Working hours and holidays in offices under the Haryana Government.

Sir,

I am directed to refer to the subject noted above and to say that it has been decided that working hours in all offices of the Haryana Government, except those located at Chandigarh and offices of Town and Country Planning P.W.D. (Public Health Branch) and Government Text Book Press at Panchkula, will be from 7.00 a.m. to 1.30 p.m. without any lunch break during the months of May, June and July, 1978 and every second Saturday of the months will be observed as holiday.

2. The present working hours i.e. from 9.00 a.m. to 5.00 p.m. will continue to be observed in those offices of the Haryana Government which are located at Chandigarh and offices of Town and Country Planning and P.W.D. (Public Health Branch) and Government Text Books Press at Panchkula. In this case lunch break will continue to be from 1.30 p.m. to 2.00 p.m. and all Saturdays will be observed on holidays.

3. These instructions may be brought to the notice of all concerned.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information and necessary action to :—

The Financial Commissioner, Revenue, Haryana; All Administrative Secretaries to Government, Haryana.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 28/21/78 जी.एस.- II दिनांक 20 अक्टूबर, 1978 की प्रति।**

विषय :- परिवार नियोजन प्रोग्राम-विशेष आकस्मिक अवकाश प्रदान करना ।

महोदय,

मुझे कहने के निदेश हुआ है कि उपरोक्त विषय पर विभाग के परिपत्र क्रमांक 1452-जी.एस.- 70/7417, दिनांक 30 मार्च, 1970 द्वारा हिदायतें जारी की गई थी कि 1500 रुपये तक वेतन पाने वाले जिन अधिकारियों/कर्मचारियों की धर्मपत्नियां (Gynance sterilization), यानि बिना डिलिवरी नलबन्दी आप्रेशन करवायें, उन अधिकारियों/कर्मचारियों को 7 दिन का विशेष आकस्मिक छुट्टी दी जाये। तत्पश्चात् इस विभाग के परिपत्र क्रमांक 3260-2 जी.एस.- 71/18484, दिनांक 13 जुलाई, 1971 द्वारा स्पष्ट किया गया था कि ये अवकाश संबंधित अधिकारियों/कर्मचारियों में उनकी धर्मपत्नी के आप्रेशन के समय ही दिया जाये। इस सम्बन्ध में राज्य सरकार द्वारा अब निर्णय लिया गया है कि यह सुविधा कथित अधिकारियों/कर्मचारियों को उनकी धर्मपत्नियों के (puerperal sterilization), यानि डिलीवरी के समय नसबन्दी आप्रेशन करवाने पर भी दी जाये। यह निर्णय कृपया सभी सम्बन्धित अधिकारियों/कर्मचारियों के ध्यान में लाया जाये।

2. यह वित्त विभाग के उनके अशा० क्रमांक 11/1(2)/78-1, दिनांक 28 सितम्बर, 1978 द्वारा व्यक्त की गई सहमति के साथ जारी किया गया है।

भवदीय,

हस्ता/-

उप-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

Copy of letter No. 27/35/78-GS-II dated 22nd December, 1978, from the Chief Secretary to Government, Haryana to all Heads of Departments, etc., etc.

Subject :—Working hours of Haryana Government offices situated at Chandigarh and in Haryana State.

I am directed to invite a reference to Haryana Government letter No. 3834-4GS-68-19363, dated 31st July, 1968 on the subject noted above and to say that it has been decided that with effect from 1-1-1979 the working hours of all offices of the State Government situated at Chandigarh and in Haryana State will be as under :—

- (1) From December to February From 10 A.M. to 5 P.M. Lunch-break from 1.30 P.M. to 2.00 P.M. and only the Second and last Saturday of the month will be observed as holidays.

- (2) From March to November from 9 A.M. to 5.00 P.M.

The decision may be brought to the notice of all concerned

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information and necessary action to :—

The Financial Commissioner Revenue, Haryana and All Administrative Secretaries to Government, Haryana.

POLICE RADIO MESSAGE

From

The Chief Secretary, Haryana.

To

Commissioners, Ambala and Hisar Divisions,
All Deputy Commissioners and Sub-Divisional Officers in Haryana.

In continuation of Haryana Government letter No. 27/35/78~GS-II, dated 22-12-1978, Government have decided that working hours in all Haryana Government Offices except those located at Chandigarh and Panchkula would be from 7.00 A.M. to 1.30 P.M. without lunch break with effect from 1 st May to 31 st July, 1979 and every Saturday of the month will be observed as working day.

No. 27/35/78-GS-II

Dated Chandigarh, the 30th April, 1979

A copy is forwarded for similar action to the Registrar, Punjab & Haryana High Court, Chandigarh.

Sd/-

Superintendent, General Services II,
for Chief Secretary to Government, Haryana.

**Copy of letter No. 27/35/78-GS-II dated 30th July, 1979 from the Chief Secretary to Government
Haryana to All Heads of Departments etc., etc.**

Subject:— Working hours of Haryana Government Offices.

Sir,

I am directed to invite a reference to Haryana Government letter No. 27 /35/78-GS-II, dated the 22nd December, 1978, and Police Radio Message of even No. dated the 30th April, 1979, on the subject noted above and to say that after considering the various factors and keeping in view the need for economy in the use of petrol and diesel oil, it has now been decided that with effect from 1-8-1979 the working hours of all the offices of the State Government will be from 9.00 A.M. to 5.00 P.M. with half an hour break for lunch from 1.30 P.M. to 2.00 P.M. All Saturdays will be observed as holidays.

2. As regards the question of working & hours in field offices during the months of May to July, the matter is under consideration of the Government and instructions in this behalf will be issued in due course.

3. The above decision may be brought to the notice of all concerned for necessary action.

Yours faithfully,

Sd/

Joint Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information and necessary action to :—

All the Financial Commissioners Haryana and all Administrative Secretaries to Government,
Haryana.

**मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित
परिपत्र क्रमांक 28/22/78-जी.एस.-II, दिनांक 9 अगस्त, 1979 की प्रति ।**

विषय : स्वेच्छा से खून देने वाले प्रोग्राम को प्रोत्साहित करना ।

महोदय,

मुझे निर्देश हुए है कि उपरोक्त विषय पर हरियाणा सरकार के पत्र क्रमांक 24-जी.एस.-II, 76/5677, दिनांक 5 मार्च, 1976 की ओर आपका ध्यान दिलाऊँ और कहूँ कि इसमें निहित अनुदेशों की इस सीमा तक संशोधन करने का निर्णय लिया गया है कि यदि कोई अधिकारी/कर्मचारी खून दे तो उसे एक दिन की बजाए दो दिन का अवकाश दिया जाये। इस दो दिन के अवकाश में वह दिन भी गिना जाए जिस दिन की खून दिया गया है।

भवदीय,

हस्ता/-

अवर सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति वित्तायुक्त, राजस्व तथा सभी प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है।

**Copy of letter No. 27/35/78-GSII, dated 24th April, 1980 from the Chief Secretary to Government,
Haryana to all Heads of Departments, etc., etc.**

Subject : Working hours in field offices during the months of May to July.

Sir,

I am directed to invite a reference to para 2 of Haryana Government letter No. 27/35178-GSII, dated the 30th July, 1979, on the subject noted above and to state that it has been decided that the present working hours i.e. 9.00 A.M. to 5.00 P.M. with half an hour break for lunch will also continue to be observed in the field offices under the Haryana Government during the months of May to July. All Saturdays will be observed as holidays.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information and necessary action to :—

All the Financial Commissioners, Haryana and Administrative Secretaries to Government,
Haryana.

WIRELESS MESSAGE

From

The Chief Secretary, Haryana.

To

Commissioners Ambala and Hisar Divisions,

All Deputy Commissioners and Sub-Divisional Officers in Haryana.

In cancellation of Haryana Government letter No. 27/35/78-GS-II, dated 24th April, 1980, Government have decided that working hours in all Haryana Government offices and Courts except those located at Chandigarh and Panchkula would be from 7.00 A.M. to 1.30 P.M. without lunch break from 6th May to 31 st July, 1980, and every Saturday of the month will be observed as working day. High Court has been requested to issue similar orders to judicial officers. Please inform all concerned for compliance.

S.D. BHAMBRI,
Chief Secretary to Government, Haryana.

No. 27/35/78-GS-II,

Dated Chandigarh, the 5th May, 1980

A copy each is forwarded for information & necessary action to the Financial Commissioner, Revenue and all Administrative Secretaries to Government, Haryana.

Sd/-
Superintendent, General Services-II,
for Chief Secretary to Govt., Haryana.

Dated Chandigarh, the 5th May, 1980

Copy of letter No. 27/28/78-GS-II, dated the 23rd November, 1981, from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject :— Grant of Special Casual Leave to the State Government servants or participation in sporting events in the forthcoming Asian Games to be held in New Delhi.

I am directed to invite attention to the composite Punjab Government letter No. 684-GSn-58/13153, dated the 14th February, 1958 regarding grant of 'Special Casual Leave' not exceeding 30 days in anyone calendar year to the State Government employees for participation in sporting events of National or International importance.

2. The question of grant of additional casual leave to the sportsmen taking part in the coming Asian Games to be held at New Delhi in 1982, has been considered by the State Government. The participants would be required to undergo intensive coaching in different phases for their final selection. In view of the aforesaid position, it has been decided that the Government servants selected to participate in the series of coaching camps and for participation in the international competitions should be granted necessary permission and the period spent for coaching/competitions should be treated as additional special leave.

3. The above instructions may kindly be brought to the notice of all concerned for information and guidance.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

Copy of letter No. 27/31/78, GS-II, dated 11th December, 1981, from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

I am directed to address you on the subject noted above and to say that chowkidars employed in the various departments of State Government do not at present get a weekly day off as a regular measure. This question has been engaging the attention of the State Government for some time past and it has been decided that Chowkidars belonging to different Departments guarding building located within the same compound or in the close proximity of one another should be pooled together and allowed a weekly day off (or, where this is not possible for special reasons at least a fortnightly off by rotation. Where such an arrangement is not feasible arrangements should be made for providing a weekly or a fortnightly off to chowkidars by calling for volunteers from among the available rotation Group 'D' staff (excluding sweepers) and granting to the latter a compensatory day off duty.

2. The above decision may kindly be brought to the notice of all concerned for necessary action.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

Copy of letter No. 27/28/78, GS-II, dated 15th April, 1982, from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

I am directed to refer to the instructions contained in composite Punjab Government letters noted in the margin on the above subject and to say that the question of extending this concession to employees who participate in mountaineering/Trekking/Hiking trips organised by their clubs has been considered by the Government. It has been decided that, in principal, there should be no objection to giving the special casual leave to such employees, but each case should be dealt with on its merits by the Head of Department concerned.

Yours faithfully,

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Govt., Haryana

A copy is forwarded for information and necessary action to :—

All the Financial Commissioners, All the Administrative Secretaries to Government, Haryana.
The Principal Secretary to Chief Minister, Secretaries/Private Secretaries to Chief Minister/Ministers/
Deputy Ministers, Chief Parliamentary Secretary/Parliamentary Secretary in Haryana.

मुख्य सचिव, हरियाणा द्वारा विभागाध्यक्षों आदि को सम्बोधित परिपत्र
क्रमांक 28-6-81/जी.एस.-II, दिनांक 14 मई, 1982 की प्रति।

विषय :- राज्य में बाढ़ के दौरान, बाढ़ कंट्रोल कार्य में अधिकारियों/कर्मचारियों द्वारा कार्यालय समय के बाद रात्रि को तथा छुट्टी वाले दिन दी जाने इयूटी वाली के बदले प्रतिपूरक अवकाश प्रदान करना ।

महोदय,

मुझे निदेश हुए है कि उपरोक्त विषय की ओर आपका ध्यान दिलाऊँ और कहूँ कि राज्य में बाढ़ के दौरान, बाढ़ कंट्रोल कार्य के लिए अधिकारियों/कर्मचारियों की रात्रि तथा छुट्टी वाले दिनों में इयूटियां लगाई जाती है और इस प्रकार की इयूटी देने वाले अधिकारियों/कर्मचारियों को कुछ सुविधा देने का प्रश्न सरकार के विचारधीन रहा है। इस सम्बन्ध में सरकार ने यह निर्णय लिया है कि जो अधिकारी/कर्मचारी बाढ़ कंट्रोल कार्य में कार्यालय समय के बाद रात्रि को या छुट्टी वाले दिन इयूटी देते हैं, उन्हें इस प्रकार की इयूटी के बदले प्रतिपूरक अवकाश प्राप्त किया जाये। इस सम्बन्ध में प्रतिपूरक अवकाश प्रदान करने की निम्नलिखित शर्तें होगी :-

1. इस प्रकार की इयूटी देने वाले अधिकारियों/कर्मचारियों को प्रतिपूरक अवकाश इयूटी देने की तिथि से एक मास के अन्दर-अन्दर लेना होगा अन्यथा यह अवकाश लैप्स हो जायेगा। यदि प्रशासकीय आवश्यकताओं को ध्यान में रखते हुए मांगा गया अवकाश सम्बन्धित अधिकारी/कर्मचारी को एक मास के अन्दर-अन्दर नहीं प्रदान किया जा सकेगा तो उस सूरत में प्रतिपूरक अवकाश प्राप्त करने की अवधि 6 सप्ताह होगी।
2. इस अवकाश को अन्य राजपत्रित अवकाश के साथ मिलाने में कोई आपत्ति नहीं होगी।
3. इस अवकाश के दौरान समक्ष अधिकारी की स्वीकृति से कार्य स्थान छोड़ने में कोई आपत्ति नहीं होगी।

भवदीय,

हस्ता / -

अवर-सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति सूचना तथा आवश्यक कार्यवाही के लिए निम्नलिखित की भेजी जाती है :-

वित्तियुक्त राजस्व तथा सभी प्रशासकीय सचिव, हरियाणा सरकार । प्रधान सचिव, मुख्य मन्त्री/सचिव/निजी सचिव, मुख्य मन्त्री/मन्त्री/उप-मन्त्री।

विषय :- सेवा सम्बन्धी मामलों पर मन्त्रणा प्राप्त करने के लिए केसिज को मुख्य सचिव को भेजने का ढंग।

क्या वित्तायुक्त राजस्व एवं सचिव, हरियाणा सरकार, राजस्व तथा सभी प्रशासकीय सचिव, हरियाणा सरकार, उपरोक्त विषय पर इस विभाग के अशा. परिपत्र क्रमांक 3023 - I जी.एस. - 1 - 75, दिनांक 6 - 6 - 1975 (प्रति तत्काल संदर्भ के लिए संलग्न है), की ओर ध्यान देने का कष्ट करेंगे ?

2. संदर्भित परिपत्र में मुख्य सचिव को केसिज भेजने के ढंग की विस्तृत कार्यविधि का उल्लेख किया हुआ है, लेकिन अब भी इन हिदायतों का दृढ़ता से पालन नहीं किया जा रहा है। अब भी अवर सचिव/उप सचिव/संयुक्त सचिव ही अपने स्तर से ही मामला मुख्य सचिव को भेज देते हैं, जबकि उक्त हिदायतों में यह स्पष्ट किया गया था कि प्रशासकीय सचिव के माध्यम से ही मामला मुख्य सचिव को भेजा जाए।

3. इसके अतिरिक्त कई एक मामलों में न तो प्रशासकीय विभाग के प्रस्ताव की दोहरी प्रति लगी होती है, न ही हवाला के तौर पर दी गई हिदायतों/नियमों की प्रति लगी होती है और न ही उस प्वाइन्ट (बिन्दु) का विशेष रूप से उल्लेख होता है, जिस पर मुख्य सचिव की मन्त्रणा प्राप्त की जानी है। इन सबके अभाव में प्रस्ताव विभागों को वापिस करने पड़ते हैं, जिस कारण से मामले के निपटान में अनावश्यक विलम्ब होता है।

4. पुनः स्पष्ट किया जाता है कि भविष्य में कोई भी प्रस्ताव मुख्य सचिव को भेजते समय उपरोक्त हिदायतों का दृढ़ता से पालन किया जाये और यह सुनिश्चित किया जाये कि जब भी कोई प्रस्ताव मुख्य सचिव को मन्त्रणा हेतु भेजा जाए, उसमें उपरोक्त वर्णित पूर्ण सूचना संलग्न हो और प्रस्ताव प्रशासकीय सचिव के माध्यम से ही भेजा जाए।

5. वित्तायुक्त राजस्व एवं सभी प्रशासकीय सचिवों से यह भी अनुरोध है कि वे अपने अधीन सभी विभागाध्यक्षों को भी ये निर्देश जारी करें कि वह मुख्य सचिव की मन्त्रणा लेने बारे कोई भी पत्र व्यवहार सीधे ही मुख्य सचिव से न करें, बल्कि अपने प्रशासकीय सचिव को ही लिखें। इस सम्बन्ध में विभागाध्यक्षों को जारी किए गए निर्देशों की एक प्रति इस विभाग को भी भेजी जाए।

6. कृपया इस पत्र की पावती भेजें।

हस्ता / -

(खैराती लाल विज)

अधीक्षक, सामान्य सेवाएं - I,

कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

(1) वित्तायुक्त राजस्व एवं सचिव, हरियाणा सरकार।

(2) सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा : क्रमांक : 50 / 3 / 82 - 5 जी.एस. - I,

दिनांक 30 अगस्त, 1982

पृष्ठांकन क्रमांक : 50/3/82-5 जी.एस.-I,

दिनांक 30 अगस्त, 1982

उपर्युक्त की एक-एक प्रति अनुलग्निक की प्रति सहित सभी विभागाध्यक्ष, आयुक्त हिसार/अम्बाला मण्डल तथा सभी उपायुक्त, हरियाणा राज्य को सूचनार्थ तथा आवश्यक कार्यवाही हेतु प्रेषित की जाती है। उनसे अनुरोध है कि यदि किसी मामले पर मुख्य सचिव की मन्त्रणा लेने की आवश्यकता पड़े तो मामला हमेशा अपने प्रशासकीय विभाग के माध्यम से ही प्रस्तुत किया करें। उनसे सीधा प्राप्त हुआ पत्र स्वीकार नहीं किया जाएगा और वह उन्हें लौटा दिया जाएगा।

हस्ता / -

(खैराती लाल विज)

अधीक्षक, सामान्य सेवाएं - I,

कृते : मुख्य सचिव, हरियाणा सरकार।

Copy of letter No. 27/28/78-GS-II, dated 16th November, 1982, from the Chief Secretary to Government, Haryana to all Heads of Departments etc., etc.

Subject :— Placement of certain Officers/Officials at the disposal of the Special Organising Committee for IX Asian Games, 1982. Treatment of the period spent by them as duty.

It has come to notice of the State Government that the Asian Games Special Organising Committee (AGSOC) has proposed to utilise the services of a few Government servants for a short period to assist them in the organisation of IX Asian Games. A question has been raised as to how the services of these Government servants could be made available to the AGSOC and how this period is to be treated. On careful consideration of the matter, it has been decided that the period, for which the services of such officers are to be placed with the Asian Games, should be treated as duty subject to the condition that the controlling authority agrees to relieve the Officers/Officials concerned. In such cases the pay and other allowances of the Officials would be drawn and paid by the concerned departments themselves and no substitute will be allowed to be employed in their case. The Government servants who are called on duty for Asian Games will not be entitled to any deputation allowance or special pay.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

No. 14/22/85-2GSII

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, the Commissioners Ambala and Hisar Divisions, All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
2. The Registrar,
Punjab and Haryana High Court, Chandigarh
Dated Chandigarh, the 15th November, 1985.

Subject :— Grant of personal pay to Government servants who improve their qualification by further study within the country and abroad.

Sir,

I am directed to refer to Haryana Government letter No. 14/18/83-2GSII, dated the 24th September, 1984, on the subject noted above and to clarify that the benefit of advance increments (as personal pay) on account of improvement in qualifications during service towards pension and death-cum-retirement gratuity, is not admissible. These instructions may kindly be got noted from all concerned.

2. This issued with the concurrence of the Finance Department conveyed vide their U.O. No. 9/5/85-4 FRII, dated the 15th October, 1985.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners and
2. All the Administrative Secretaries to Govt., Haryana.

U.O.No. 14/22/85-2GSII,

Dated Chandigarh, the 15th Nov., 1985

No. 14/22/85-2 GSII,

Dated Chandigarh, the 15th Nov., 1985.

A copy is forwarded to the accountant General, Haryana, Haryana Chandigarh for information and necessary action with reference to Sh. S.D. Aggarwal, Deputy Accountant General (A/Cs's D.O. letter No. TM (T) 30-1/85-86/22, dated -6-85.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

No. 12/13/87-2 GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments,
Commissioner of Divisions,
all Deputy Commissioners and
Sub-Divisional Officers (C) in Haryana.
2. The Registrar, Punjab & Haryana High Court, Chandigarh.

Dated, Chandigarh, the 22nd April, 1987.

Subject :- Quick disposal of claims of employees.

Sir,

I am directed to say a large number of cases have come to the notice of Government especially pertaining to Education Department where undue delay took place in granting selection grade, fixation to pay, grant of pay, grant of annual increments, crossing efficiency bar and fixation of seniority of various categories of employees. The delay, in not taking up such type of cases well in time, not only causes great hardship to the concerned employees but also leads to corruption. After careful consideration of the matter the following time schedule is hereby prescribed for the disposal of such cases :—

(i) Increment/Efficiency Bar cases

According to rule 4.1 of the Punjab C.S.R. Vol. I Part-I, increment shall be drawn as a matter of causes unless it is with-held. The annual increments are drawn by the D.D.O.'s and they should ensure that all the formalities such as issue of periodical increment certificates are completed by the date on which annual increment falls due.

According to the instructions contained in letter No. 5474-3 S 73/2073 dated 20.1.1974 efficiency bar cases are required to be disposed of within a period of six months. It should be ensured that the efficiency bar cases are taken up well before date when the efficiency bar becomes due and every effort should be made to finalise the cases within the prescribed time limit.

(ii) Pay fixation cases

The pay fixation cases should be expedited and a final decision must be taken within a period of three months.

(iii) Promotion/confirmation/selection grade cases.

Such cases should be initiated immediately on the accrual of the vacancy and as far as possible should be finalised within a period of three months.

(iv) Seniority cases

Keeping in view the fact that in some cases ticklish questions are involved in determining inter-se-seniority, a period of six months is prescribed for the finalisation of such cases.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

2. I am to request that these instructions may be brought to the notice of all the employees working under your control for strict and meticulous compliance. Any lapse on the part of employees dealing with these matters should be viewed seriously and disciplinary proceeding under Haryana Civil Services (Punishment and Appeal) Rules, 1987 should be taken against the defaulting employees.

Sd/-

Under Secretary General Administrations,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary General Administrations,
for Chief Secretary to Government, Haryana.

U.N.O. 12/13/87-2 GSI

Dated, Chandigarh, the 22.4.87

IMMEDIATE

No. 6/39/86-7GSI

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of Departments, Commissioner, Ambala Division/Hissar Division,
- (ii) The Registrar, Punjab & Haryana High Court and all District and Sessions Judges in Haryana.

Dated Chandigarh, the 21st, May, 1987

Subject :- Submission of Affidavit by the Government in reply to the Civil Writ Petitions.

Sir,

I am directed to address you on the subject noted above and to say that Government have for some time past been considering the question of adopting a suitable procedure with regard to co-ordination with Haryana Public Service Commission in the submission of replies in the High Court in writ petitions cases relating to the recruitment made by the Commission and where both the Government and the Commission are parties.

2. After due consideration it has now been decided by Government that there is no legal objection if the Government conveys its stand to the Commission should also disclose/discuss its stand with the State Government before finalising the replies to be filed in Court in the writ petitions

General Instructions

where both the Government and Haryana Public Service Commission have been made parties. Thus, the arrangement would be on a reciprocal basis. The Advocate General's Office will co-ordinate such replies where required.

3. These instructions should be brought to the notice of all those who are dealing with legal matters/writ petitions etc.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

A copy is forwarded to all the Financial Commissioners and all the Administrative Secretaries to Government for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

To

All the Financial Commissioners and All the Administrative Secretaries to
Government, Haryana.

U.O. No. 66/39/86-7GSI,

dated Chandigarh 21st May, 1987

No. 66/39/86-7 GSI,

dated Chandigarh the 21st May, 1987.

A copy is forwarded for information and necessary action to the Secretary, Haryana Public Service Commission with reference to the Correspondence resting with his letter No. P & G 9/85/9427, dated 4.12.86.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/28/87-6GSI

From

The Chief Secretary to Government Haryana.

To

All the Heads of Departments, Commissioners, Ambala and Hissar Divisions, All the Deputy Commissioners and Sub Divisional Officer (Civil) in the State of Haryana.

Dated Chandigarh, the 19th Nov., 1987

Subject :- Regarding visit to the Secretariat by the Officers/officials of the Directorates at Chandigarh/Panchkula and field offices.

Sir,

I am directed to refer to the subject cited above and to say it has been decided that no official working in the Directorates at Chandigarh or in the field offices would visit the Secretariat or their immediate superior officers without prior permission of the Head of Department. They would undertake such visit only when specifically called by their superiors officers. Similarly officers from the field or Directorate should visit the Secretariat only for official work.

2. I am to request you to observe these instructions strictly. The violation of these instructions would make the defaulting officer/official liable for disciplinary action.

3. The receipt of these instructions may kindly be acknowledged.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana.

No. 62/28/87-6GSI

Dated : 19-11-87

A copy each is forwarded to all the Managing Directors/Chairman of all the public Undertakings (Corporations/Boards/Companies/Apex Cooperative Institutions) in Haryana for similar necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Govt. Haryana.

Copy is forwarded to all Administrative Secretaries to Govt., Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Govt. Haryana.

General Instructions

To

All the Administrative Secretaries to Govt., Haryana.

U.O. No. 62/28/87-6GSII-8

Dated 19-11-87

Copy of letter No. 62/31/87-6GSI dated, 15.12.87 from the Chief Secretary to Government, Haryana to all Heads of Department, the Commissioner, Hissar Ambala Divisions, all Deputy Commissioners and all Sub Divisional Officers and Principal Secretary/Deputy Principal Secretary/ OSD to C.M. Haryana and all Secretaries/Private Secretaries to all the Ministers/States Ministers / Chief Parliamentary Secretary/Parliamentary Secretaries.

क्रमांक 62/27/88-6 जी०एस० I

प्रेषक,

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

हरियाणा सरकार के सभी विभागाध्यक्षों, आयुक्त अम्बाला तथा हिसार मण्डल उपायुक्त तथा उप मण्डल अधिकारी।

दिनांक चण्डीगढ़/1988

विषय :- गांवों में मन्त्रियों के दौरे पर जाने के फलस्वरूप विद्यालयों में जनसभायें आयोजित करने के बारे में।

महोदय,

उपर्युक्त विषय के सन्दर्भ में मुझे यह कहने का निदेश हुआ है कि मंत्रीगण जब भी गांवों के दौरे पर जाते हैं। तो सम्बन्धित विभाग उनकी जनसभायें प्रायः विद्यालयों में आयोजित करते हैं। विद्यालयों में ऐसी जनसभायें आयोजित करने से विद्यालयों पढ़ाई की हानि होती है तथा शिक्षकों को आवश्यक अवकाश पर रहना पड़ता है। इसको देखने हुए सरकार द्वारा विचार करने के पश्चात यह निर्णय लिया गया कि भविष्य में मन्त्रियों के दौरे के समय गांवों में की जाने वाली जन सभायें विद्यालयों में केवल छुट्टी के दिन ही आयोजित की जायें ताकि विद्यालयों की पढ़ाई में बाधा न पड़े।

2. यदि ऐसी जनसभाओं का आयोजन छुट्टी के दिन के अलावा किसी अन्य दिन किया जाता है तो इन्हें गांव की चौपाल या अन्य उपयुक्त स्थान पर आयोजित किया जाये।

3. कृपया इन हिदायतों की दृढ़ता से पालना की जाये।

भवदीय,

हस्ता / -

अवर सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

इसकी एक प्रति सभी वित्तायुक्तों/आयुक्त/सचिव, हरियाणा सरकार को सूचना एवं आवश्यक कार्यवाही हेतु भेजी जाती है।

हस्ता / -

अवर सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

सभी वित्तायुक्तों / - आयुक्त / - सचिव हरियाणा सरकार।

अशा: क्रमांक 62/27/88-6 जी०एस० - I,

दिनांक चण्डीगढ़, 27.02.1988

No. 62/1/88/6GSI

From

The Chief Secretary to Govt., Haryana

To

All the Chairman of the Corporations/Boards of Haryana.

Dated Chandigarh, the 8th Jan. 1988.

Subject :- Economy in expenditure

Sir,

I am directed to refer to the subject noted above and to say that Chief Minister has desired that the Chairmen would restrict their touring to ten (10) days in a month. It is further clarified that the chairmen would not be actually on tour for more than 10 days in a month. The practice of remaining on tour for more than 10 days but claiming/drawing T.A. for 10 days only would not be considered in order.

2. You are, therefore, requested to adhere to the above decision meticulously.
3. (For Chairman Haryana, Tourism Corporation). He is exempted from this restriction.
4. The receipt of this communication may kindly be acknowledged.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Administrative Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

All Financial Commissioners, Haryana and

Administrative Secretaries to Government, Haryana.

U.O.No. 62/1/88-6 GSI

Dated :- 8-1-88

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/31/87-6GSI

From

The Chief Secretary to Govt., Haryana

To

- (1) All Heads of Departments, the Commissioner, Hisar, Amabala Division. All Deputy Commissioners and Sub Divisional Officers in Haryana .
- (2) The Registrar, Punjab & Haryana High Court and all District and Sessions Judge's, Haryana.

Dated Chandigarh, the 15th January, 1988.

Subject :- Travelling by Ordinary passenger buses once in a month by all Ministers/Senior Officers of Haryana Government.

Sir,

I am directed to refer to Haryana Govt. letter No. 62/31/87-6GSI, dated 15-12-87 on the subject noted above in which, it was stated that Gazetted Officers in the State would undertake bus journeys once every month, so as to enable them to get conversant with the feelings of the general public about the affairs of the State. You are, therefore, requested to kindly intimate the number of officers, working under you, who had under-taken the journey by the ordinary buses upto 15-1-88. A copy of the report submitted by the Officers in this regard may also be sent to Government.

2. This information may be supplied to Government within 3 days.

Yours faithfully,

Sd/-

Under Secretary, General Administration
for Chief Secretary to Govt. Haryana

copy forwarded to all Administrative Secretaries to Government, Haryana for similar action.

Sd/-

Under Secretary, General Administration
for Chief Secretary to Govt. Haryana

To

All the Administrative Secretaries to Govt., Haryana.

General Instructions

U.O.No. 62/31/87-6GSI

Dated : 15-1-88

A copy is forwarded to the :—

- (1) All Secretaries/Private Secretaries to all the Ministers/State Ministers/Chief Parliamentary/Secretary/Parliamentary Secretaries for similar action.

Sd/-

Under Secretary, General Administration
for Chief Secretary to Govt. Haryana

To

All Secretaries /Private Secretaries to all Ministers State Minister/Chief Parliamentary Secretary/Parliamentary Secretaries, Haryana.

U.O.No. 62/31/87-6GSI

Dated : 15-1-88

No. 62/7/88-6 GSI

From

The Chief Secretary to Govt., Haryana.

To

The Commissioners, Ambala & Hissar Divisions,
All the Deputy Commissioners & Sub Divisional Officers (Civil) in the State of Haryana.

Dated Chandigarh, the 15th April, 1988.

Subject :- To keep the towns and villages neat and clean-Appeal by Chief Minister, Haryana.

Sir,

Chief, Minister, Haryana has desired that drive for the cleanliness be launched to ensure good environments. An appeal has been issued to bring about cleanliness in villages and to create beautiful surroundings. It has also been desired that buildings of Government offices at District, Sub Division, Block and village level be kept clean and neat so that these public places give a whole some look. It is, therefore, requested that adequate steps be taken to implement the direction so that all round cleanliness is ensured in public offices situated at District, Sub Division, Block and village level. The intimation regarding progress achieved may be sent to Government after a month.

2. The instructions may be brought to the notice of all concerned for strict compliance.

Sd/-

Joint Secretary, General Administration,
for Chief Secretary to Govt. Haryana

क्रमांक 28/21/78-जी०एस०-II,

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. सभी विभागाध्यक्ष, आयुक्त अम्बाला तथा हिसार मण्डल,
सभी उपायुक्त एवं उप मण्डल अधिकारी, हरियाणा।
2. रजिस्ट्रार, पंजाब तथा हरियाणा हाई कोर्ट और
सभी जिला एवं सत्र न्यायाधीश, हरियाणा।
दिनांक चण्डीगढ़, 22-4-1988

विषय- परिवार कल्याण प्रोग्राम-आकस्मिक अवकाश प्रदान करना।

महोदय,

मुझे निदेश हुआ है कि उपरोक्त विषय पर हरियाणा सरकार के परिपत्र क्रमांक 1452-जी. एस.-70/7417, दिनांक 30-3-70, कः 3260-2 जीः एस.-71/18484, दिनांक 13-7-71 तथा कः 28/21/78 जीः एसः II, दिनांक 20-10-78 की ओर ख्याल दिलाऊँ, जिला में यह निर्णय लिया गया था कि जिन 1500 रुपये तक वेतन पाने वाले कर्मचारियों/अधिकारियों की धर्मपत्तनियाँ बिना डिलिवरी और डिलिवरी के समय Gynace Sterilisation or puer stero ; osatopn) नलबन्दी आप्रेशन करवायें, उन्हें 7 दिन का विशेष आकस्मिक अवकाश, नलबन्दी आप्रेशन के तुरन्त बाद दिया जाये। कर्मचारियों/अधिकारियों के वेतनमानों में किये गये संशोधनों को ध्यान में रखते हुए, अब यह निर्णय लिया गया है कि यह सुविधा 4500 रुपये प्रति मास तक के वेतन पाने वाले कर्मचारियों/अधिकारियों को दी जाये और यह सुविधा केवल उन्हीं कर्मचारियों/अधिकारियों को दी जायेगी जिनकी धर्मपत्तनियाँ दो बच्चों के जन्म के बाद ही यह आप्रेशन करवाएंगी।

2. यह निर्णय कृपया, सभी कर्मचारियों/अधिकारियों के ध्यान में लाया जाए।

भवदीय,

हस्ता०/-

अवर सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

एक एक प्रति वित्तायुक्त राजस्व तथा सभी प्रशासकीय सचिव, हरियाणा सरकार को सूचनार्थ तथा उचित कार्यवाही के लिए भेजी जाती है।

हस्ताक्षर

अवर सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में,

वित्तायुक्त, राजस्व तथा सभी प्रशासकीय सचिव,

हरियाणा सरकार।

क्रमांक 28/21/78-जी० एस०-II

दिनांक 22-4-1988 ।

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/1/88-6GSI

From

The Chief Secretary to Government, Commissioners,

To

- (i) All Heads of Departments, Commissioners, Ambala and Hissar Divisions, All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
- (ii) The Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 4th May, 1988.

Subject :- Economy in Government expenditure.

Sir,

I am directed to state that as a measure of economy it has become incumbent upon the State Government to reduce all avoidable expenditure and at the same time convey a sense of austerity in its functioning. With this end in view, it has been decided that there will be a complete ban on all kinds of Government sponsored festivities like functions connected with inaugurations, laying of foundation stones and the like. However, where holding of such functions become unavoidable, these should be organised on a simple scale and only with the prior permission of Chief Minister.

2. The above instructions may be brought to the notice of all concerned for strict compliance. These instructions shall also apply to all Corporations, Boards and State Public Sector Undertakings.

Yours faithfully,

Sd/-

Joint Secretary General Administration.
for Chief Secretary to Government, Haryana.

A copy is forwarded to :-

1. All the Financial Commissioners in Haryana &
2. All the Administrative Secretaries to Government, Haryana.

for information and necessary action.

Sd/-

Joint Secretary General Administration.
for Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners, Haryana.
2. All the Administrative Secretaries to Government, Haryana.

U.O. No. 62/1/88-6 GSI,

dated Chandigarh, the 4th May, 1988.

No. 62/12/88-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners Ambala and Hissar Divisions. All Deputy Commissioners and all Sub Divisional Officers in Haryana.

Dated Chandigarh, the 16th May, 1988.

Subject :- Recommendation of District Grievances Committee-Implementation of

Sir,

I am directed to refer to the subject noted above and to say that in the meetings of District Grievances Committee, are made against some of the Government servants. Government have considered the question of dealing with such matters and have decided that in case certain recommendations are made by the Grievances Committees in regard to conduct of any Government employees, these should be promptly looked into and in case, it is not possible to accept such recommendations a report giving reasons for the same be sent to Govt. in the respective departments. You are therefore, requested to kindly ensure strict compliance of these instructions.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

A copy is forwarded to all Administrative Secretaries to Govt., Haryana, for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

To

All the Administrative Secretaries to Govt., Haryana.

U.O. No. 62/12/88-6GSI

Dated : 16-5-88

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/31/87-6GSI

From

Chief Secretary to Government, Haryana

To

- (1) All Heads of Departments, the Commissioners, Hissar, Ambala Division. All Deputy Commissioners and all Sub Divisional Officers in Haryana.
- (2) The Registrar, Punjab & Haryana High Court and All District and Sessions Judges, Haryana.

Dated Chandigarh, the 28th June, 1988.

Subject :- Travelling by ordinary passenger buses once in a month by all Ministers/Senior Officers of Haryana Government.

Sir,

I am directed to refer to Haryana Government letter No. 62/31/87-6GSI, dated 15-1-88 on the subject noted above in which it was stated that all Ministers/Gazetted Officers in the State would undertake bus journeys once every month, so as to enable them to get conversant with the feelings of the General Public about the affairs of the State. You are, therefore, requested to kindly intimate the numbers of officers, who had undertaken the journey by the ordinary buses. A copy of the monthly report submitted by the Officers in this regard may also be sent to Government.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt., Haryana.

A copy is forwarded to All Administrative Secretaries to Government, Haryana, for similar action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt., Haryana.

To

All the Administrative Secretaries to Govt., Haryana.

U.O.No. 62/31/87-6GSI

Dated : 28-6-88

A copy is forwarded to the :—

All Secretaries/Private Secretaries to all the Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries for intimating the journeys (with their tour notes if any undertaken by ordinary buses by Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana.

To

All Secretaries/Private Secretaries to All Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries, Haryana.

U.O.No. 62/31/87-6GSI

Dated : 28-6-88

क्रमांक 62/10/88-6 जी०एस०-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

हरियाणा सरकार के :

1. सभी विभागाध्यक्ष, अम्बाला तथा हिसार मंडल के आयुक्त तथा सभी जिलों के उपायुक्त ।
2. रजिस्ट्रार, पंजाब तथा हरियाणा उच्च न्यायालय, चण्डीगढ़ ।
3. सभी जिला एवं सत्र न्यायाधीश, हरियाणा।

दिनांक चण्डीगढ़, 7-7-88

विषय :- प्रार्थना-पत्र देने पर उसकी रसीद उस व्यक्ति को देने बारे।

महोदय,

मुझे निदेश हुआ है कि में आपका ध्यान उपरोक्त विषय की ओर दिलाऊँ और कहूँ कि जब भी कोई व्यक्ति किसी भी अधिकारी को प्रार्थना-पत्र दे तो उसकी रसीद उस व्यक्ति को अवश्य दी जाये।

भवदीय,

हस्ता / -

अधीक्षक सामान्य सेवायें-I शाखा,
कृते: मुख्य सचिव, हरियाणा सरकार।

दिनांक चण्डीगढ़ 7-7-88

क्रमांक 62/10/88-6 जी०एस०-I,

एक प्रति हरियाणा राज्य के सभी कारपोरेट बाडीज के अध्यक्ष/प्रबन्धक निदेशक को सूचनार्थ भेजी जाती है।

हस्ता / -

अधीक्षक सामान्य सेवायें-I शाखा,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक प्रति निम्नलिखित को सूचनार्थ भेजी जाती है :-

1. वित्तायुक्त एवं सचिव, हरियाणा सरकार, राजस्व विभाग।
2. हरियाणा सरकार के सभी प्रशासकीय सचिव।

हस्ता / -

अधीक्षक सामान्य सेवायें-I शाखा,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. वित्तायुक्त एवं सचिव, हरियाणा सरकार, राजस्व विभाग।
2. हरियाणा सरकार के सभी प्रशासकीय सचिव।

हस्ता / -

अधीक्षक सामान्य सेवायें - I शाखा,
कृते: मुख्य सचिव, हरियाणा सरकार।

अशा: क्रमांक 62 / 10 / 88 - 6 जी० एस० - I,

दिनांक चण्डीगढ़, 7-7-88

No. 12/43/88-2GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments,
Commissioners, Ambala/Hissar Divisions,
Deputy Commissioners and Sub-Divisional Officers
(Civil) in Haryana.
2. The Registrar, Punjab and Haryana High Court,
Chandigarh.

Dated Chandigarh, the 21st September, 1988.

Subject :- Attachment of Haryana Roadways buses and Head of account in decretal cases pertaining to other departments.

Sir,

I am directed to invite your attention on the above subject and to state that it has been brought to the notice of the Government that in enhancement of compensation for land acquisition by Sessions Courts, Corporate Bodies such as HUDA and Government Departments do not take prompt action for making payment of the decretal amount or to furnish suitable guarantee where execution proceedings are pending against them, with the result courts order attachment of the buses of Haryana Roadways or the other Government property furniture fixture etc. Under the provisions of the Code of Civil Procedure, Government property can be attached for enforcing the payment of decretal amount and the property of HUDA etc. being corporate body cannot be attached. The attachment of buses and other Government property brings a bad name to the Government because of delay of other departments or, in making payment of decretal amount.

You are, therefore, requested kindly to ensure that payment of the decretal amount is made in time or a suitable guarantee is furnished where execution proceedings are pending against your department or corporate body controlled by your department, so that the attachment of Haryana Roadways buses and other Government properties is avoided altogether.

These instructions may kindly be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Superintendent, General Services-I,
for Chief Secretary to Govt. Haryana.

A copy each is forwarded to all Financial Commissioners/Commissioners and Secretaries to Government, Haryana for information and necessary action.

Sd/-

Superintendent, General Services-I,
for Chief Secretary to Govt. Haryana.

To

All Financial Commissioners/Commissioners and
Secretaries to Government, Haryana.

U.O.No. 12/43/88-2 GSI,

Dated Chandigarh, the 21-9-1988.

No. 28/1/88-GSII

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners, Ambala & Hisar Divisions, and all Deputy Commissioners & Sub Divisional Officers (C) in Haryana.
2. The Registrar, Punjab and Haryana High Court, Chandigarh

Dated Chandigarh, the 18/24th Nov. 1988

Subject :— Grant of earned/commuted leave exercise of discretion

Sir,

I am directed to invite your attention to the above subjected and to say that the matter of some employees applying for/availing earned/commuted leave for a very short period and avoidable wastage of time labour for proceeding these cases, has been engaging the attention of the State Government for some time. Rule 8. 13 of C.S.R. Vol.I, Part-I, *interalia*, provides that leave cannot be claimed as of right. This rule further provides that when the exigencies of public service so require discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it. The facility afforded by rule 8.119 of C.S.R. Vol. I, Part-I to allow communication of leave is evidently to enable an employee to avoid cut on his salary during the days when he is forced to take leave on medical grounds etc. when no earned leave is due at his credit and he is required to incur heavy expenditure on his own treatment or for pursuing a study course. But as no minimum period for such a leave on medical grounds, has been prescribed, some employees apply for commutation of very short periods of leave. Even leave sanctioning authorities have not been refusing such leave in their discretion. This has resulted in the facility being frequently misused by the employees.

2. After careful consideration of the matter, the Government has decided to issue the following guide for the sanctioning authorities in this behalf for meticulous compliance. The sanctioning authority will ensure that :

- (i) the employee requesting for commuted leave has actually been continuously unwell and has been availing himself/herself of other kind of leave on the ground of physical unfitness, supported by a medical certificate for continued ailment for at least 10 days.
- (ii) the grant of casual leave should be so regulated as 10 evenly spread it throughout the year so that the employee is not forced to apply for earned/half pay leave for short duration, except in special circumstances that might call for a division.

General Instructions

- (iii) the employees should also ordinarily not apply for earned leave for not less than 10 days duration.
- (iv) the extension of any kind of leave in driblets should be discouraged.

Yours faithfully

Sd/-

Under Secretary, General Administration,
for chief Secretary to Govt. Haryana

A copy is forwarded to all Financial Commissioners/Administrative Secretaries to Govt. Haryana For information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt, Haryana.

To

All Financial Commissioners and All Administrative
Secretaries to Govt. Haryana

U.O.No. 28/1/88-GSII

Dated Chandigarh, the 18th Nov., 1988

A copy is forwarded to the Financial Commissioner and Secretary to Govt., Haryana Finance Deptt. with reference to his U.O. No. 11/96/88-1 FR-II/3183 dt. 18.10.88.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

To

The Financial Commissioner and Secretary to
Govt. Haryana. Finance Department.

U.O.No. 28/1/88-GS-II

Dated Chandigarh, the 18th/24th Nov., 1988.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/7/88-6GSI

From

The Chief Secretary to Govt. , Haryana

To

The Commissioners, Ambala and Hissar Divisions
all the Deputy Commissioners & Sub Divisional
Officers (Civil) of the State of Haryana.

Dated Chandigarh, the 22nd December, 1988.

Subject :- To keep the town and villages neat and clean-Appeal by Chief Minister, Haryana

Sir,

I am directed to refer to Haryana Government letter No. 62/7/88-6GSI, dated 15-4-1988 on the subject noted above, in which it was desired that a special drive for cleanliness be launched to ensure a good environment. It was also desired that buildings and surroundings of Government Offices at district level, Sub Divisional and village level be kept neat and clean. A progress report in this report was also asked for from the departments. It has been brought to the notice of Government that the instructions have not been followed in letter and spirit. At a number of offices garbage has been noticed not only adjacent to the office buildings but also inside the office buildings although that facility of the Safai Karamcharies is available in almost all the offices. It is, therefore, again stressed that adequate steps be taken to keep all round cleanliness in all the offices and where there are more than one office in one buildings, joint campaign for cleanliness be organised by deputing responsible officers from each department.

The instructions may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

No. 62/25/88-6GSI

From

The Chief Secretary to Govt., Haryana

To

The Commissioners of Hissar & Ambala Divisions,
All the Deputy Commissioners, Haryana & Divisional
Officers (Civil)

Dated Chandigarh, the 4th January, 1989.

Subject :- Requisition of vehicles in districts.

Sir,

I am directed to refer to the subject noted above and to state that under the centrally sponsored schemes of Rural Functional Literacy Projects (RFLF) 100% financial grant is given by the Government of India to the state Government in accordance with approved financial pattern. Under the scheme a jeep is also placed at the Project Officer to facilitate further supervision and to ensure timely supply of Educational materials to the Adult Education Centers in the project area. The Government of India, Ministry of Human Resources Development Department of Education has reported that Rural Functional Literacy Projects vehicles are mostly requisitioned by the Collectors for being used for purposes other than for implementing the project. Consequently the Project Officer finds it difficult to manage his/her work smoothly. Besides, such misuse of vehicles has been viewed seriously as an item of financial irregularity. The matter has been considered by the Government and it has been decided that the vehicles of the Rural Functional Literacy Projects may not be requisitioned except in emergency for a minimum period so that the work of the Rural Functional department do not suffer. These instructions may be strictly observed.

Yours faithfully,

Sd/-

Superintendent, General Services-I Br.,
for Chief Secretary to Government, Haryana

Endst. No., 62/25/88-6GSI

Dated 4-1-89

A copy is forwarded to the Secretary, Ministry of Human Resources Development of Education Government of India, New Delhi with reference to his D.O.No.F. 11-8/88-AE (D.II), dated 24-10-88

Sd/-

Superintendent, General Services-I Br.,
for Chief Secretary to Government, Haryana

क्रमांक 62/10/88-6 जी.एस. I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

हरियाणा सरकार के :

1. सभी विभागाध्यक्ष, अम्बाला तथा हिसार मण्डल के आयुक्त तथा सभी जिलों के उपायुक्त।

दिनांक चण्डीगढ़, 4 अप्रैल, 1989

विषय :- जिलों के अधिकारियों द्वारा शुक्रवार को हैडक्वार्टर न छोड़ना।

महोदय,

मुझे निदेश हुआ है कि मैं आपका ध्यान उपरोक्त विषय की ओर दिलाऊँ और कहूँ कि सरकार के ध्यान में यह बात लाई गई है कि प्रायः क्षेत्रीय कार्यालयों के अधिकारी अपना दौरा कार्यक्रम बनाकर शुक्रवार को अपने हैडक्वार्टर को छोड़ देते हैं और इसी दिन मंत्री महोदय विभिन्न क्षेत्रों का दौरा करते हैं जिससे उनके लिए लोगों की शिकायतों को दूर करने में कठिनाई उत्पन्न होती है। अतः आपसे अनुरोध है कि कृपया इस बात को सुनिश्चित किया जाये कि क्षेत्रीय कार्यालयों का कोई भी अधिकारी शुक्रवार को हैडक्वार्टर न छोड़े।

भवदीय,

हस्ता / -

अधीक्षक सामान्य सेवायें - I,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक प्रति निम्नलिखित को सूचनार्थ भेजी जाती है :-

1. सभी वित्तायुक्त एवं सचिव, हरियाणा सरकार।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार।

हस्ता / -

अधीक्षक सामान्य सेवायें - I,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. सभी वित्तायुक्त एवं सचिव हरियाणा सरकार।
2. सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा: क्रमांक 62/10/88-6 जी. एस.- I,

दिनांक चण्डीगढ़ 4-4-89

No. 28/4/84-GS-II

From

The Chief Secretary to Government, Haryana

To

The Chief Secretaries to all State Government and
Union Territories in India.

Dated Chandigarh, the 5th April, 1989.

Subject :— **Grant of leave encashment benefit to the State Government employees.**

Sir,

I am directed to refer to the subject noted above and to say that the second Pay Commission constituted by this State Government recommended that leave encashment benefit may be extended to the Government employees. In order to examine the matter in detail, I am to request you to kindly intimate as to whether your State Government are affording the aforesaid facilities to its Govt. servants, and if so, copies of orders and notification, if any, issued in this connection may kindly be supplied to this State Government at an early date.

Yours faithfully

Sd/-

Under Secretary, General Administration,
for chief Secretary to Govt. Haryana

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/11/89-6GSI

From

The Chief Secretary to Govt., Haryana.

To

All the Deputy Commissioners, Superintendents of Police
Sub-Divisional Magistrates and
Deputy Superintendent of Police in the State of Haryana.

Dated Chandigarh, the 2nd June, 1989.

Subject :- Visit of Vice-Chairman, Anti-Corruption Board to district and Sub-divisional headquarters.

Sir,

I am directed to refer to the subject noted above and to state that as you are aware Kr. Randip Singh, IPS (Retd.) is working as Vice-Chairman, Anti Corruption Board and he has to visit district/sub-divisional headquarters in the State in connection with the work relating to detection of corruption. You requested to call on him whenever he visits the district/sub-divisional head quarters in connection with the above work Kr. Randip Singh will of course have them informed of his visits.

2. These instructions may please be complied with strictly.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

No. 62/11/89-6GSI,

Dated Chandigarh the 2nd June, 1989

A copy is forwarded to the Commissioners, Ambala and Hissar Divisions, for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

No. 62/11/89-6GSI

Dated Chandigarh the 2nd June, 1989

A copy is forwarded to Kr. Randip Singh, IPS (Retd.) Vice-Chairman, Anti-Corruption Board, Haryana, Chandigarh, for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

No. 62/11/89-6GSI

From

The Chief Secretary to Govt., Haryana

To

1. The Chairman
Haryana State Electricity Boards
Panchkula.
2. The Managing Director,
Haryana Seeds Corporation,
Chandigarh.

Dated, Chandigarh, the 5th September, 1989.

Subject :- Removal of Air Conditioners from official car.

Sir,

I am directed to refer to the subject noted above and to state that it has been brought to the notice of Govt. that the Haryana State Electricity Board, Panchkula and Haryana Seeds Corporation, decided that have fitted Air Conditioners in the staff Cars. Govt. has considered the matter and has decided that Air Conditioners fitted in the cars of Chairman, Haryana State Electricity Board, Panchkula and Managing Director, Haryana Seeds Corporation, Chandigarh should be removed immediately. You are, therefore, requested to the needful and a compliance report be sent to Govt. immediately for the information of the Chief Minister.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

No. 62/11/89-6GSI,

Dated 5th Sept., 1989

A copy is forwarded to all the Chairman/Managing Directors/Chief Administrators of Boards/Corporations in Haryana. It may be ensured that if in any staff car of the Board/Corporations, the Air Conditioner is fitted it should be removed immediately under intimation to the Government.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

A copy is forwarded to all the Financial Commissioners/Commissioners/Secretaries to Govt. for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

To

All Financial Commissioners/Commissioners & Secretaries to Govt. Haryana.

U.O.No. 62/11/89-6GS-I

Dated 5th Sept., 1989.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/21/89-6GS-I

From

The Chief Secretary to Government, Haryana.

To

All the Heads of Departments, Commissioner, Ambala and
Hissar Divisions, All the Deputy Commissioners and
Sub Divisional Officers (Civil) in the State of Haryana.

Dated Chandigarh, the 26th Sept. 1989.

Subject :- Laying foundation stones of building works by departments :

Sir,

I am directed to refer to the subject noted above and to say that it has come to the notice of Government that many Administrative Departments get the foundation stones of building works laid by the Chief Minister at different places, whereas the actual work does not start even after several months from the date of laying of the foundation stone. Government views this situation with disfavour, as the non-starting of actual construction work, erodes Government's credibility. It has, therefore, been decided that in future Chief Minister should be invited to lay the foundation stone of a building only on the day when the actual construction work has to commence which should continue till completion. You are, therefore, requested to ensure strict compliance of these instructions.

Yours faithfully,

Sd/-

Superintendent General Services-I,
for Chief Secretary to Govt. Haryana

A copy is forwarded to all the Financial Commissioners/Commissioners/Administrative Secretaries to Government Haryana for information and necessary action.

Sd/-

Superintendent, General Administration,
for Chief Secretary to Govt. Haryana

To

All the Financial Commissioners/Commissioners/
Administrative Secretaries to Govt., Haryana.

U.O.No. 62/21/89-6GS-I

Dated Chandigarh the 26th Sept., 1989

No. 62/25/88-6GSI

From

The Chief Secretary to Government, Haryana

To

All the Deputy Commissioner, Haryana,

Dated, Chandigarh, the 26th Dec., 1989

Subject :- Requisitioning of vehicles in district.

Sir,

I am directed to refer to the subject noted above and to state that the Haryana Agriculture University, Hisar has reported that its departmental vehicles are being requisitioned for by other district administration officers quite often under the orders of the Deputy Commissioners as a result of which the work relating to Krishi Gyan Kendras where a large number of farmers from all corners of the districts visits for guidance, consultation and procurement of seeds, suffers. The staff of the kendras have to pay frequent visits to see the crops as well as to attend to other problems of the farmers in their villages. The requisition of jeeps by the district administration dislocates the work of the scientists. The matter has been considered by the Government and it has been decided that the vehicle of the Haryana Agriculture University, Hisar may be requisitioned only in acute emergency and that too for the minimum necessary period so that the work of the Haryana Agriculture University Hisar may not suffer.

Yours faithfully,

Sd/-

Superintendent General Services I,
for Chief Secretary to Govt. Haryana

Ends. No. 62/25/88-6GSI

Dated Chandigarh the 26-12-89

A copy is forwarded to the Vice Chancellor, Haryana Agriculture University, Hisar with reference to his D.O.No. SVC/89/4989. dated 27-11-89.

Sd/-

Superintendent General Services I,
for Chief Secretary to Govt. Haryana

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 12/24/90-2GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Department in Haryana
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners of Divisions and all Deputy Commissioners in Haryana.

Dated Chandigarh, the 25th May, 1990

Subject :- Economy in Expenditure

Sir,

I am directed to invite your attention to Financial Department letter No. 5/1/83-1 B & C, dated the 26th May, 1983 vide which 10% cut was imposed on the staff and to say that some of the departments refer the cases to the Chief Secretary for relaxation in the cut although action in this regards is to be taken by the Finance Department.

It is, therefore, requested that in case any reference with regard to relaxation in these instruction in needed that should be made to the Finance Department.

Sd/-

Superintendent General Services-I
for Chief Secretary to Government, Haryana.

A copy each is forwarded to all Financial Commissioners and Secretaries to Government, Haryana for information and necessary, if any.

Sd/-

Superintendent General Services-I
for Chief Secretary to Government, Haryana.

To

All Financial Commissioners/
Commissioners and Secretaries to
Government, Haryana.

U.O. No. 12/24/90-2GSI

Dated 25-5-1990

No. 18/9/90-2GSI

From

The Chief Secretary to Government Haryana.

To

1. All Heads of Departments
Commissioners of Divisions
All Deputy Commissioners
2. Registrar Punjab and Haryana High Court, Chandigarh.

Dated, Chandigarh, the 9th January, 1991.

Subject :- Involvement of employees in the programme on Each one Teach one.

Sir

I am directed to enclose a copy of D.O.letter No. F-14-27/89-AE-(I) dated 25th September, 1989 from Sh. L.Mishra Joint Secretary and Director General, NLM, Government of India, Ministry of Human Resources Development, Department of Education, New Delhi to all Education Secretaries in the States (copy enclosed) regarding involvement of Public servants belonging to Central Govt. State Govt., Public Undertaking students, youth employees, trade Unions etc, in the programme on an 'Each one Teach One' basis of imparting functional literacy to adult illiterates in the 15-35 age group with a view to applying Technology and scientific research for the benefit of the deprived sections of the society.

2. Public servants can be engaged in providing functional literacy to illiterate persons in their organisation/family and in or around the places of their stay and work. Each public servant who may not be required to undergo an extensive training as is imparted to the instructors of adult education centers could make at least one person functionally literate every year from amongst the adult illiterates. For Public servants a simple orientation for one day should be enough which can be provided by the State Resource Centre located in the officer of Directorate of School Education. Each public servant will be provided a literacy kit free of cost designed by State Resource Centre under the Mass Programme of Educational Literacy.

Literacy work done by the public servants should be given due recognition by issue of a certificate by competent authority. Public servant making more than one adult functional literate could be given an indirect incentive by way of a specific entry in this Annual Confidential Report which could be given due weightage by the selection Committees.

It is therefore requested that immediate action to ensure the involvement of all employees working in your department/organisation for providing fund a mental literacy to illiterate category of persons mentioned in the G.O.I. letter may be taken.

Yours faithfully

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

Compendium of Instructions - Miscellaneous Matters – Vol. IX

Endst. No. 18/9/90-2GSI

Dated, Chandigarh, the 9th January, 1991.

A copy is forwarded to all the Managing Directors/Chief Administrators of Boards/Corporations of Haryana State, for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

To

All Financial Commissioners & Commissioners & Secretaries to Govt. Haryana.

No.18/9/90-2GSI

Dated, Chandigarh, the 9.1.1991

A copy is forwarded to the Member Secretary, Haryana Bureau Public Enterprises, Chandigarh.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

क्रमांक 28/13/91-2जी०एस०-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

- (1) सभी विभागाध्यक्ष, हरियाणा।
- (2) आयुक्त, अम्बाला, रोहतक, गुड़गांव एवं हिसार मण्डल तथा उपायुक्त एवं सभी उपमण्डल अधिकारी, (नागरिक) हरियाणा।
- (3) रजिस्ट्रार पंजाब तथा हरियाणा उच्च न्यायालय, चण्डीगढ़।

दिनांक, चण्डीगढ़ - 24-10-91

विषय :- हरियाणा तथा चण्डीगढ़ में वर्ष 1990 के दौरान लगे कर्फ्यू तथा मण्डल आयोग के विरुद्ध आरक्षण के विरोध में प्रदर्शनकारियों द्वारा रास्ता रोके जाने अथवा बन्द किए जाने के कारण जो कर्मचारी/अधिकारी कार्यालयों में उपस्थित नहीं हो सके उनकी अनुपस्थिति की अवधि को नियमित करने बारे।

महोदय,

मुझे निर्देश हुआ है कि मैं उपरोक्त विषय की ओर आपका ध्यान दिलाऊँ और सूचित करूँ कि वर्ष 1990 के दौरान भारत सरकार द्वारा मण्डल आयोग की सिफारिस लागू किए जाने के फलस्वरूप हुए प्रदर्शनों के कारण चण्डीगढ़ तथा राज्य के कुछ भागों में समय-समय पर कर्फ्यू लगाया गया था। इसके अतिरिक्त प्रदर्शनकारियों द्वारा रास्ता रोकने तथा बन्द का आह्वान करने के कारण बहुत से कर्मचारी कार्यालयों में उपस्थित नहीं हो सके थे। विचारोपरान्त सरकार ने यह निर्णय लिया है कि सरकार द्वारा घोषित कर्फ्यू के दिनों में कर्मचारियों की अनुपस्थिति को इ्यूटी की अवधि मानी जाए तथा प्रदर्शनकारियों द्वारा रास्ता रोके जाने एवं बन्द के आह्वान के कारण पंचकूला व मोहाली में रह रहे कर्मचारियों की कार्यालय से अनुपस्थिति की अवधि की भी देय अवकाश (leave of the kind due) मानते हुए नियमित किया जाए।

आपसे अनुरोध है कि इस निर्णय के पालना हेतु सभी सम्बन्धित अधिकारियों के ध्यान में लाया जाए।

भवदीय

हस्ता/-

अवर सचिव, सामान्य प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

एक-एक प्रति वित्तायुक्त राजस्व तथा सभी प्रशासकीय सचिव, हरियाणा की सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है।

हस्ता/-

अवर सचिव, सामान्य प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

- (1) वित्तायुक्त राजस्व, तथा (2) सभी प्रशासकीय सचिव, हरियाणा सरकार।

अशा० क्रमांक 28/13/91-2जी०एस०-I

दिनांक 24-10-91

No. 12/98/91-2GSI

From

The Chief Secretary to Govt., Haryana,

To

1. All Heads of Departments,
Commissioners of Divisions,
all Deputy Commissioners and
Sub-Divisional Officers (C) in Haryana.
2. The Registrar,
Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 9th December, 1991.

Subject :- Quick disposal of claims of employees a drive for finalisation of pending cases.

Sir,

I am directed to invite your attention to the Haryana Govt. letter No. 12/13/87-2GSI, dated 22.4.87 on the subject cited above and to say that through a time schedule has been prescribed for the finalisation of pending cases on service matters such as pension, gratuity, efficiency bar, promotion, seniority etc., yet it has been noticed that such cases are delayed for one reason or the other and this besides causing hardship to the employees and also reflects badly on the functioning of the Government.

2. Keeping in view the seriousness of the matter Government has decided to launch a special drive for finalisation of all such pending cases. The main highlights of the drive would be as follows :-

(1) All pending cases relating to the following be cleared by the 31st January, 1992 :-

1. Pension gratuity commutation of Pension.
2. Efficiency bar.
3. Promotion
4. Seniority.
5. Fixation of pays.
6. Grant of selection grade.

(ii) The Secretary of the Department shall be responsible for finalisation of such cases of Class-II officers all Heads of Departments for Class-III and Class IV employees.

(iii) The Secretary of the Department will submit the report to the Chief Secretary about the finalisation of all pending cases of his department in the first week of March, 1992. The report shall also contain the reasons in each case for non finalisation.

General Instructions

These instructions may be brought to the notice of all the employees working under your control for strict compliance. Any lapse in the matter would be viewed seriously.

Yours faithfully,

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy each is forwarded to all the Financial Commissioners/Commissioners & Secretaries to Govt., Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners &
Secretaries to Govt., Haryana

U.O.No. 12/98/91-2GSI

Dated, Chandigarh, the 9th Dec., 1991.

Subject :- Proper up keep and maintenance of files

Will the Financial Commissioners/Commissioners and Administrative Secretaries to Govt., Haryana kindly refer to the subject noted above ?

2. It has been observed that the files which are submitted to Ministers/Chief Minister for orders are some times put up in an improper manner and without referencing. Immediate and urgent slips sometimes attached on the files whereas after going through and files it is noticed that there was no urgency at all in the matter. On the other hand, in certain cases no urgent/immediate slips are attached whereas the matters are of extremely urgent nature. Therefore, it may be ensured that the slips are attached correctly as per requirements of each case.

3. Further, according to Secretariat Instructions, it is necessary that sufficient space is left on its page on which the note finishes for the signatures/orders of the Officers/Ministers/Chief Minister but this is not being done and very often., signature are all accommodated towards the end of the page. This should be avoided and sufficient space should be left for recording remarks/orders of the senior Officers/Ministers/Chief Minister.

4. It has also been notice that slips indicating the files number and subject of the file are not being affixed on the flap of the file and it becomes very difficult to know the subject matter of the file. Sometimes superfluous papers/files are added with the main files which are not at all required for decision in the case. Please ensure that all flaps should bear file No. the subject and only relevant reference may be attached to the files.

It is therefore, requested that the files which are put up to the Ministers/Chief Minister are put up in proper and systematically and the observations made above are followed strictly.

Sd/-

(NAVRAJSANDHU)

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and
Administrative Secretaries to Govt., Haryana.

D.O.No. 62/22/21-6GSI

Dated 13-12-91

No. 62/21/91-GSI

From

The Chief Secretary to Govt., Haryana,

To

1. The Commissioners, Ambala, Hissar Gurgaon & Rohtak, Divisions.
2. All Deputy Commissioners/District Magistrates in Haryana.

Dated Chandigarh, the 18th December, 1991

Subject :- Closure of Liquor Vends over and above days specified in rule 37 (10) of Haryana Liquor Licence Rules, 1970 framed under the Punjab Excise Act, 1914.

Sir,

I am directed to refer to the subject noted above and to say that it has been observed that the District Magistrate sometimes order closure of liquor vends during the Elections in addition to the number of days stipulated in the terms of auction and this has led to certain problems. After careful consideration of the matter it has now been decided that the liquor vends necessary to close during the coming Panchayat Elections. In case, it becomes absolutely necessary to close down any particular liquor vend for maintaining law and order in the area, the decision in this respect should be taken in consultation with the Deputy Excise and Taxation Commissioner of the concerned district.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

A copy is forwarded to all the Administrative Secretaries to Government, Haryana, for information.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

To

All the Administrative Secretaries to Govt., Haryana.

U.O. No. 62/21/91-6GSI

Dated 18-12-91

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/31/87-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, the Commissioners. Hissar, Ambala, Gurgaon & Rohtak Divisions, All Deputy Commissioners and All Sub-Divisional Officers in Haryana.
2. The Registrar, Punjab and Haryana High Court and All District and Sessions Judges, Haryana.

Dated, Chandigarh the 28th January, 1992

Subject :- Travelling by ordinary passenger buses once in a month by all Ministers/Senior Officers of Haryana Government.

Sir,

I am directed refer to Haryana Government letter No. 62/31/87-6GSI dated 15-1-88 letter No. 62/31/87-6GSI dated 28-6-88 on the subject noted above, in which it was inter alia laid down that all Ministers/Gazetted Officers in the State would undertake bus journeys once in a month to get themselves conversant with the feelings of the general public about the affairs of the State. These Officers were also required to submit a monthly report. The matter has been reconsidered by Govt. and it has been decided that the reports on this subject may be discontinued.

2. This may be brought to the notice of all concerned for compliance.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

A copy is forwarded to all Administrative Secretaries to Government, Haryana for information and necessary action.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

General Instructions

To

All the Administration Secretaries to Govt., Haryana

U.O.No. 62/31/87-6GSI

Dated Chandigarh, the 29th January, 1992

A copy is forwarded to :-

1. All Secretaries/Private Secretaries to C.M. & all Ministers
State Ministers/Chief Parliamentary Secretaries/
Parliamentary Secretaries for information.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government, Haryana

To

All Secretaries/Private Secretaries to C.M. & all Ministers
State Ministers/Chief Parliamentary Secretaries/
Parliamentary Secretaries Haryana.

U.O.No. 62/31/87-6GSI

Dated Chandigarh, the 28th January, 1992

No. 28/1/92-2GS-II

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments,
2. The Registrar, Punjab & Haryana High Court, Chandigarh.
3. Commissioners of Divisions, Deputy Commissioners and Sub Divisional Officers, (Civil) in the State.

Dated Chandigarh, the 8th July, 1992.

Subject :- Grant of special leaves to Govt. employees injured at the hands of terrorists for the period spent in hospital and treatment/rest after discharge from Hospital.

Sir,

I am directed to refer to the subject noted above and to say that the question of treating the period of treatment in hospital and recovery thereafter by Haryana Govt. employees who fall victim to the terrorist violence as duty has been engaging the attention of the Govt. for sometime. After careful consideration, it has been decided that the period spent by such Haryana Government employees who is injured in terrorist violence in hospital and for recovery after that would be treated as special casual leave subject to the following conditions :-

- (i) that the employee concerned shall produce a certificate from the competent civil authority that he was injured in terrorist action ;
- (ii) that leave shall be sanctioned only on the recommendation of the Medical authority no below the rank of Senior Medical Officer ;
- (iii) that the authority to grant leave shall be the same as is in the case of earned leave, mentioned in Appendix-12 of the Punjab Civil Services Rules, Vol. I, Part-II ; and
- (iv) that no substitute shall be appointed during the period of this leave.

This leave can be given upto three months in the first instance, after which the case will have to recommend by the Medical Board.

2. These instructions will be effective from the date of issue of this letter :

Provided that if any employee had sustained injuries prior to issue of these instructions his case may be referred to Finance Department for consideration and relaxation individually with full justification.

General Instructions

3. This issue with the concurrence of the Finance Department conveyed vide their U.O. No. 11/40/92-IFR-II/1428, dated 21.5.92.

Yours faithfully,

Sd/-

Deputy Secretary, General Adm.,
for Chief Secretary to Govt., Haryana

A copy is forwarded to all the Financial Commissioners & all Administrative Secretaries to Govt. of Haryana for information & necessary action.

Sd/-

Deputy Secretary, General Adm.,
for Chief Secretary to Govt., Haryana

To

All the Financial Commissioners &
Administration Secy. to Govt., Haryana

U.O.No. 28/1/92-2GS-II

Dated 8-7-92

A copy is forwarded to the Principal Secretary to Chief Minister/Private Secretaries to Ministers/Ministers of State for information & necessary action.

Sd/-

Deputy Secretary, General Adm.,
for Chief Secretary to Govt., Haryana

To

The Principal Secretary/Deputy Secretary to
Chief Minister/Sr. Secretary/Secretaries and
Private Secretaries to the Minister & Ministers

U.O.No. 28/1/92-2GS-II

Dated 8-7-92

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 12/44/92-2GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments.
2. Commissioners, Ambala, Hissar, Rohtak and Gurgaon Divisions and All Deputy Commissioners in the State of Haryana.
3. All Sub Divisional Officers (Civil) in the State of Haryana.

Dated, Chandigarh, the 5th January, 1993.

Subject :- Eradication of illiteracy in Haryana.

Sir

I am directed to address you on the subject noted above and to say that Bharat Gyan Vigyan Samities/District Literacy Societies in Haryana have launched a mass literacy programme in drawn up a proposal for taking up a total literacy campaign in the State. It is expected that this goal will be achieved by 1997.

2. It is a noble task of national importance and in order to ensure that the Samiti/District Literacy Societies are in a position to carry the total literacy campaign to its fruitful end, it is necessary that these organisations are given full co-operation and help by Govt. Departments as well as Semi-Government Organisations at the State level and Sub Divisional levels.

3. I am, therefore, to request you to kindly extend all help and assistance to the Samiti/District Literacy Societies for this noble cause including duty leave to the employee working for the aforesaid organisations.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

क्रमांक 12/45/93-6 जी०एस० I

प्रेषक,

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. सभी विभागाध्यक्ष एवं आयुक्त, अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल।
2. सभी उपायुक्त एवं उप मण्डल अधिकारी (नागरिक)।

दिनांक चण्डीगढ़, 25 मई, 1993

विषय :- सरकारी कार्यालयों में हिन्दी में कार्य करने बारे।

महोदय,

जैसा कि आपको विदित है कि हरियाणा की राजभाषा हिंदी है और समय-समय पर सरकारी कार्यालयों में हिंदी में कार्य करने बारे निर्देश भी जारी किए जा रहे हैं, परन्तु प्रायः यह देखने में आया है कि सरकारी कार्यालयों में अधिकतर कार्य अंग्रेजी भाषा में किया जाता है। सरकार ने मामले पर विचार करते हुए निर्णय लिया है कि भविष्य में सरकारी नीति के अनुसार फाईलों पर नोटिंग व सभी सरकारी कार्य हिन्दी भाषा में किया जाए। मुझे यह भी कहने का निर्देश हुआ है कि इन हिदायतों की अवहेलना करने पर दोषी अधिकारी/कर्मचारी के विरुद्ध कड़ी कार्यवाही की जाएगी। अतः आपसे अनुरोध है कि इन हिदायतों की अनुपालना सुनिश्चित की जाए।

भवदीय,

हस्ता / -

संयुक्त सचिव, राजनैतिक एवं सेवाएं,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी वित्तायुक्त एवं प्रशासकीय सचिवों को सूचनार्थ एवं अनुपालनार्थ प्रेषित की जाती है।

हस्ता / -

संयुक्त सचिव, राजनैतिक एवं सेवाएं,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

सभी वित्तायुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार।

अशा०क्रमांक 12/45/93-6जी०एस०-I,

दिनांक 25 मई, 1993

क्रमांक 12/44/93-6 जी०एस०-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. हरियाणा राज्य सभी विभागाध्यक्ष।
2. आयुक्त अम्बाला, हिसार, रोहतक तथा गुड़गांव मंडल।
3. सभी उपायुक्त तथा सभी उपमंडल अधिकारी (नागरिक)
दिनांक 27 मई, 1993

विषय :- दिनांक 27/5/1993 को प्रशासकीय सचिवों एवं विभागाध्यक्षों की मुख्य मंत्री महोदय की अध्यक्षता में हुई बैठक के निर्णय।

महोदय,

उपरोक्त लिखित बैठक में कार्यलयों में गुणवत्ता तथा कार्यकुशलता बढ़ाने के लिए निर्णयों के आधार पर निम्नलिखित निर्देश दिये जाते हैं।

1. सभी विभागाध्यक्ष/कर्मचारी कार्यालय में समय पर आये। इस संबंध में सरकार के पत्र क्रमांक 12/44/93-6 जी०एस०-I दिनांक 25 मई 1993 द्वारा अलग से हिदायतें भी जारी की गई हैं।
 2. सभी विभागाध्यक्ष/कर्मचारी सरकारी कार्य हिन्दी में करना सुनिश्चित करें जिस बारे सरकार के पत्र क्रमांक 12/45/93-6 जी०एस०-I दिनांक 25 मई 1993 द्वारा अलग से हिदायतें जारी की जा चुकी हैं।
 3. सभी विभागाध्यक्ष/कर्मचारी यह भी सुनिश्चित करें कि फाइलों के निपटान में किसी प्रकार की देरी न हों और साधारणतः सभी फाइलें किसी भी स्तर पर 3 दिन से अधिक समय के लिए लंबित न रहें।
 4. सभी विभागाध्यक्ष महीने में कम से कम 4 दिन अपने क्षेत्रीय कार्यलयों का दौरा करें।
- कृपया सरकार के इन निर्देशों का दृढ़ता से पालन करें।

भवदीय,

हस्ता / -

संयुक्त सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक प्रति सभी वित्तायुक्त/आयुक्त एवं सचिव हरियाणा सरकार को इस अनुरोध के साथ भेजी जाती है कि वे भी सरकार के ऊपर लिखित निर्देशों की दृढ़ता से पालन करें और सुनिश्चित करें कि उनके अधीनस्थ अधिकारी/कर्मचारी इन निर्देशों का पालन पूर्णतः करते हैं।

हस्ता / -

संयुक्त सचिव, सामान्य प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

सभी वित्तायुक्त/आयुक्त एवं सचिव हरियाणा सरकार।

अशा: क्रमांक 12/44/93-6 जी०एस०-I

दिनांक 27 मई, 1993

IMMEDIATE

Subject : - Instructions for reducing unnecessary harassment of the general public by the Inspectorate Staff.

Will all the Financial Commissioners and Secretaries to Government Haryana (except Health and Home Departments) kindly refer to the subject noted above ?

2. It has been decided by the Government that no Inspector shall inspect any premises unless accompanied by a Gazetted Officer. They are requested to issue necessary instructions in this respect to all the Inspectors working in their departments under intimation to this department;. It is further intimated that this decision will not be applicable to the Home and Health Departments.

3. This should be given TOP PRIORITY

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries (except Health and Home Departments) to Government, Haryana.

U.O. No. 62/43/96-6GSI

Dated 5-6-1993.

क्रमांक 12/44/93-2 जी.एस. I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष एवं बोर्डों/निगमों के सभी प्रबंधक निदेशक।
2. आयुक्त, अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल।
3. राज्य के सभी उपायुक्त एवं उप-मण्डल अधिकारी (नागरिक)।

दिनांक, चण्डीगढ़, 23 जुलाई, 1993

विषय :- पूर्ण साक्षरता अभियान को सम्पन्न करने हेतु कर्मचारियों को ड्र्यूटी लीव प्रदान करना।

महोदय,

उपरोक्त विषय पर इस विभाग के परिपत्र क्रमांक 12/44/92-2जी. एस. I दिनांक 5 जनवरी, 1993 के संदर्भ में मुझे यह कहने का निर्देश हुआ है कि हरियाणा राज्य में पूर्ण साक्षरता अभियान का लक्ष्य प्राप्त करने हेतु विभिन्न विभागों/बोर्डों/निगमों इत्यादि को समिति/जिला साक्षरता समितियों को सभी प्रकार की सहायता जिसमें कर्मचारियों को ड्र्यूटी लीव भी प्रदान करना शामिल था, प्रदान करने के निर्देश जारी किए गए थे। परन्तु सरकार के नोटिस में यह लाया गया है कि कुछ विभाग/बोर्ड/निगम इस अभियान में स्वेच्छा से कार्य करने वाले कर्मचारियों को ड्र्यूटी लीव स्वीकृत करने में आनाकानी कर रहे हैं। अतः आपसे अनुरोध है कि स्वेच्छा से कार्य करने वाले कर्मचारियों को तत्काल ड्र्यूटी लीव स्वीकृति कर दें तथा साथ ही पूर्ण लक्ष्य निर्धारित अवधि में प्राप्त करने हेतु उनके अधीन कार्यरत अधिक से अधिक कर्मचारियों को इस समाज हित कार्य में हिस्सा लेने हेतु उत्साहित करें।

हस्ता / -

अवर सचिव, सामान्य प्रशासन - I

कृते: मुख्य सचिव, हरियाणा सरकार।

इसकी एक प्रति सभी वित्तायुक्तों/आयुक्तों एवं सचिवों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

हस्ता / -

अवर सचिव, सामान्य प्रशासन - I

कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार।

अशा.क्रमांक 12/44/92-2जी.एस.-I

दिनांक, चण्डीगढ़, 23 जुलाई, 1993

विषय :- सेवा सम्बन्धी मामलों पर मन्त्रणा प्राप्त करने के लिए केसिज को मुख्य सचिव को भेजने का ढंग ।

क्या सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार, उपरोक्त विषय पर इस विभाग के अशा० परिपत्र क्रमांक 50/3/82-5 जी. एस. I, दिनांक 30.8.82 की ओर ध्यान देने का कष्ट करेंगे ?

2. उक्त संदर्भित परिपत्र में मुख्य सचिव को केसिज भेजने के ढंग का उल्लेख किया हुआ है, लेकिन इन हिदायतों की दृढ़ता से पालना नहीं की जा रही है और प्रस्ताव अवर सचिव/उप सचिव/संयुक्त सचिव या विभागाध्यक्ष स्वयं अपने स्तर से ही मुख्य सचिव को भेज देते हैं, जबकि उक्त हिदायतों में यह स्पष्ट किया गया था कि प्रशासकीय सचिव के माध्यम से ही मामला मुख्य सचिव को भेजा जाये।

3. इसके अतिरिक्त कई एक मामलों में न तो प्रशासकीय विभाग के प्रस्ताव की दोहरी प्रति लगी होती है, न ही हवाला के तौर पर दी गई हिदायतों/नियमों की प्रति लगी होती है और न ही उस प्वाइन्ट (बिन्दु) का विषेश रूप से उल्लेख होता है, जिस पर मुख्य सचिव की मन्त्रणा प्राप्त की जानी है। इन सब के अभाव में प्रस्ताव विभागों को वापस करने पड़ते हैं जिसके कारण मामले के निपटान में अनावश्यक विलम्ब होता है।

4. पुनः स्पष्ट किया जाता है कि भविष्य में कोई भी प्रस्ताव मुख्य सचिव को भेजते समय उपरोक्त हिदायतों की दृढ़ता से पालना की जाये और यह सुनिश्चित किया जाये कि जब भी कोई प्रस्ताव मुख्य सचिव को मन्त्रणा हेतु भेजा जाये, उसमें उपरोक्त वर्णित पूर्ण सूचना संलग्न हो और यह प्रस्ताव प्रशासकीय सचिव के माध्यम से ही भेजा जाये।

5. सभी वित्तायुक्तों/प्रशासकीय सचिवों से यह भी अनुरोध है कि वे अपने अधीन सभी विभागाध्यक्षों को भी ये निर्देश जारी करें कि वे मुख्य सचिव की मन्त्रणा लेने बारे कोई भी पत्र व्यवहार सीधे ही मुख्य सचिव से न करें, बल्कि अपने प्रशासकीय सचिव को ही लिखें। इस सम्बन्ध में विभागाध्यक्षों को जारी किए गए निर्देशों की एक प्रति एक इस विभाग को भी भेजी जाए।

कृपया इस पत्र की पावती भेजे।

हस्ता / -

अवर सचिव, सामान्य प्रशासन - I,

कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में,

सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार।

अशा० क्रमांक 6/12/93-2 जी. एस. - I

दिनांक, चण्डीगढ़, 19-8-93

पृष्ठांकन क्रमांक 6/12/93-2 जी०सी० I

दिनांक, चण्डीगढ़, 19-8-93

उपरोक्त की एक प्रति सभी विभागाध्यक्षों/निगमों/बोर्डों के प्रबन्धक निदेशकों/आयुक्त अम्बाला, हिसार, रोहतक एवं गुड़गांव मंडल तथा सभी उपायुक्तों को सूचनार्थ तथा पालनार्थ प्रेषित की जाती है। उनसे अनुरोध है कि यदि किसी मामले पर मुख्य सचिव की मन्त्रणा लेने की आवश्यकता पड़े तो मामला हमेशा अपने प्रशासकीय विभाग के माध्यम से ही प्रस्तुत किया करें। उनके सीधा प्राप्त हुआ पत्र व्यवहार स्वीकार नहीं किया जाएगा और वह उन्हें लौटा दिया जायेगा।

हस्ता / -

अवर सचिव, सामान्य प्रशासन - I,

कृते: मुख्य सचिव, हरियाणा सरकार।

क्रमांक 12/44/92-2 जी.सी. I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष।
2. अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डलों के आयुक्त तथा राज्यों के सभी उपायुक्त एवं उपमंडल अधिकारी (नागरिक)

दिनांक, चण्डीगढ़, 8-9-93

विषय :- पूर्ण साक्षरता अभियान के पूर्ण लक्ष्य को प्राप्त करने हेतु लीव स्वीकृति करना।

महोदय,

मुझे इस विभाग के परिपत्र क्रमांक 12/44/92-2 जी.एस. I दिनांक 5-1-93 जिसमें कर्मचारियों को ड्रियूटी लीव दिए जाने का उल्लेख किया गया था कि आपका ध्यान दिलाते हुए यह कहने का निर्देश हुआ है कि कई विभागों से ड्रियूटी लीव के बारे में तरह-तरह के प्रश्न उठाए गए हैं। इस बिन्दु का निरीक्षण किया गया है और यह निर्णय लिया गया है कि ऐसे कर्मचारी जिनकी सेवाएं भारत ज्ञान विज्ञान समिति/जिला साक्षरता समितियों को सौंपी जायें और वह कर्मचारी जिनकी देर वहां काम करें उनको उस अवधि को सरकारी ड्रियूटी ही माना जाये न कि ड्रियूटी लीव। अवधि कितनी होनी चाहिए इसके बारे में विभाग स्वयं निर्णय लें।

हस्ता / -

संयुक्त सचिव, हरियाणा सरकार,
कृते: मुख्य सचिव, हरियाणा सरकार।

इन हिदायतों की एक-एक प्रति हरियाणा सरकार के सभी वित्तायुक्तों, आयुक्तों एवं सचिवों को सूचनार्थ एवं आगामी आवश्यक कार्यवाही हेतु प्रेषित है।

हस्ता / -

संयुक्त सचिव, हरियाणा सरकार,
कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में

हरियाणा सरकार के सभी वित्तायुक्त/आयुक्त एवं सचिव।

अशा : क्रमांक 12/44/92-2 जी.एस. I

दिनांक 8-9-1993

General Instructions

क्रमांक 12/44/92-2 जी.एस. I

दिनांक 8-9-1993

एक-एक प्रति सभी बोर्डों/निगमों के प्रबन्धक निदेशकों/मुख्य प्रशासकों को आगामी आवश्यक कार्यवाही हेतु प्रेषित है।

हस्ता/-

संयुक्त सचिव, हरियाणा सरकार,
कृते: मुख्य सचिव, हरियाणा सरकार।

क्रमांक 12/4/92-2 जी.एस. I

दिनांक 8-9-1993

इसकी एक प्रति प्रधान, भारत ज्ञान विज्ञान समिति, हरियाणा, रोहतक को इस विभाग के उक्त सन्दर्भित पत्र के संदर्भ में सूचनार्थ प्रेषित है।

हस्ता/-

संयुक्त सचिव, हरियाणा सरकार,
कृते: मुख्य सचिव, हरियाणा सरकार।

भारत निर्वाचन आयोग

निर्वाचन सदन,
अशोक रोड़,
नई दिल्ली - I,

सं० 437/6/93 - योजना - 2

तारीख : 31 दिसम्बर, 1993

सेवा में

1. मंत्री मंडल सचिव,
मंत्री मंडल सचिवालय,
राष्ट्रपति भवन,
नई दिल्ली।
2. सचिव, भारत सरकार,
गृह मंत्रालय,
नार्थ ब्लॉक, नई दिल्ली।
3. सभी राज्यों और संघ राज्य क्षेत्रों के मुख्य निर्वाचन अधिकारी।
4. सभी राज्यों और संघ राज्य क्षेत्रों के मुख्य सचिव।

विषय :- सामान्य निर्वाचन और उप निर्वाचन मंत्रियों के दौरे पर सरकारी वाहनों के सम्बन्ध में अनुदेश।
महोदय,

मुझे यह निर्देश हुआ है कि सामान्य और उप-निर्वाचनों के दौरान आयोग ने नवम्बर, 1993 में हुए हिमाचल प्रदेश, मध्य प्रदेश, मिजोरम, राजस्थान, उत्तर प्रदेश और दिल्ली राष्ट्रीय राजधानी राज्य क्षेत्र की विधान सभाओं के लिए हाल ही में समाप्त हुए सामान्य निर्वाचनों के दौरान प्राप्त अनुभवों के आधार पर स्वतन्त्र और निष्पक्ष निर्वाचन कराने के हित में और प्रशासन की ओर से पूर्णतः ईमानदारी बरतने के लिए सरकारी वायुयान, सरकारी सार्वजनिक उपक्रमों, स्थानीय निकायों के वाहनों के प्रयोग के बारे में अनुदेशों का और विस्तार करने उसे कार्यान्वित करने तथा उस पर बल देने का निर्णय लिया है और निम्नलिखित अनुदेश जारी किये हैं।

2. आयोग ने निर्वाचनों के दौरान चुनाव प्रचार करने, निर्वाचन के काम से दौड़ धूप करने या निर्वाचन सम्बन्धी कार्य के लिए सरकारी वाहनों का प्रयोग करने पर पूर्णतः रोक लगाने की बात को दोहराया है और इस विषय के सभी अनुदेशों का अधिक्रमण करते हुए यह निर्देश दिया है कि (1) केन्द्रीय सरकार (2) राज्य सरकार (3) केन्द्र और राज्य सरकार के उपक्रमों, केन्द्र और राज्य सरकार के संयुक्त क्षेत्र के उपक्रमों, स्थानीय निकायों, निगमों, नगर पालिकाओं, विपणन बोर्डों, सहकारी समितियों, स्वायत्त जिला परिषदों या अन्य किसी निकाय जिनमें सरकारी धन, चाहे कुल का कितना भी छोटा अंश निवेश किया गया हो के हेलिकाप्टरों, वायुयानों, कारों, जीपों, किसी प्रकार के मोटर, बोट, होवरक्राफ्टों आदि। राजनैतिक दल, उम्मीदवार या निर्वाचन से सम्बन्धित अन्य किसी व्यक्ति द्वारा निर्वाचन से सम्बन्धित प्रयोजनों के लिए प्रयोग पर पूर्णतः प्रतिबन्ध हो गया ऐसे किसी भी प्राधिकारी के किसी भी वाहन के किसी के भी द्वारा उपयोग, चाहे वह केन्द्र अथवा राज्य सरकार का मंत्री हो और चाहे वह चुनाव प्रचार अथवा चुनाव सम्बन्धी दौरे के लिए भुगतान अथवा, अपने मंत्री की हैसियत से सरकारी दौरा होने के फर्जी प्रमाण पत्र के आधार पर

हो, किए जाने पर पूर्ण प्रतिबन्ध है और यह आर्दश आचरण संहिता का तथा सरकारी और स्थानीय निकायों आदि वाहनों के प्रयोग पर लगी रोक पर आयोग के अनुदेशों का भारी उल्लंघन माना जायेगा।

3. केवल प्रधानमंत्री के मामले में अपवाद होगा जो उन सुरक्षा द्वारा, जो अन्य सभी बातों से परे है के द्वारा अधिशासित है।

4. केन्द्रीय सरकार, राज्य सरकार, केन्द्रीय सरकार और राज्य के सार्वजनिक उपक्रमों, केन्द्रीय और राज्य सरकार के संयुक्त क्षेत्र के उपक्रमों, स्थानीय निकायों, निगमों, नगर पालिकाओं, विपणन बोर्डों सहकारी समितियों, स्वायत्त जिला परिषदों या अन्य कोई निकाय जिनमें सरकारी धन, चाहे कुल का छोटा अंश उपयुक्त पैरा 2 में बताए गए के अनुसार लगाया गया था के व उपर्युक्त वाहन निर्वाचन प्राधिकारियों द्वारा मांग करने पर सम्बन्धित प्राधिकारियों द्वारा उपलब्ध न कराने के लिए उपर्युक्त पैरे का कुछ भी बहाना माना नहीं जाएगा।

5. इन अनुदेशों के प्रयोजन के लिए “वाहन” का अर्थ और उसमें यह शामिल होगा, परिवहन के प्रयोजनों के लिए प्रयुक्त कोई भी वाहन या प्रयुक्त होने के लिए समर्थ चाहे वह यान्त्रिक या अन्य शक्ति से चलते हों और उसमें ट्रक, लारी टैम्पो, जीपों, कारों, आटोरिक्सा, बस, वायुयान, हेलीकाप्टर, पोत, बोट, होवरक्राफ्ट और सभी तथा (1) केन्द्रीय सरकार (2) राज्य सरकार (3) केन्द्रीय और राज्य सरकार के सार्वजनिक उपक्रमों (4) केन्द्रीय सरकार और राज्य सरकार के संयुक्त क्षेत्र के उपक्रमों (5) स्थानीय निकायों (6) नगर निगमों (7) नगरपालिकाओं (8) विपणन बोर्डों, (चाहे किसी भी नाम से) (9) सरकारी समितियों (10) स्वायत्त जिला परिषदों या अन्य बोर्ड निकाय के अन्य कोई वाहन जिनमें सरकारी धन, चाहे वह कुल या छोटा सा अंश निवेश किया जाता है और रक्षा मंत्रालय तथा गृह मंत्रालय के अधीन केन्द्रीय पुलिस संगठन और राज्य सरकारों के वाहन शामिल होगा।

6. प्रतिबन्ध अनुदेशों के लागू करने में कोई भी सन्देह होने पर लिखित आदेश के लिए मामला आयोग को भेजा जाना चाहिए।

7. यह स्पष्ट किया जाता है कि वाहनों के प्रयोग पर लगे प्रतिबन्ध उन राज्यों में या राज्यों से आये वाहनों पर भी लागू होगा जहां मतदान नहीं हो रहे लेकिन उनके वाहनों का अन्य किसी राज्यों के मतदान में प्रचार के लिए या तो खुले आम या गुप्त रूप से प्रयोग किया जाता है। प्रत्येक राज्य/संघ राज्य क्षेत्र के मुख्य सचिव अपने राज्य में किसी वाहन के दुरुपयोग को रोकने के लिए स्वयं जिम्मेवार होगा और सम्बन्धित विभाग के भारत सरकार के सचिव उस मंत्रालय/विभाग के अधीन किसी वाहन के किसी प्रकार के दुरुपयोग के लिए और उस मंत्रालय/विभाग के अधीन सार्वजनिक क्षेत्र या संयुक्त क्षेत्र के उपक्रमों या स्वायत्त निकायों या सम्बन्ध और अधीनस्थ कार्यालयों के वाहनों के दुरुपयोग के लिए स्वयं जिम्मेवार होगा। वे अधिकारी भी जिनके पास ऐसे वाहनों का प्रभार होता है, समान रूप से किसी प्रकार के उल्लंघन के लिए जिम्मेवार होगा।

8. आयोग ने यह भी निदेश दिया है कि प्रैस में निर्वाचनों की घोषणा होने की तारीख से निर्वाचन समाप्त होने की तारीख तक मंत्रियों/गैर सरकारी अध्यक्ष/सरकारी निकायों के निदेशको को जिला/निर्वाचन क्षेत्र में दौरे के लिए सरकारी परिवहन उपलब्ध नहीं कराये जायें या उन्हें राज्य का मेहमान न माना जाए। यदि सरकारी आवास उपलब्ध कराया जाता है तो उनसे सामान्य दरों पर पूरा प्रभार लिया जाय।

- (I) मंत्रियों/गैर सरकारी अध्यक्ष/सरकारी निकायों के निदेशकों को निर्वाचनों के दौरान जिले का दौरा करने के लिए सरकारी वाहनों को प्रयोग करने या सरकारी खर्चे पर मनोरंजन करने पर प्रतिबन्ध है।

- (II) मंत्रियों/गैर सरकारी अध्यक्ष/सरकारी निकायों के निदेशक जिले का दौरा करते हुए जिला स्तर पर अधिकारियों की कोई बैठक नहीं बुलाएंगे।
- (III) मंत्रियों/गैर सरकारी अध्यक्ष/सरकारी निकायों के निदेशक जो स्वयं अभ्यर्थी हैं सरकार के भुगतान पर रखे गए कर्मचारियों को अपने निर्वाचन क्षेत्रों पर ले जाने के लिए प्रतिबन्धित है।
9. आयोग के उपर्युक्त निदेश संविधान के अनुच्छेद 324 द्वारा प्रदत्त शक्तियों और उन्हें समर्थ बनाने वाली अन्य सभी शक्तियों के अधीन जारी किया गया है और इसे आयोग के स्थायी अनुदेश के रूप में माना जाए।
10. ये सभी सम्बन्धियों के ध्यान में लाना चाहिए और अनुवर्ती कार्यवाही के रूप में जारी अनुदेशों की एक प्रति आयोग को पृष्ठांकित अवश्य ही करें।
11. कृपया प्राप्ति सूचना भेजें।

भवदीय,
हस्ता / -
(के.पी.जी.कुट्टी)
सचिव

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashok Road,
New Delhi-110001

No. 437/6/93-PS-II/5209

Dated the 31st December, 1993.

To

1. The Cabinet Secretary,
Cabinet Secretariate
Rashtarpati Bhawan,
New Delhi.
2. The Secretary on the Government of India.
Ministry of Home Affairs,
North Block, New Delhi.
3. The Chief Electoral Officers of
all States and Union Territories.
4. The Chief Secretaries of all
States and Union Territories.

Subject :- General Elections and Bye-elections-Instructions in connection with the visit of Ministers and the use of official vehicles.

Sir,

I am directed to state that in the interests of free and fair elections the observance of absolute rectitude on the part of the Administration during the general elections and bye-elections the Commission, on the basis of the experience gained during the recently-concluded general elections to the Legislative Assemblies of Himachal Pradesh, Madhya Pradesh Mizoram, Rajasthan, Uttar Pradesh and National Capital Territory of Delhi held in November, 1993, has decided to further amplify, implement and enforce the instructions regarding use of official aircrafts, vehicles belonging to the Government, Public Undertakings, Local Bodies and has issued the following instructions.

2. The Commission reiterates the total and absolute ban on the use of official vehicles for campaigning, electioneering or election related travel during elections and directs that, in supersession of all in instruction of all instructions on the subject, there will be a local prohibition on the use of any vehicles such as helicopters, aircrafts, jeeps, any automobile, boat, hovercrafts etc. belonging to the (1) Central Government, (2) State Government, (3) Public Undertakings of the Central and State Government, Joint Sector Undertaking of Central and State Government, Local Bodies, Corporations. Municipalities, Marketing Boards, Cooperatives Societies, Autonomous District Council or any other body in which public funds, howsoever shall a portion of the total, are invested, for any purpose connected which the election by any political party, candidate or any other person connected with the election. The use of such vehicles belonging to any of these authorities by any one including Ministers of the Central or a State Government even on payment for campaigning or on tours connected with elections but with the alleged and bogusly certified purpose of official work in their capacity as

Ministers is totally prohibited and will be a gross violation of the Model Code of conduct and also the instructions of the Commission on the prohibition of use of vehicles belonging to Government and Local Bodies etc.

3. The only exception will be in the case of the Prime Minister who is governed by security instructions which will override all other consideration.

4. Nothing in the foregoing paragraphs shall be treated as an excuse or a pretext for not making available vehicles as aforementioned belonging to the Central Government, State Government, Public Undertakings of the Central Government and State Government, Joint Sector Undertakings of the Central & State Government, Local Bodies, Corporations, Municipalities, Marketing Boards, Cooperative Societies, Autonomous District Councils or any other body in which public funds, however a small a portion of the total, invested as detailed in paragraph 2 above by the authorities concerned, when so requisitioned by the election authorities.

5. For the purpose of these instructions vehicle means and shall include, any vehicle used or capable of being used for the purpose of transport, whether propelled by mechanical power or otherwise and will included trucks, lorries, tempos, jeeps, cars, auto-rickshaws, buses, aircrafts, helicopters, ships, boats, hovercrafts and all and any other vehicles belonging to the (1) Central Government, (2) State Government, (3) Public Undertaking of the Central and State Government (4) Joint Sector Undertaking of Central Government & State Government (5) Local Bodies, (6) Municipal Corporations, (7) Municipalities, (8) Marketing Boards, (by whatever name known), (9) Cooperative Societies, (10) Autonomous District Councils or any other body in which public howsoever small a portion of the total are invested and also belonging to the Ministry of Defence and the Central Police Organisation under the Ministry of Home Affairs and State Governments.

6. In case of any doubt regarding the application of the ban instructions, the matter should be referred to the Commission for written order.

7. It is clarified that the ban on the use of vehicles will equally apply to the vehicles in or from any States not going to the polls but whose vehicles are attempted to be used for campaign either openly or clandestinely in any other States going to poll. The Chief Secretary of each State/Union Territory will be personally responsible for preventing misuse of any vehicle within his State and the Secretary to the Government of India in the concerned Department will be personally responsible for any misuse of any vehicle under that Ministry/Department and also belonging to any of the public sector or joint Sector Undertaking or Autonomous Bodies or attached and subordinate offices under Ministry/Department. The officers under which charge such vehicles are entrusted will also be equally responsible for any violation.

8. The Commission has further directed that from the date of press announcement of elections to the date of completion of election :-

- (i) Ministers/non official Chairman/Directors of Government Bodies visiting a district/constituency should not be provided with official transport or declared as State Guests. If Government accommodation is provided, they should be charged at full normal rates :
- (ii) Ministers/non official Chairmen/Directors of Government Bodies are prohibited from using Government vehicles to visit a district or entertain at Government expenses

during the period of elections ;

- (iii) Ministers/non official Chairmen/Directors of Government Bodies visiting a district should not convene any meeting of officers at district level ;
- (iv) Ministers/non official Chairmen/Directors of Government Bodies who are also candidates, are prohibited from taking their staff who are paid by the Government, on tour to their constituencies.

9. The above directions of the Commission are issued under the powers conferred on it by Article 324 of the Constitution and all other powers enabling it in that behalf and should be treated as standing instructions of the Commission.

10. These should be brought to the notice of all concerned and a copy of the instructions issued as a follow up may be endorsed to the Commission without fail.

11. Kindly acknowledge receipt.

Yours faithfully,

Sd/-

(K.P.G KUTTY)

Secretary

भारत निर्वाचन आयोग

निर्वाचन सदन

अशोक रोड़,

नई दिल्ली - 110001

तारीख : 20 जनवरी, 1994

आदेश

लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 129 के अनुसार :-

- (1) जो कोई जिला निर्वाचन आफिसर या रिटर्निंग आफिसर या सहायक रिटर्निंग आफिसर है या निर्वाचन में पीठासीन या मतदान आफिसर है या ऐसा आफिसर है या लिपिक है, जिसे रिटर्निंग आफिसर या पीठासीन आफिसर ने निर्वाचन से संसक्त किसी कर्तव्य के पालन के लिए नियुक्त किया है वह निर्वाचन के संचालन या प्रबन्ध में (मत देने से भिन्न) कोई कार्य अभ्यर्थी के निर्वाचन को सम्भाव्यताओं को अग्रसर करने के लिए न करेगा।
- (2) यथापूर्वोक्त कोई भी व्यक्ति और पुलिस बल का कोई भी सदस्य :-
 - (क) न तो किसी व्यक्ति को निर्वाचन में अपना मत देने के लिए मनाने का, और न
 - (ख) किसी व्यक्ति को निर्वाचन में अपना मत न देने के लिए मनाने का, और न
 - (ग) निर्वाचन में किसी व्यक्ति के मत देने में किसी रीति के असर डालने का, प्रयास करेगा।
- (3) जो कोई व्यक्ति उपधारा (1) या उपधारा (2) के उपबन्धों का उल्लंघन करेगा, वह कारावास से, जो छह मास तक का हो सकेगा, या जुर्माने से, या दोनों से, दण्डनीय होगा।
- (4) उपधारा (3) के अधीन दण्डनीय अपराध संज्ञेय होगा।

2. लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 134 आदेश देती है :-

“निर्वाचनों से संसक्त पदीय कर्तव्य के भंग-

- (1) यदि कोई व्यक्ति, जिसे यह धारा लागू है, अपने पदीय कर्तव्य के भंग में किसी कार्य या लोप का एयुक्तीयुक्त हेतुक के बिना दोषी होगा तो वह जुर्माने से, जो पांच सौ रुपये तक हो सकेगा, दण्डनीय होगा।
 - (क) उपधारा (1) के अधीन दण्डनीय अपराध संज्ञेय होगा।
- (2) यथापूर्वोक्त किसी कार्य या लोप की बाबत नुकसानी के लिए कोई वाद या अन्य विधिक कार्यवाही ऐसे किसी व्यक्ति के खिलाफ न होगी।
- (3) वे व्यक्ति, जिन्हें यह धारा लागू है, जिला निर्वाचन आफिसर, रिटर्निंग आफिसर पीठासीन आफिसर, मतदान आफिसर और अभ्यर्थियों के नाम निर्देशन प्राप्त करने या अभ्यर्थिताएं वापस लेने या निर्वाचन में मतों का अभिलेख करने या गणना करने से संशक्त किसी कर्तव्य के पालन के लिए नियुक्त कोई

अन्य व्यक्ति, तथा “पदीय कर्त्तव्य” पदावली का अर्थ इस धारा के प्रयोजनों के लिए तदनुसार लगाया जाएगा किन्तु इसके अन्तर्गत वे कर्त्तव्य न होंगे जो इस अधिनियम के द्वारा या अधीन अधिरोपित होने से अन्यथा अधिरोपित हैं”

3. लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 134 के अनुसार- निर्वाचन अभिकर्ता, मतदान अभिकर्ता या गणन अभिकर्ता के रूप में कार्य करने वाले सरकारी सेवकों के लिए शासित-यदि सरकार को सेवा में या कोई, व्यक्ति किसी निर्वाचन में अभ्यर्थी के निर्वाचन अभिकर्ता, मतदान अभिकर्ता या गणन अभिकर्ता के रूप में कार्य करेगा, तो वह कारावास से, जिसकी अवधि तीन मास तक का हो सकेगा या जुर्माने से, या दोनों से दण्डनीय होगा।
4. उपरोक्त विधिक उपबन्धों का, जैसा कि स्पष्ट है, मूल उद्देश्य यह है कि सभी सरकारी कर्मचारी कड़ी निष्पक्षता की अवस्था रखेंगे वे न केवल निष्पक्ष हों बल्कि निर्वाचनों के सम्बन्ध में भी ऐसा हो जाना पड़ेगा। उनसे एक ऐसी रीति से अपना कार्य व्यवहार करना अपेक्षित है कि वे अपनी निष्पक्षता के बारे में जनता में विश्वास उत्पन्न करें ताकि लोगों को यह सोचने के लिए कोई अवसर न हो कि निर्वाचन स्वतन्त्र, निष्पक्ष और शुद्ध वातावरण में नहीं होंगे। उन्हें किसी ऐसे सन्देह के लिए, कि वे किसी दल या किसी अभ्यर्थी का पक्ष ले रहे हैं, का कारण नहीं होना चाहिए। उनसे यह उम्मीद नहीं की जाती कि वे किसी निर्वाचन अभियान या प्रचार करने में भाग लें और किसी दूसरे के विरुद्ध किसी एक या एक गुप के विरुद्ध दूसरे को सहायता करने के लिए अपने नाम, सरकार स्थिति या प्राधिकारी को सहायता न देने के लिए ईमानदारी से सावधानी लें।
5. सरकारी कर्मचारियों को विभिन्न श्रेणियों के लिए लागू सेवा आचरण नियम भी सरकारी कर्मचारियों को राजनीति और निर्वाचनों में भाग लेने से रोकता है।
6. तदनुसार, निर्वाचन आयोग ने, निर्वाचनों के दौरान सरकारी कर्मचारियों के आचरण के लिए विस्तृत मार्गदर्शी सिद्धान्त जारी किए हैं। यह “निर्वाचनों के संचालन के बारे में भारत निर्वाचन आयोग के समेकित अनुदेश - 1993” नामित पुस्तिका में मद 27(क) और 27(ख) में समुद्धित किया गया है।
7. पिछले कुछ दिनों से आयोग ने यह पाया है कि कुछ दलों, विशेषतः केन्द्रीय और राज्यीय स्तर में सत्तारूढ़, की यह प्रवृत्ति है कि वे वित्तीय और प्रशासनिक औचित्य की पूरी अवहेलना में अकेले उनका समर्थन प्राप्त करने के प्रयोजन से सरकारी कर्मचारियों को संगठित गुप के रूप में तुष्टीकरण करते हैं। पदाधिकारियों को, जो सविधिक और अन्य सेवानियमों में परिवर्तन करके लाभ आदि प्रदान करके, के रूप में विभिन्न प्रकार की रियासतों को मतदान से पहले के उपहार के रूप में घोषित किया जाता है। अधिकतर निर्वाचन होने के पहले की अवधि के दौरान, सरकारी कर्मचारियों द्वारा की गई न्यायोचित माँगों को भी सरकार द्वारा जानबूझ कर लम्बित रखा जाता है ताकि निर्वाचनों के समय सरकार द्वारा अनुकूल घोषणाएँ की जा सकें।
8. आयोग यह कहने के लिए विवश है कि ऐसी रियासतें न केवल साविधिक और अन्य निर्वाचन संबंधी कार्य करने वाले पदाधिकारियों को सत्ताधारी दल के पक्ष में निर्णय के लिए दुष्रेरित करती हैं बल्कि निर्वाचनों के समय पर सरकारी कर्मचारियों को अनुचित मार्गें रखने की प्रवृत्ति को भी बढ़ावा देती हैं इससे निर्वाचनों के समय उत्तरदायी, वस्तुनिष्ठ और स्वतन्त्र प्रतिक्रिया पाने के बजाए निर्वाचन मशीनरी में ट्रेड यूनियन गतिविधियों के निर्माण और पालन पोषण को भी बढ़ावा मिलता है।
9. निर्वाचनों के दौरान एक पूर्ण अराजनैतिक सिविल सेवा और सभी स्तरों पर निर्वाचन तंत्र की फील्ड स्तर के कार्यकर्ताओं को निष्पक्षता सुनिश्चित करने के उद्देश्य से और सरकारी कर्मचारियों को अपनी निर्वाचन ड्यूटी निष्पक्ष रूप से करने के लिए विधि के उपबन्धों को अनिवार्य प्रकृति को पुष्ट करने के लिए, संविधान के अनुच्छेद 324 द्वारा इसमें

निहित पूर्ण शक्तियों और इस संबंध में इसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग एतद्वारा यह निदेश देता है कि कोई सरकार, चाहे वे केन्द्र में हो या किसी राज्य या संघराज्य क्षेत्र में हो निर्वाचनों की घोषणा की तारीख से निर्वाचनों की समाप्ति तक, केन्द्र या राज्य सरकारों या केन्द्र और राज्य सरकारों के अधीन सार्वजनिक क्षेत्र उपक्रमों के कर्मचारियों के लिए, किसी लाभ की घोषणा नहीं करेगी सभी ऐसी रियासतों आदि को निर्वाचन प्रक्रिया की समाप्ति के पश्चात तक आस्थगित कर दिया जायेगा।

10. यह निदेश न केवल सरकारी कर्मचारियों पर लागू होगा, बल्कि सार्वजनिक क्षेत्र उपक्रमों, जीवन बीमा निगम, राष्ट्रीयकृत बैंकों और स्थानीय निकायों, केन्द्र और राज्य स्तरों दोनों पर स्वायत्त निकायों, जिनके वेतन पूरी तरह से या आंशिक रूप से सरकारी राजकोष से आहरित होते हैं, के कर्मचारियों पर भी लागू होगा।

11. इन निदेशों के किसी उल्लंघन से मतदान/निर्वाचन को रद्द करने को सम्मिलित करते हुए गंभीर परिणाम होंगे।

12. इस आदेश की प्राप्ति की पावती तत्काल भेज दी जाये।

भारत निर्वाचन आयोग के आदेश से और नाम में

हस्ता / -

(के.पी.वी.कुट्टी)

सचिव

1. सभी राज्यों और संघराज्य - क्षेत्रों के मुख्य सचिव।
2. सभी राज्यों और संघराज्य - क्षेत्रों के मुख्य निर्वाचन अधिकारी।
3. मन्त्रिमण्डल सचिवालय, मन्त्रीमण्डल सचिवालय, राष्ट्रपति भवन, नई दिल्ली।
4. सचिव, भारत सरकार, गृह मंत्रालय, नार्थ ब्लॉक, नई दिल्ली।

भारत निर्वाचन आयोग

निर्वाचन सदन,

अशोक रोड़,

नई दिल्ली - 110001

सं० 437/6/94

तारीख : 8 मई, 1994

सेवा में

1. मंत्री मंडल सचिव,
गृह मंत्रालय,
नार्थ ब्लॉक,
नई दिल्ली।
2. सभी राज्यों और संघ राज्य क्षेत्रों के मुख्य सचिव
3. सभी राज्यों और संघ राज्य क्षेत्रों के मुख्य निर्वाचन अधिकारी।

विषय :- साधारण निर्वाचन और उप निर्वाचन-सरकारी वाहनों के प्रयोग और मंत्रियों के दौरों के सम्बन्ध में अनुदेश।

महोदय,

आयोग के पत्र सं० 437/6/93-योजना अनुभाग-II तारीख 31 दिसम्बर, 1993 द्वारा निर्वाचनों के दौरान प्रचार, निर्वाचन सम्बन्धी कार्य या निर्वाचन सम्बन्धी यात्रा के लिए सरकारी वाहनों के प्रयोग पर पूर्व तथा सर्वथा प्रतिबन्ध हेतु दोहराया था और यह निदेश दिया था कि किसी भी राजनैतिक दल, अभ्यर्थी या निर्वाचन से सम्बन्धित किसी व्यक्ति द्वारा निर्वाचन से सम्बन्धित किसी भी उद्देश्य के लिए किसी भी वाहन प्रयोग पर पूर्ण प्रतिबन्ध होगा।

2. यह भी स्पष्ट किया गया था कि अनुदेशों के उद्देश्य के लिए “वाहन” का मतलब है और जिसमें परिवहन के उद्देश्य के लिए प्रयोग होने योग्य या प्रयोग किए जाने वाला कोई वाहन सम्मिलित होगा चाहे वह यांत्रिक शक्ति से चलता हो या अन्यथा और जिसमें ट्रक, लारी टेम्पों, जीप, कार, आटो-रिक्शा, बस, वायुयान, हेलीकाप्टर, जलयान, नाव, होवरक्राफ्ट और अन्य सभी और कोई वाहन जो (1) केन्द्रीय सरकार (2) राज्य सरकार (3) केन्द्रीय और राज्य सरकार के सार्वजनिक उपक्रम (4) केन्द्रीय सरकार और राज्य सरकार के संयुक्त क्षेत्र के उपक्रम (5) स्थानीय निकायों (6) नगर निगमों (7) नगर पालिकाओं (8) विपणन बोर्ड (जिस नाम से भी जाने जाते हों) (9) सरकारी समितियाँ (10) स्वायत्त जिला परिषदों या कोई अन्य कोई निकाय जिसमें सार्वजनिक निधि के कुल जमा का भले ही थोड़ा सा हिस्सा निवेश किया गया हो, के हों तथा रक्षा मंत्रालय और साथ ही गृह मंत्रालय एवं राज्य सरकार के अधीन केन्द्रीय पुलिस संगठनों के हों।

3. अपने पत्र सं० 437/6/94 तारीख 2 फरवरी, 1994 द्वारा आयोग ने निर्वाचन प्रचार से सम्बन्धित मन्त्रियों के दौरे के बारे में गृह मंत्रालय के परिपत्र पत्र सं० 10/17/89-एम एण्ड जी, तारीख 1 नवम्बर, 1989 की ओर ध्यान आकृष्ट कराया था और यह अवलोकित किया कि उन अनुदेशों को बिना किसी भय के अवज्ञा की गई और इसलिए उपर्युक्त तारीख 1 नवम्बर, 1989 के गृह मंत्रालय के अनुदेशों को किसी भी रूप में अवलेहना करने संशोधन करने या प्रभावित करने के बिना और अनुदेश जारी किए।

4. 1994 को रिट याचिका (सिविल) सं० 312 (तमिलनाडू राज्य बनाम भारत के मुख्य निर्वाचन आयुक्त और अन्य), जिसे तमिलनाडू के मुख्यमंत्री के मामले में छूट लेने हेतु तमिलनाडू राज्य द्वारा दाखिल किया गया था, में उच्चतम न्यायालय के तारीख 29-4-1994 के आदेश को ध्यान में रखते हुए इस मामले पर आयोग द्वारा विचार किया गया। उस मामले में उच्चतम न्यायालय ने अपने आदेश में निम्न प्रकार से निदेश दिया है :-

“जबकि हमें निर्वाचन प्रक्रिया को स्वच्छता और स्वतंत्र एवं निष्पक्ष मतदान की सुरक्षा और सुनिश्चित करने के लिए निर्वाचन आयोग द्वारा किए गए प्रयत्नों की जानकारी है हमें यह डर है कि निर्वाचन आयोग जैसा कि वह यहां करना चाहता है, विभिन्न राजनीतिक व्यक्तियों की सुरक्षा अपेक्षाओं की विचार से निकाल नहीं सकता, जिन्हें उग्रवादी और आतंकवादी गतिविधियों और उनकी जान के खतरे को देखते हुए उच्च स्तर की सुरक्षा की आवश्यकता हो। केवल देश के प्रधानमंत्री तक सुरक्षा सीमित करने जैसा कि निर्वाचन आयोग ने किया है और सभी अन्यो को वंचित करने से समस्या का उचित बोध और मूल्यांकन प्रदर्शित नहीं हो सकता जैसा कि तारीख 31 मार्च, 1994 को संवाद करना चाहता है। सभी घटनाओं में निर्वाचन आयोग को सांविधानिक उपबन्धों को ध्यान में रखना होगा - तथापि हम एक पहलू स्पष्ट कर लें। निर्वाचन प्रक्रिया की शुद्धता सुनिश्चित करने के लिए निर्वाचन आयोग के उत्तरदायित्व और कर्तव्य को ध्यान में रखते हुए निर्वाचन आयोग स्वतन्त्र है कि यदि उसके पास सन्देह करने के लिए सामग्री है कि अध्यादेश के अधीन तमिलनाडू विशेष सुरक्षा गुप के निदेशक द्वारा किए गए सुरक्षा आवश्यकताओं का मूल्यांकन स्पष्टतः और अनुचित रूप से अत्याधिक है जिससे, अप्रत्यक्ष रूप से, पक्षपाती निर्वाचन हितों को बढ़ावा मिलता हो, तो वह ऐसे मामले को उपयुक्त दोष निवारक कदमों के लिए राज्य सरकार के ध्यान में लाएं।”

5. भारत सरकार के मंत्रिमंडल सचिवालय ने तारीख 3/5/5-1994 के अपने पत्र सं० 10/22/94-एस०एस० द्वारा आयोग को सूचना में यह लाया है कि विशेष सुरक्षा गुप अधिनियम, 1988 के उपबन्धों के अधीन निम्नलिखित को समीप्य सुरक्षा के लिए प्रबन्ध किया जाता है :-

- (i) प्रधानमंत्री और उसके निकटतम परिवार के सदस्य, और
- (ii) किसी भी पूर्व प्रधानमंत्री या उसके निकटतम परिवार के सदस्यों को पूर्व प्रधानमंत्री के, प्रधानमंत्री के पद छोड़ने की तिथि से पांच वर्ष की अवधि तक।

6. उपर्युक्त को ध्यान में रखते हुए आयोग ने यह निर्णय लिया है कि ऊपर उल्लिखित परिपत्र सं० 437/6/93-योजना अनुभाग-II, तारीख 31-12-93 का पैरा 3 निम्नलिखित द्वारा प्रतिस्थापित होगा :-

- 3(क) उपर्युक्त पैरा 2 में उल्लिखित प्रतिबन्धों से केवल प्रधानमंत्री और राजनैतिक व्यक्ति जिन्हें उग्रवादी और आतंकवादी कार्यकलापों को तथा उनके जान के खतरे को देखते हुए उच्च स्तर की सुरक्षा की आवश्यकता है और जिनकी सुरक्षा की अपेक्षाएं इस हेतु संसद या राज्य विधान मंडल द्वारा शासित है, अपवाद होंगे।
- 3(ख) आयोग यह स्पष्ट करना चाहता है कि निर्वाचन प्रक्रिया की शुद्धता को सुनिश्चित करने के लिए अपनी जिम्मेदारी और कर्तव्य को ध्यान में रखते हुए आयोग के पास यदि संदेह की सामग्री है कि ऊपर उल्लिखित विशेष अधिनियमों या सरकार के कोई अन्य विशेष अनुदेशों के अधीन प्राधिकारियों द्वारा किए गए सुरक्षा आवश्यकताओं का मूल्यांकन स्पष्टतः या अनुचित रूप से अत्यधिक हो जो अप्रत्यक्षः पक्षपाती निर्वाचन हितों को बढ़ावा देता हो तो उचित दोषनिवारक कदम उठाने हेतु केन्द्रीय सरकार और/या जैसा भी मामला हो राज्य सरकार के ध्यान में लायें।

3(ख) इसे प्राप्त करने के लिए ऐसे किसी व्यक्ति के बारे में की गई सुरक्षा की अपेक्षाओं के मूल्यांकन के सम्बन्ध में सम्बन्धित केन्द्रीय सरकार या राज्य सरकार से किसी भी सूचना की मांग कर सकता है।
ऐसी सूचना सम्बन्धित सरकार द्वारा आयोग को तत्काल उपलब्ध कराई जाएगी।

7. तारीख 31-21-1993 के पत्र में निहित सभी दूसरे अनुदेश और आदर्श आचरण संहिता के सम्बन्ध में समय-समय पर आयोग द्वारा जारी अन्य स्थाई अनुदेश और दूसरे सम्बन्धित अनुदेश अपरिवर्तित रहेंगे लेकिन किसी भी परिस्थिति में किसी भी व्यक्ति द्वारा ऐसा कुछ नहीं किया जाना चाहिए या जो किसी भी रूप में न्यायालय के आदेश के सर्वथा वस्तुतः अनुरूप न हो।
8. सभी सम्बन्धित व्यक्तियों को इन अनुदेशों का सख्ती से पालन करने के लिए निदेश दिया जाता है।
9. कृपया इस पत्र की प्राप्ति सूचना भेज दी जाए।

भवदीय,

हस्ता०/-

(के०पी०जी० कुट्टी)

सचिव

क्रमांक 62/9/94-6 जी०एस०-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष, आयुक्त, अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल ।
2. सभी उपायुक्त एवं उप मण्डल अधिकारी (नागरिक) ।
3. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय, चण्डीगढ़।

दिनांक चण्डीगढ़ 16-6-1994

विषय - भारत निर्वाचन आयोग के आदेश दिनांक 20-1-1994 को अनुपालन करने बारे।

महोदय,

मुझे निर्देश हुआ है कि मैं आपको भारत निर्वाचन आयोग के आदेश दिनांक 20-1-1994 की प्रति भेजते हुए यह अनुरोध करूँ कि निर्वाचन आयोग के इन आदेशों की कड़ाई से पालना की जाये। आपके अधीन सभी अधिकारियों/कर्मचारियों के ध्यान में भी इन निर्देशों की अनुपालना हेतु ला दिया जाए।

भवदीय,

हस्ता / -

अवर सचिव, सामान्य प्रशासन-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति अनुलग्नक की प्रति सहित सभी वित्तायुक्त/आयुक्त एवं प्रशासकीय सचिवों को सूचनार्थ तथा आवश्यक कार्यवाही के लिए प्रेषित है। उनसे अनुरोध है कि इन अनुदेशों की दृढ़ता से पालना की जाए।

हस्ता / -

अवर सचिव, सामान्य प्रशासन-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त/आयुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार ।

अशा० क्रमांक 62/9/94-6 जी०एस०-I

दिनांक 16-6-1994

एक प्रति अनुलग्नक की प्रति सहित प्रधान सचिव/निजी सचिव/मुख्य मन्त्री/मंत्रि/संसदीय सचिव को इस अनुरोध के साथ भेजी जाती है कि भारत निर्वाचन आयोग द्वारा दिए गए अनुदेश दृढ़ता से अनुपालना हेतु सभी

सम्बन्धित के ध्यान में ला दिए जाये।

हस्ता / -

अवर सचिव, सामान्य प्रशासन - I,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

प्रधान सचिव / सचिव / निजी सचिव / मुख्य मंत्री / संसदीय सचिव।

अशा. क्रमांक 62/9/94-6 जी. एस. - I

दिनांक 16-6-1994

एक प्रति वित्तायुक्त एवं सचिव, हरियाणा सरकार, निर्वाचन विभाग को उनके अशाक क्रमांक 4/11/94-2 निर्वाचन, दिनांक 28-4-94 के सन्दर्भ में सूचनार्थ भेजी जाती है।

हस्ता / -

अवर सचिव, सामान्य प्रशासन - I,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

आयुक्त एवं सचिव, हरियाणा सरकार, निर्वाचन विभाग।

अशा. क्रमांक 62/9/94-6 जी. एस. I

दिनांक 16-6-1994

क्रमांक 62/9/94-6 जी.एस. I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. सभी विभागाध्यक्ष, आयुक्त अम्बाला, रोहतक, हिसार, तथा गुड़गांव मण्डल। सभी उपायुक्त तथा उपमण्डल अधिकारी (नागरिक) हरियाणा।
 2. रजिस्ट्रार, पंजाब व हरियाणा हाईकोर्ट तथा जिला एवं सत्र न्यायाधीश, हरियाणा।
- दिनांक चण्डीगढ़, 29 जून, 1994

विषय :- सामान्य निर्वाचन और उप निर्वाचन-मन्त्रियों के दौरे और सरकारी वाहनों के संबंध में अनुदेश।
महोदय,

मुझे निदेश हुआ है कि उपरोक्त विषय पर भारत निर्वाचन आयोग से प्राप्त पत्र क्रमांक 437/6/93-पी.एस.-II/5209, दिनांक 31-12-93 की एक प्रति हिन्दी रूपान्तर की प्रति सहित इस अनुरोध के साथ भेजू कि भारत निर्वाचन आयोग द्वारा दिये गये अनुदेशों की दृढ़ता से अनुपालना की जाए।

2. ये हिदायतें आपके अधीन सभी सम्बन्धित कर्मचारियों के ध्यान में भी अनुपालना हेतु ला दी जायें।

भवदीय,

हस्ता०/-

अवर सचिव सामान्य प्रशासन - I,

कृते: मुख्य सचिव, हरियाणा सरकार।

एक प्रति अनुलग्नक की प्रति सहित सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु भेजी जाती है।

हस्ता०/-

अवर सचिव सामान्य प्रशासन - I,

कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में

वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार।

अशा० क्रमांक 62/9/94-6 जी.एस. I,

दिनांक 29 जून, 1994

एक प्रति आयुक्त एवं सचिव, हरियाणा सरकार, निर्वाचन विभाग को उनके अशा० क्रमांक 4/5/94-2 निर्वाचन, दिनांक 25-5-94 के सन्दर्भ में सूचनार्थ भेजी जाती है।

हस्ता०/-

अवर सचिव सामान्य प्रशासन - I,

कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में

आयुक्त एवं सचिव, हरियाणा सरकार।

निर्वाचन विभाग।

अशा० क्रमांक 62/9/94-6 जी.एस. I

दिनांक 29 जून, 1994

क्रमांक 62/9/94-जी०एस०-I

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. सभी विभागाध्यक्ष, आयुक्त अम्बाला, हिसार, रोहतक एवं गुड़गावां मण्डल/सभी उपायुक्त तथा उप मण्डल अधिकारी (नागरिक) हरियाणा।
2. रजिस्ट्रार पंजाब व हरियाणा, हाईकोर्ट तथा जिला एवं सत्र न्यायाधीश, हरियाणा।

दिनांक चण्डीगढ़, 17 अगस्त, 1994

विषय :- साधारण निर्वाचन और उप-निर्वाचन-सरकारी वाहनों के प्रयोग और मंत्रियों के दौरों के सम्बन्ध में अनुदेश।

महोदय,

मुझे निदेश हुआ है कि उपरोक्त विषय पर भारत निर्वाचन आयोग से प्राप्त पत्र क्रमांक 437/6/94 दिनांक 8-5-94 की प्रति इस अनुरोध के साथ भेजूं कि भारत निर्वाचन आयोग द्वारा जारी हिदायतों की दृढ़ता से अनुपालना की जाए।

2. ये हिदायतें आपके सभी सम्बन्धित कर्मचारियों के ध्यान में भी अनुपालना हेतु ला दी जाए।

भवदीय

हस्ता/-

अवर सचिव, सामान्य प्रशासन-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

एक प्रति अनुलग्नक की प्रति सहित सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार को सूचनार्थ तथा आवश्यक कार्यवाही के लिए प्रेषित है। उनसे अनुरोध है कि उनके अधीन सभी विभागों से इन हिदायतों की दृढ़ता के साथ अनुपालना सुनिश्चित करवायें।

भवदीय

हस्ता/-

अवर सचिव, सामान्य प्रशासन-I,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार।

अशा: क्रमांक 62/9/94-6 जी०एस० I

दिनांक 17 अगस्त, 1994

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/10/95-6GSI

From

The Chief Secretary to Government, Haryana,

To

1. All Heads of Departments, the Commissioners Ambala, Rohtak, Gurgaon & Hisar Divisions all D.C. and S.D.O. (C) in Haryana.
2. The Registrar, Punjab & Haryana High Court and all Distt. & Sessions Judges in Haryana.
3. All Chairman/Administrators /M .D - Boards & Corporations in Haryana.

Dated Chandigarh, the 4th July, 1995.

Subject :- Employment of persons possessing degree and other qualifications awarded by the Institutions declared to be bogus by the University Grant Commission.

Sir,

I am directed to refer to the subject noted above and to say that the Hon'ble Punjab & Haryana High Court in C.W.P. No. 6259 of 1994, Balwinder Singh V/s The Nowanshahar Central Co-operative Bank Ltd. has given the following directions:—

“Before parting with the case, we would like express our dismay that despite the directive issued by the Government of India on the basis of the decision taken by the University Grant; Commission regarding the bogus Universities and fake degree, various departments of the Government have not taken prompt steps to bring it to the Notice of the appointing authorities that persons possessing such degree/other qualification should not be given employment in the Govt. as well as its agencies and instrumentalities. We therefore, direct that copy of this order be sent to the Chief Secretaries to the Government of Punjab & Haryana so that they may issue necessary instructions to all concerned to refrain from giving appointments to persons possessing degree and other qualifications awarded by the institutions which have been declared to be bogus by the U.G.C.

Accordingly I am to request that these directions may kindly be brought to the notice of all concerned for strict compliance.

Sd/-

Under Secretary General Administration
for Chief Secretary to Government, Haryana

A copy is forwarded for Information and necessary action to all Financial Commissioners & Administrative Secretaries to Govt., Haryana.

Sd/-

Under Secretary General Administration
for Chief Secretary to Government, Haryana

To

All Financial Commissioner & Administrative Secretaries to Govt. Haryana.

U.O. No. 62/10/95/6GSI

Dated Chandigarh, the 4th July. 1995

No. 62/30/95-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments, the Commissioners, Ambala, Hissar, Rohtak and Gurgaon Divisions.
2. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
Dated Chandigarh, the 4th January, 1996

Subject :- Allocation of Business and disposal of work at various levels of the Government Implementation of Court Orders.

Sir,

I am directed to address you on the subject noted above and to say that it has come to the notice of Government that Court Orders are not processed timely and also orders/judgements are not implemented well in time with the result that the contempt petitioners are field against the concerned Administrative Secretaries to Government, Haryana and the Chief Secretary to Government Haryana, where the issues involved in the writ petitions are not at all require to be decided at their level. Further in such a situation the Chief Secretary to Government Haryana continues to be respondent though his name should have been deleted from the list of respondents on the grounds of misjoinder of parties at the first instance.

2. It has been decided that in all such cases the name of the Chief Secretary to Government, Haryana should be got deleted from the list of respondents on the grounds of misjoinder of parties. .
3. It has been further decided that in cases where a very short notice has been given by, the High Court, in case the requisite written statement is not prepared in time, an official of the Concerned department should be present in the court with the relevant records for the Assistance of the Court.
4. These instructions should be brought to the notice of all concerned for strict compliance failing which strict action will be taken against the defaulters.

Receipt of the letter may please be acknowledged

Yours Faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government, Haryana for information and immediate necessary action.

2. They are also requested that all the Court cases of their departments should be monitored at their own level so that court orders are implemented well in time.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.
U.O. No. 62/30/95-6GSI
Dated Chandigarh, the 4th January, 1996.

Copy of letter No. 5/2/96-5AR, dated 1-7-96 from the Commissioner and Secretary to Government, Haryana, Administrative Reforms Department to (i) All the Heads of Departments (2) Commissioner Ambala, Hisar, Rohtak and Gurgaon Divisions and all DCs/SDOs(C) in Haryana (3) Registrar, Punjab and Haryana High Court and copy endorsed to the Financial Commissioners/Commissioners & Secretaries to Government Haryana and Controller Printing & Stationery Department Haryana.

Subject :—Use of calendars of dates/events for disposal of cases in Government offices.

Sir,

I am directed to address you on the subject noted above and to say that in the year 1956, instructions under sub-para-6 of para 204 of the chapter IX of Secretariat Instructions were issued for attaching a printed calendar of dates of disposal with each file so that the time taken at difference stages could become clear and delay avoided. These instructions were reiterated from time to time. A separate Form of the calendar was prescribed for use in the Secretariat and another in the offices of Heads of Departments and the subordinate offices respectively, the forms being U.F.4A and U.F. 4B..

2 Unfortunately during the past many years, this useful practice has been discontinued. In order that delay could be checked promptly, it has been decided to re-introduce the system. You are therefore, requested to ensure that all files, the ones, except containing instructions, or interim information, should invariably contain the calendar of dates/events before these are submitted to the higher Authorities. The case file which are required to be submitted to the Hon'ble C.M. must have a chronological chart of the date-wise movement placed on them. These instructions should be brought to the notice of all concerned for strict compliance with immediate effect. Copies of these calendars, can be obtained from the Controller, Printing & Stationery Department Haryana, Chandigarh.

The receipt of this letter may please be acknowledged.

Copy of letter No. 5/2/96-5AJK, dated 12/21-2-97 from the Commissioner and Secretary to Government Haryana, Administrative Reforms Department to (i) All the “Heads of Departments (2) Commissioner, Ambala, Hissar, Rohtak and Gurgaon Divisions and all the DCs/SDOs(C) in Haryana. (3) Registrar, Punjab and Haryana High, Court and. copy endorsed to the Financial Commissioners/Commissioners & Secretaries to Government Haryana and Controller, Printing & Stationery Department, Haryana.

Subject :—Use of Calendar of dates/events for disposal of cases in Government offices.

Sir,

I am directed to invite your attention to this department letter No. 1/11/96-5AR, dated 1-7-96 on the subject noted above and to state that during the course of inspection of different offices at the Headquarter and in the field level, it has come to the notice of this department that the calendars of dates are not being used as per instructions issued by the Government while submitting the cases to higher authorities.

2. You are, therefore, again requested to bring these instructions to the notice of all officers/officials working under your control for strict compliance. Non-compliance of these instructions will be viewed, seriously by the Government.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/9/97-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments,
 2. Commissioner, Ambala, Hisar, Rohtak and Gurgaon Divisions, and all the Deputy Commissioners/Sub Divisional Officers (Civil) in Haryana.
 3. Registrar, Punjab and Haryana High Court.
- Dated Chandigarh, the 20-3-1997.

Subject :- Use of Calendars of dates/events for disposal of cases in Government offices.

Sir.

I am directed to invite your attention to Haryana Government letter No. 5/2/96-5AR, dated 1-7-96 and 21-2-97 on the subject noted above, and to say that in order to ensure quick disposal of Government like a system of attaching printed calendar of dates of disposal of the files by various levels was decided to be introduced. For this purpose, forms, for use in Secretariat and office of the Heads of Departments, and in the subordinate offices respectively, were prescribed.

It has been observed by the Government that said instructions are not being complied with seriously. I am accordingly directed to again send herewith a copy of the instructions with the request to ensure strict compliance of them. It has also been decided that reasons for detaining the files for more than three days should also be given by every concerned officer in the date calendar on the file.

Administrative Reforms Department shall be monitoring the enforcement of those instructions.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioner/Commissioners & Secretaries to Government Haryana for information and necessary action,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners of Secretaries to Government Haryana.

U.O. No. 62/9/97-6GSI

Dated Chandigarh, the 20-3-1997.

No. 62/14/97-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments.
2. The Commissioners, Ambala, Hisar, Gurgaon and Rohtak Divisions and all the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court.

Dated Chandigarh, the 25th April, 1997.

Subject :- Use of Government Servants for private work.

Sir,

I am directed to invite your attention to the instructions reiterated vide Haryana Government circular letter Nos. 287-1 GSI-72/3104, dated 8th February, 1972 and No. 25/25/78-GSI, dated 28-9-1978 on the above subject, wherein it was emphasized that services of Class-IV employees should not be misused for private work. However, it has come to Government's notice that a large number of Class-IV employees including daily wage employees as also municipal employees like sweeper etc. are being deployed at the residence of Government officers/Municipal functionaries in an unauthorized manner which is detrimental to Government Work and the maintenance of cleanliness of towns in Municipal areas.

2. Government has taken a serious view of such practices and has desired that all such use of staff should be stopped forthwith. All Heads of departments should send lists of all such employees as may have been deployed in an unauthorised manner along with names of offices to the Government within a week positively.

3. These instructions may please be brought to the notice of all concerned for strict compliance.

Yours faithfully

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and strict Compliance.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana

To

All the Financial Commissioners/Commissioners and Secretaries to Government Haryana.

U.O. No. 62/14/97-6 GSI

Dated Chandigarh, the 25th April, 1997.

No. 62/2/97-6GSI

To

1. All Heads of Departments, Commissioners,
Ambala, Hisar, Gurgaon and Rohtak Divisions.
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in the State.
3. The Registrar, Punjab and Haryana High Court, Chandigarh

Dated Chandigarh the 15th May, 1997

Subject:- Elimination of discrimination against women in different walks of life.

Sir,

I am directed to address you on the subject noted above and to say that the Committee on petitions of the Rajya Sabha in their 99th Report has, inter alia, recommended—

“Recognising women as an independent identity” The Committee has been informed that in all the prevailing forms and documents the name of the father/husband is insisted upon. The Committee feels that it is not in keeping with the development of women. The very concept-in identifying women as an independent, un-/individual gets defeated in the sense that no where does a women’s name alone suffix. For example Father’s name is insisted upon in schools/college admission forms, whereas the choice should be left to the family to give the fathers’ or mother’s name. The Committee has also found that there is a tendency of unmarried women adopting children, so the name of the father/husband does not arise at all. It is, therefore, recommended that only the name of parent/ spouse should be insisted, instead of father’s/husbands name”.

The State Government has considered the matter in the light of the above quoted recommendations and it has been decided that henceforth in all the papers/documents etc. concerning all the departments of Haryana Government, the name of mother/guardian along with father/husband should also be used.

These instructions may be brought to notice of all the concerns officers/officials working under your control for being adhered to strictly.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners and Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

General Instructions

U.O. No. 62/2/97—6GSI

Dated Chandigarh, the 15th May, 1997.

A copy is forwarded to the Under Secretary to “Govt. of India, Ministry of Human Resource Development Department of Women and Child Development Shastri Bhawan, New Delhi for information with reference to his letter No. 4 18/94-WW dated 15-4-96.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

U.O. No. 62/2/97—6 GSI

Dated Chandigarh, the 15th May, 1997

No. 62/30/95-6GSI

From

The Chief Secretary to Government / Haryana.

To

- (1) All Heads of the Departments, the Commissioner, Ambala, Hisar, Rohtak and Gurgaon Divisions:
 - (2) All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana,
- Dated Chandigarh, the June 11, 1997

Subject :—Defence of Court Cases and implementation of Court Orders

Sir

I am directed to invite your attention to Government letter No. 1/1/95/1AR, dated 9-2-95, No. 62/30/95-6GSI, dated 4-1-1996 and No. 62/30/95-6GSI, dated 20-3-1996 wherein it was stressed that delay in processing the court cases and also in the implementation of court orders/judgements should be avoided failing which strict action will be taken against the defaulting officers

3. It has been observed that these instructions are not being followed meticulously resulting in delay in implementation of the judgements of the courts within the stipulation period, Consequently contempt petitions are filed against the Government by the aggrieved persons creating further problems. It is reiterated that Administrative Secretaries/Heads of Departments should ensure that the requisite action as directed by the court is completed within the time frame prescribed.

If, however, any department is not able to comply with the 'court's orders in the prescribed time due to any reason, the court should be approached at least two weeks before the expiry of the dead line to give extension. D.A's / A.D.A. should be given strict orders in this behalf.

4. These instructions should be brought to the notice of all concerned. Any default will be viewed seriously by Government.

Your faithfully

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana

U.O.No. 62/30/95-6GSI

Dated Chandigarh, the June, 11, 1997

Copy of Office Memorandum No. 12/9/94-JCA, dated 14-1-98 from Sh. Harinder Singh, Joint Secretary to the Government of India Ministry of Personnel, PG and Pension, Department of Personnel and Training, New Delhi addressed to all Ministries Departments of Government of India and Chief Secretaries to all the State Govts./UTs. etc.

Subject : Reduction in Casual Leave entitlement and various recommendations of the Fifth Pay Commission in respect of number of holiday/working etc.

In the light of the various recommendations of Fifth Central Pay Commission contained in Chapter 118 of the Report relating to Hours of work and holidays etc., the following decision have been taken by the Government.

2. **WORKING WEEK:** It has been decided to continue the five-day-week working system introduced since June, 1985 in the civil administrative officer of Government of India, Departments whose functions are pre-dominantly marked by public dealings or of commercial nature and at present are functioning on 5 days-week basis, will review the existing arrangements and switch over to 6-day-week wherever feasible. Action taken in this regard will be reported to this Ministry within the next four months.
3. **HOLIDAYS:** The existing system of holidays will continue, No. holiday shall, however, be declared in the event of death of any person than the incumbent President of India or the incumbent Prime Minister of India. Suitable orders in this regard have already been issued by the Ministry of Home Affairs vide O.M.No. 3/2/97-Public dated 21.11.1997.
4. **CASUAL LEAVE ENTITLEMENT :** It has also decided to reduce with effect from 1st January, 1998 the number of Casual Leave for Central Government employees from the existing 12 days to 8 days in the year various Departments may also effect corresponding reduction with effect from 1st January, 1998 where the Casual Leave entitlement for certain categories is higher than 12 under intimation to this Ministry.
5. All Ministries/Departments may bring the above decision of the notice to all concerned under their administrative control and ensure compliance with these instructions.

Subject:—Non-compliance of the orders/directions issued by the Hon'ble Punjab and Haryana High Court.

Will all the Financial Commissioners/Commissioners and Secretaries to Government Haryana kindly refer to the Haryana Government letter No. 62/30/95-6GSI, dated 4-1-96, No. 62/30/95-6GSI, dated 20-3-96 and 62/30/95-6GSI, dated 6-10-97 respectively vide which it was stressed that delay in processing the court cases and also in the implementation of court orders/ judgements should be avoided failing which strict action would be taken against the defaulter.

2. The Deputy Advocate General, Haryana has now brought to the notice of the Government that numerous contempt petitions are being filed in the Hon'ble High Court of Punjab and Haryana, against various departments of the Government of Haryana. The ground taken in the contempt petitions is invariably the delay in not complying with the orders of this Hon'ble Court in, letter and spirit and within the stipulated period. The Hon'ble High Court has been compelled to observe in many cases that this has unnecessarily added to the work-load of the High Court. The High Court is time and again taking a serious note of such cases as quite often the orders of the Hon'ble court are complied with only after issuance of the notice of the contempt petition. It has also been found that some times while complying with the orders, some officers 'do not interpret the Court order in, the right perspective. In case the official complying with the order finds it difficult to comply with the orders in. time, then the Hon'ble High Court may be requested well in advance seeking extension of the time.

3. The State Government has taken a serious view of the matter and has decided that henceforth court orders/directions should be complied with in letter and spirit, within the stipulated time at top priority, so that Government may not face embarrassment at any level.

4. These instructions should be brought to the notice of all concerned for strict compliance. Non-compliance would be viewed seriously by the Government.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

U. O. No. 62/30/95-6 GSI

Dated Chandigarh, the February 26, 1998.

No. 62/3095-6GSI

Dated Chandigarh the February 26, 1998.

A copy is forwarded to all the Heads of Departments in the Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana,

क्रमांक 66/80/97-7 जी०एस०

प्रेषक

मुख्य सचिव, हरियाणा सरकार ।

सेवा में

1. हरियाणा सरकार के सभी विभागाध्यक्षों, आयुक्त, अम्बाला, हिसार, गुड़गावां तथा रोहतक मण्डल,
2. सभी उपायुक्त तथा उप मण्डल अधिकारी (नागरिक) हरियाणा राज्य ।
3. रजिस्ट्रार पंजाब तथा हरियाणा उच्च न्यायालय।

दिनांक, चण्डीगढ़ - 27 फरवरी, 1998

विषय :- हरियाणा लोक सेवा आयोग/अधीनस्थ सेवाएं प्रवरण मण्डल द्वारा बनाई गई प्रतीक्षा सूची में से उम्मीदवारों की नियुक्ति ।

मुझे निर्देश हुआ है कि मैं उपरोक्त विषय पर आपका ध्यान सरकार के पत्र क्रमांक 66/32/88-7 जी०एस० 1, दिनांक 28.10.93 द्वारा जारी की गई हिदायतों की ओर दिलाऊं और यह कहूं कि माननीय सर्वोच्च न्यायालय तथा उच्च न्यायालय द्वारा विभिन्न केसों में दिए गए फैसलों की रोशनी में मामले पर आगे विचारोपरान्त सरकार ने उक्त हिदायतों के पैरा-2 तथा 4 को निम्न प्रकार से प्रतिस्थापित करने का निर्णय लिया है :-

- “पैरा-2 हरियाणा लोकसेवा आयोग की मूल सूची केवल 6 मास तक वैध रहेगी। सभी विभाग मूल सूची में से केवल विज्ञापित रिक्तियां ही भरने की कार्यवाही 6 मास के अन्दर-अन्दर पूरी करेंगे, 6 मास के पश्चात् मूल सूची की वैधता समाप्त हो जाएगी ।”
- पैरा-4 प्रतीक्षा सूची में से नियुक्तियां तभी की जाएंगी जब मूल सूची का कोई उम्मीदवार कार्यभार ग्रहण नहीं करता या उस सूची की कोई रिक्ति किसी अन्य कारणवश नहीं भरी जाती ।”

हस्ता० / -

संयुक्त सचिव, राजनैतिक एवं सेवाएं,
कृते : मुख्य सचिव, हरियाणा सरकार ।

क्रमांक 66/80/97-7 जी०एस० 1

दिनांक 27 फरवरी, 1998

एक प्रति सचिव, हरियाणा लोक सेवा आयोग, चण्डीगढ़ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

हस्ता० / -

संयुक्त सचिव, राजनैतिक एवं सेवाएं,
कृते : मुख्य सचिव, हरियाणा सरकार ।

एक प्रति सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है ।

हस्ता० / -

संयुक्त सचिव, राजनैतिक एवं सेवाएं,
कृते : मुख्य सचिव, हरियाणा सरकार ।

सेवा में

सभी वित्तायुक्त/आयुक्त एवं सचिव, हरियाणा सरकार ।

अशा० क्रमांक 66/80/97-7 जी०एस० 1

दिनांक 27 फरवरी, 1998

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 6/80/97-7GSI

From

The Chief Secretary to Govt., Haryana

To

- (i) All Heads of Departments, Commissioners, Ambala Hisar, Rohtak & Gurgaon Divisions, all Deputy Commissioners in Haryana.
- (ii) The Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the February 27, 1998

Subject : - Holding of Combined Examination for recruitment to similar posts/services.

Sir,

In supersession of instructions contained in Joint Punjab Circular letters No.533-GII-59/11327, dated 15/18.4.59, No. 671-GII-60/7882, dated 11.3.60 No. 391-3GS-62/1443, dated 11.3.62, No. 17999-3GS-62/42246, dated 24.11.62 and No. 9575-3GSI-64/41005, dated 31-12.64 on the subject noted above, the State Government has reconsidered the matter to rationalise allocations of candidates selected on the basis of combined examinations hold by the Haryana Public Service Commission in the light of various judgements of the Hon'ble Apex Court and the Punjab & Haryana High Court, as also the practice in I.A.S. and Allied Service Examination being adopted in Govt. of India. After careful consideration of the matter, the following decisions have been taken :-

- (i) The Haryana Public Service Commission shall hold the combined examinations for recruitment to the various posts shown in the following groups :-

Name of Group	Name of services/posts included in Group
1	2
Group I	1. H.C.S. (Executive Branch) 2. Excise and Taxation Officer 3. D.F.S.C. 4. Assistant Registrar, Co-operative Societies. 5. 'A' Class Tehsildar. 6. Assistant Excise and Taxation Officer. 7. D.F.S.O. 8. Block Development and Panchayat Officer. 9. Assistant Employment Officer.
Group II	1. H.C.S. (Judicial Branch)

Group III	1	Deputy Superintendent of Police.
	2.	Deputy Superintendent of Jail.
Group IV	1.	Engineering Service Class I and Class II of all branches of the P.W.D.
	2.	Temporary Engineer.
Group V	1.	Labour Officer.
	2.	Distt. Welfare Officer.
Group VI	1.	Treasury Officer.
	2.	Assistant Treasury Officer.
Group VII	1.	Haryana Forest Service, Class I
	2.	Haryana Forest Service, Class II
Group VIII	1.	District Industries Officer.
	2.	Asstt. Director of Industries
	3.	Asstt. Controller of Stores.

- (ii) The departments while intimating to the Haryana Public Service Commission the number of vacancies to be filled on the basis of a combined examination to in a year except in the case of Groups I & II, shall endorse a copy of the requisition to the C.S. (In General Services-I Branch). In the case of Combined Examination of H.C.S. (Executive Branch) and other Allied Services in Group-I henceforth, the Department will send their requisitions to the Chief Secretary (in G.S.-I Br.), who will further forward a combined requisition for H.C.S. and Allied Services to the Haryana Public Service Commission. As regards Group-II the requisitions, as before, will be sent by C.S. to the Commission after ascertaining the position of the vacancies from the High Court.
- (iii) The Commission forwarding names of competitors in order of merit shall clearly indicate the choice made by the candidates in regard to preference for service. The list shall also include the names of candidates belonging to the Scheduled Castes/Tribes and other Backward Classes and Ex-Servicemen etc. in order of merit in their respective categories. The Commission would simultaneously send to the Govt. the original application forms of all the qualified candidates equal to the number of advertised vacancies including those reserved for Scheduled Castes/Tribes, other Backward Classes, Ex-Service-men and other reserved categories. While advertising these posts, the Commission will make it clear that the choice indicated by a candidate is final and he will not be permitted to indicate a new choice after the result of examinations is made available.
- (iv) The Commission will send its recommendations to the Administrative Secretaries concerned in respect of posts mentioned in Groups other than Group-I [H.C.S. (Executive) and Allied Services] & II [H.C.S. (Judicial)] to the extent of advertised vacancies which will be filled from amongst the qualified candidates in the order of their position in the merit list keeping in view the preference given by them. In the case of Group-I, the Commission will forward the list of qualified candidates in order

of merit with choice of services given by the candidates, alongwith their application forms to the Chief Secretary (in G.S.-I Br.) to the extent of advertised vacancies. As regards Group-II, the Commission will forward the result of the examination alongwith application for the qualified candidates to the extent of advertised vacancies, as before. On the basis of Commission's list, the Chief Secretary (in GS-I Branch) will make allocation of the candidates in respect of Group-I in order of merit and preference (taking into consideration reservation for Scheduled Castes etc.) for various services to the extent of advertised vacancies. Action with regard to appointments in Group-II will be taken by the Chief Secretary in accordance with the procedure laid down in the Rules relating to the appointment of Civil Judges (Junior Division) in Haryana.

- (v) Having earmarked the candidates as above in respect of Group-I, the department would proceed with the appointments after observing necessary formalities of verification of character and antecedents and medical examination for fitness of the candidates. If by chance any candidate falls out as a result of verification of character and antecedents, and medical examination any vacancy remains unfilled on account of non-joining of a candidate or for any other reason, a new appointment should not be made in place thereof as that would involve a revision of the whole list, but this vacancy should be carried forward as an additional vacancy to the next year.

I am to request that the procedure laid down above be strictly adhered to in future. The receipt of this letter should also be acknowledged.

Yours faithfully,

Sd/-

Joint Secretary Political & Services,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/commissioners and Secretaries to Government Haryana with the request that these instructions may please be brought to the notice of all the concerned departments under their control for strict compliance in future.

Sd/-

Joint Secretary Political & Services,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

U.O. No. 66/80/97-7GSI

Dated Chandigarh, the February 27, 1998.

No. 66/80/97-7GSI

Dated Chandigarh, the February 27, 1998.

A copy is forwarded to the Secretary, Haryana Public Service Commission for information and necessary action.

Sd/-

Joint Secretary Political & Services,
for Chief Secretary to Government, Haryana.

No. 62/22/98-6 GSI

From

The Chief Secretary to Government, Haryana.

1. All Heads of Departments, Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 5th May, 1998

Subject :- Civil Writ Petition No. 19391 of 1996-Sarup Singh Vs. State of Haryana.

Sir

I am directed to address you on the subject mentioned above and bring to your notice that Hon'ble Punjab and Haryana. High Court in C.W.P.No. 19091/96-Sarup Singh Vs. State of Haryana has passed the following orders on 3-9-97, the operative part of which is reproduced as under:

“Thus, we are of the opinion that the impugned order, dated 20-4-95, was passed by respondent No. 1 behind the back of the petitioner and without affording him any opportunity of being heard. In any case, as has been discussed above, we are of the view that order of the Joint Secretary (Reh.) cum-Settlement. Commissioner, Haryana dated 20-4-95, is illegal, erroneous, arbitrary, non speaking and against the Psonsions of Law. He has even abdicated his duty enjoined upon him by law and the State Rules to decide the case without any external approach or influence, but has not even setaside the auction confirmed in favour of the petitioner and straightaway ordered re-auction on the basis or some observations of the Chief .Minister which have not been produced in the order at-all. The order has, thus, been, passed on extraneous considerations.

We, thus, set aside the order dated 20-4-95, Annexure P-2, and restore the order passed by the Additional Settlement Officer, (Sales) respondent No. 2.

We are sorry to note that a poor harijan, who was the highest bidder and in whose name the sale was confirmed in the year 1993, was only told in the year 1996 that re-auction will take place of the land in dispute and that also without any valid reasons.

Resultantly, this writ petition is allowed with costs which are quantified as Rs. 5000/-. The State Government is, however, at liberty to recover the costs from the erring officer,, if so advised.

We are constrained to note down that the conduct of the officer who passed the” impugned order is not appreciable. He was expected to do his duty in accordance with the rules and the Law. He was not required to pass a quasi judicial order only on the whims and caprice of a Chief Minister who was not any authority under the rule 8 or under any other law to influence his orders.

A copy of this order be sent to the Chief Secretary to Government of Haryana for circulation

Compendium of Instructions - Miscellaneous Matters – Vol. IX

amongst the concerned officers that while deciding cases as quasi judicial authorities under the act or the rules they should not exhibit such a naked influence of as outside authority”.

Accordingly, I am to request that the above mentioned directions of the Hon’ble Court are strictly adhered to while passing order. in quasi Judicial cases and may be brought to the notice of all concerned for strict compliance in future.

Yours faithfully,

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/ Commissioners and Secretaries to Government, Haryana.

U. O. No. 62/22/98-6 GSI

Dated Chandigarh, the 5th May, 1998.

No. 62/19/98-6GSI

From

The Chief Secretary to Government. Haryana,

To

1. All Heads of Departments, Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the May 13th, 1998.

Subject :— Clarification regarding section 12 of Probation of Offenders Act.

Sir.

I am directed to address you on the subject mentioned above and to say that some Departments of the Government are under the impression that if a Government employee is related on probation after his conviction on a criminal charge, he is entitled to continue in service and can not be dismissed on the basis of his conduct which led to his conviction under clause (2) proviso (a) of Article 3.11 of the constitution of India.

This question come-up for consideration before the Hon'ble Supreme Court of India in Civil Appeal No . 1451 of 1987—Hari Chand Vs. the Director of Education. The Hon'ble Court vide judgement dated 14-1-98 delivered in the said case has categorically laid down that release of a convicted employee on probation under the provisions of probation of offenders Act does not help such an employee and he can still be dismissed from Government service on the basis of his conviction as provided in Art, 311 of the Constitution. A copy of the relevant judgement of the Hon'ble Supreme Court; is enclosed for your information and guidance.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and guidance.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners/ Commissioners and Secretaries to Government Haryana

U.O. No. 62/17/98-6 GSI

Dated Chandigarh, the May 13, 1998.

JUDGEMENTS TODAY

JT 1998 (1) S. C. 124

Hari Chand

Vs.

The Director of School Education.

Civil Appeal No. 1451 of 1987.

(From the judgement and order dated 25-3-85 of the High Court of Punjab and

Haryana in CWP No. 1531/85)

S.P.BHARUCHA

&

V. N. KHARE, JJ

Dated 14-1-1998

Appearances

Mr. Ujjagar Singh, Senior Advocate and Mr J. D. Jain, Advocate with him for the appellant.

Criminal Law

Probation of Offender Act, 1958, Sections 4(1), 12 . read with Indian Penal Code-Section 408 Service Law-Held Section 12 applies in respect of a disqualification that goes with a conviction under the law which provides for offence and its punishment and it cannot be held that conviction should not be considered for dismissal of person from Government service.

Held

In our view, Section 12 of the Probation of Offenders Act would apply only in respect of a disqualification that goes with a conviction under the law which provides for the Offence and its punishment. That is the plain meaning of the words “disqualification, if any, attaching to a conviction of an offence under, such, law therein.. Where the law that provides for an, offence and its punishment also stipulates a disqualification, a person convicted of the offence but released, on. .probation does not; by reason of Section 12, suffer the disqualification. It cannot be held that, by reason of Section 12, conviction for an offence should not be taken into account for the purposes of dismissal of the person convicted from Government service [Para 7].

Case referred

1. Aitha Chander Rao Vs. State of Andhra Pradesh [1981 (Supp) SCC 17] [Para 5]

S. P. BHARUCHA, J.

1. The respondent has been served but has not put in an appearance.
2. The appellant was convicted of an offence under Section 408 of the India Penal Code and sentenced to undergo rigorous imprisonment for a term of two years and to pay a fine of Rs. 1,000/-.

In appeal, the Sessions Court upheld the conviction but set aside the sentence and directed that ‘the appellant be released on probation under Section 4(1) of the Probation of Offenders Act, [1958 on his entering a bond for good conduct in the sum of Rs. 5,000/- and furnishing a surety for the like amount.

3. By reason of the appellant’s conviction, the respondent, in whose employ the appellant was, dismissed him from Government service. The dismissal was challenged by the appellant in a writ petition filed before the High Court of Punjab and Haryana. By the order dated 25th March, 1985, which is under appeal, the writ petition was summarily dismissed.

4. Learned counsel for the appellant submitted that the conviction could not have been taken into account for the purposes of removing the appellant from Government service by reason of the provisions of Section 12 of the Probation of Offenders Act, 1958, the operative portion of which reads ;

“Notwithstanding anything contained in any other Law, a person found guilty of an offence and dealt with under the provisions of Section 3 or Section 4 shall not suffer disqualification, if any, attaching to a conviction of an offence under such law.

5. Learned counsel drew our attention to the order of this Court in the case of Aitha Chander Rao Vs. State of Andhra Pradesh [1981 (Supp.) SCC 17]. The said Rao had been convicted under Section 304A of the Indian Penal Code and sentenced to under two years rigorous imprisonment and, pay a fine of Rs. 500/-. On appeal to this Court against the judgement of the High Court affirming the conviction, this Court found no reason to interfere on the merits of the appeal. The only question that it considered was whether it was an appropriate case in which the appellant before it could be released on probation. The Sessions Judge had found that there was some amount of contributory negligence on the part of the said Rao. Having regard “to the peculiar circumstances of this case” it was thought to be a fit case to release the said Rao on probation. This Court added, “As the appellant has been released on probation this may not affect his service career in view of Section 12 of the Probation of Offenders Act.”

6. The order in the case of the said Rao was delivered on an appeal against conviction. The conviction was sustained but, having regard to the peculiar circumstances of the case, the said Rao was released on probation and it was added that “this may not affect his service career in view of Section 12 of the Probation of Offenders Act.” We do not find in the order in Rao’s case any discussion of the provision of Section 12 or of the meaning of words “disqualification, if any, attaching to a conviction for an offence under such law” therein. The order cannot, therefore, be regarded as a binding precedent upon the point.

7. In our view, Section 12 of the Probation of Offenders Act would apply only in respect of a disqualification that goes with a conviction under the law which provides for the offence and its punishment. That is the plain meaning of the words “disqualification, if any, attaching to a conviction of an offence under such law” therein. Where the law that provides for an offence and its punishment also stipulates a disqualification, a person convicted of the offence but released on ‘probation does not by reason of Section 12, suffer the disqualification. It cannot be held that, by reason of Section 12, a conviction for an offence should not be taken into account for the purposes of dismissal of the person convicted from Government service.

8. The appeal is dismissed. No order as to costs.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/20/98-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners Ambala, Hisar, Rohtak and Gurgaon Divisions
2. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 26-5-98.

Subject :- Fundamental rights of freedom of expression and speech-clarification regarding.

Sir,

I am directed to enclose a copy of judgement dated 17-2-98 of the Hon'ble Supreme Court of India in Civil Appeal No. 3867 of 1993- M. H. Devenrappa Vs. The Karnataka State Small Industries Development Corporation for your information and guidance.

Yours faithfully.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

U.O No. .62/20/98-6GSI

Dated Chandigarh, the 26-5-98.

M.H. Devendsappa

Vs.

The Karnataka State. I.D. Corp. (Sujata v. Manohar J. S.C. 719. JT 1998(1) S.C. 719

M.H. Devendrappa

Vs.

The Karnataka State Small Industries Development Corporation

Civil Appeal No. 3867 of 1998.

(from the Judgement and order dated 18-4-1998 of the
Karnataka High Court in W.A. No. 602 of 1988)

SUJATA Vs. MANOHAR & D. P. WADHAWA, JJ

Dated 17-2-1998,

APPEARANCES

Mr. S. R. Bhat, Advocate for the Appellant

Mr- S. S. Javali, Senior Advocate and

Mr. P.R. Ramasesh, Advocate with him for the Respondent.

SERVICE AND LABOUR LAW

Karnataka State Small Industries Development Corporation Service Rules.

Rules 19 & 22 Misconduct Employee, being President of Employee's Welfare Association, writing letter to Governor and issuing press statement on the removal of the President of Corporation from Presidentship of District Congress Committee. Also proceeding on leave when asked to explain—whether amounts to freedom of speech and expression, protected by Constitution and not a misconduct—Implicit restrictions-Reasonableness of Service Rules—Held that Service Rules are made in public interest and for proper discharge of public duties. If freedom of speech and expression is exercised to the detriment of proper functioning or to prestige-of employer/organisation that would be undermining discipline and efficient functioning and hence misconduct.

HELD

In the present case, the restraint is against doing anything which is detrimental to the interests or prestige of the employer. The detrimental action may consist of writing a letter or making a speech if may consist of holding a violent demonstration or it may consist of joining a political organization contrary to the Service Rules. Any action which is detrimental' to the interests or prestige of the employer clearly undermines discipline within the organization and also the efficient functioning of that organization.

Proper exercise of rights may have implicit in them, certain restrictions. The rights must be harmoniously construed so that they. are properly promoted with the minimum of such implied and necessary restrictions. In the present case, Joining Government service, has, implicit in it, if not explicitly so laid down, the observance of *a.* certain code of conduct necessary for the proper discharge of functions as a Government servant. That code cannot be flouted in the name of other freedoms.

If freedom of speech of an individual Government employee is circumscribed by the need for efficiency or discipline or confidentiality in public interest, the individual exercises his freedom of speech in a manner conflicting with these requirements at the risk of facing disciplinary action. This does not mean that legitimate action discreetly and properly taken by a Government servant in a sense of responsibility and at the proper level of remedy any malfunction in the organization would also be barred.

Rules are made in public interest and for proper discharge of public duties.

What we have to consider is the reasonableness of Service Rules which curtail certain kinds of activities amongst Government servants in the interests of efficiency and discipline in order that they may discharge their public duties as Government servants in a proper manner without under mining the prestige or efficiency of the organization.

The appellant had made a direct public attack on the head of his organization. He had also, in the letter to the Governor, made allegations against various officers of the corporation with whom he had to work and his conduct was clearly detrimental to the proper functioning of the organization or its internal discipline. Making public statements against the head of the organization on a political issue also amounted to lowering the prestige of the organization in which he worked. On a proper balancing, therefore, of individual freedom of the appellant and proper functioning of the Government organization which had employed him, this was a fit case where the employer was entitled to take disciplinary action under Rule 22 [para 17, 19, 20 & 22].

Constitution of India

Articles 19 (1) (a) & 19 (2) (4)—Service Rules of K.S.S.ID.C. -Rules 19 & 22—Writing letter to Governor about the Corporation and making press statement about President of Corporation—Whether a fundamental right of freedom of expression and speech and restrictions in Service Rules violate said right — Held that Service Rules are made in public interest and they are protected by Article 19(2) & 19(4), if rules are made in furtherance of freedom, they are to be upheld—Validity of Rules, however, not under challenge in this case.

HELD

Rule 22 of the Service Rules is not meant to curtail freedom of speech or expression or the freedom to form associations or unions. It is clearly meant to maintain discipline within the service, to ensure efficient performance of duty by the employees of the Corporation, and to protect the interests and prestige of the Corporation. Therefore, under Rule 22 an employee who disobeys the service Rules or displays negligence, inefficiency or insubordination or does anything detrimental to the interest of prestige of the Corporation or acts in conflict with official instructions or is guilty of misconduct, if liable to disciplinary action. Rule 22 is not primarily or even essentially designed to restrict, in any way, freedom of speech or expression or the right to form, associations or unions. A Rule which is not primarily designed to restrict any of the fundamental rights cannot be called in question as violating Article 19(1) (a) or 19 (1) (c)..

Rules which are directly linked to and are essential for proper discharge of duties of public office would be protected under Article 19(1) (g) as in public interest if these Rules are alleged to violate other freedoms under Article 19, such as, freedom of speech or expression or the freedom to form associations or unions or the freedom to assemble peaceably and without arms, the freedoms

have to be read harmoniously so that Rules which are reasonably required in furtherance of one freedom are not struck down as violating other freedoms.

If the Rules are directly and primarily meant for this purpose, they being in furtherance of Article 19(1) (g), can be upheld although they may indirectly impinge upon some other limbs of Article 19 qua an individual employee [para 13, 18 & 20].

CASES REFERRED

1. Permanent Secretary, Ministry of Agriculture & Ors. V. De Freitas (1996 (1) CHRE 1) [Para 21]
2. O. K. Ghosh & Anr. V. E. X. Joseph [(1963) Supp. 1 SCR 789 at 794] Para 16.]
3. Kameshwar Prasad & ors. V. The State of Bihar Anr. [(Supp. 3 SCR 369) [Para 15.]
4. P. Balakotaiah V. The Union of India & Ors. (1958 SCR 1052) [Para 14]
5. Marvin L. Pickering V. Board of Education of Township High School [39] US 563] [Para 21].

MRS. SUJATA V. MANOHAR, J. :

1. At the material time the appellant was the Assistant Manager of the respondent Karnataka State Small Industries Development Corporation (KSSIDC), Bangalore. He was also the President of the Karnataka State Small Industries Development Corporation Employee's Welfare Association, Bangalore.
2. On 3rd of June, 1977 the appellant addressed a letter to the Governor of Karnataka on behalf of the Karnataka State Small Industries Development Corporation Employee's Welfare Association in which he stated that the KSSIDC Corporation was likely to be wound up on account of bad administration, corruption and nepotism- He said that till 1977 the Corporation was running at a profit. However, since then it was sustaining continuous losses. In the letter it was alleged that several persons were being appointed in the Corporation who were not properly qualified at the instance of political leaders and ministers. The letter set out some instances of these kinds of appointments- There were also allegations in the letter about the nexus between contractors for various projects and the management of the Corporation. There were also some allegations about cement purchased from the Corporation being diverted and various such alleged malpractices in general terms. The letter requested the Governor to arrange to investigate the, working conditions of the said Corporation. The letter had no connection with the service, conditions of the employees or the objects of the Employees Welfare Association.
3. On 31st of December, 1977, the appellant issued a press statement which was published in a Kannada Daily called Samyuktha Karnataka of the same date. The appellant issued a statement welcoming the dismissal of Mr. S.C. Venkatesh, who was then the Chairman of the appellant-Corporation from the Presidentship of the Bangalore City District Congress Committee. The appellant also expressed the hope that political leaders would prevail upon the Government and remove Mr. S.C. Venkatesh from the Presidentship of the respondent-Corporation thereby saving lakhs of rupees as Mr. S.C. Venkatesh was doing illegal activities.

4. In January, 1978 the respondent Wrote to the appellant seeking confirmation about the authorship of the letter which had been sent to the Governor and asking for his explanation as to why disciplinary action should not be taken against him. Thereupon the appellant went on leave from 9th of January, 1978 till 31st of January, 1978. The appellant absented himself from duty from 9th of January, 1978 and on 12th of January, 1978 he sent a telegram to the respondent seeking commuted leave from 9.1.1978, 31.1.1978. On 1st of February, 1978 the calling upon the appellant to report back duty within seven days. By letter of 9th of February, 1978, the appellant was asked to show cause in writing as to why disciplinary action should not be taken as per Rule 22 of the Service Rules of the Corporation. The appellant sent a reply dated 17.2.1978.”

5. There after on 11.4.1978 three articles of charge were served on the appellant. The charges were to the following effect.

6. Charge No. 1 was to the effect that he had written a letter dated 3.6.1977 to the Governor of Karnataka pointing out mismanagement in the respondent Corporation. Being an employee of the Corporation he could not address the letter to the Governor without permission of the management. This amounted to violation of Rule 22 of the Service Rules of the Corporation, since of it was misconduct and knowingly doing something detrimental to the interests and the prestige of the Corporation.

7. Charge No. 2 was to the effect that the appellant had issued a statement in Samyutha Karnataka Kannada Daily dated 31.12.1977 attributing motives to the then Chairman of the respondent Corporation and welcoming his dismissal from the Presidentship of the Bangalore District Congress Committee. Being an employee of the Corporation he could not issue a press statement of a political nature or indulge in political activities which amounted to gross misconduct and. knowingly committing an action detrimental to the interests or prestige of the Corporation.

8. The third charge was to the effect that his act of leaving the office unauthorisedly with effect from 9.1.1978 and staying away from his legitimate work amounted to misconduct.

9. The appellant submitted a written statement dated 27.4.1978 in which he stated that; he had already filed a suit before the District Court, Bangalore for a declaration and injunction. He stated that all his action were in his capacity as the President of the respondent. Employees Welfare Association and that the enquiry against him was illegal and without jurisdiction and was in mala fide exercise of power. He also sought to justify what he stated in the letter to the Governor.

10. In the civil suit no injunction was granted. The enquiry proceeded. On 31.5.1978 the appellant stated before the enquiry Officer that he would not participate in the enquiry. Thereafter the enquiry against him was held ex-parte and he was held guilty. On receipt of the report of the Enquiry Officer, the disciplinary authority issued a show cause notice to the appellant dated 19.6.1978 in which it was pointed out that the first two charges had been held proved against him while the third charge had been held as partly proved- In view there of the appellant was asked to show cause why action should not be taken against him dismissing him from service. The appellant sent a reply dated 24.6.1978.

11. On 14.7.1978 an order was passed dismissing the appellant from service. The appellant filed a writ petition before the High Court of Karnataka challenging the order of dismissal. A learned Single Judge of the High Court dismissed the writ petition. The appeal of the appellant before a Division Bench of the High Court has also been dismissed. Hence the present appeal has been filed.

12. Rule 22 of the Service Rules of the respondent-Corporation as set out by the appellant in his special leave petition before this Court, is as follows :—

“An employee, who commits a breach of these rules or displays negligence, inefficiency or , in-subordination, who knowing does anything detrimental to the interests Or prestige of the Corporation or in conflict with official instructions or is guilty of any activity of , misconduct or misbehaviour shall be liable to one or more of the following penalties.”

The other relevant Rule is Rule 19 which is as follows:—

“19. Participation in Politics;

No employees shall be a member *of* or otherwise associate with any political party in politics nor shall he take part in, subscribe in aid of, or assist in any political movement or activity.”

It is the contention of the appellant that in writing the letter of 3rd June, 1977 to the Governor of Karnataka and releasing the press statement of 31.12.1977 he had exercised his fundamental right of freedom of speech and expression under Article 19 (I) (a) as also he had exercised his right to form associations or unions under Article 19 (1) (c) of the Constitution and that he could not be dismissed from service when he had exercised his fundamental rights under Article 19(1) (a) and 19(1)(c). This is the issue that needs to be examined.

13. The right to freedom of speech and expression is subject to reasonable restrictions under Article 19(2). Such restrictions can be in the interest of sovereignty and integrity of India, security of the State, friendly relations with foreign States public order decency or morality or in relation to contempt of court, defamation or incitement an offence. Similarly, Article (19)(1)(c) is also subject to reasonable restrictions under Article 19(4). Such reasonable restricting can be made, *inter alia*, in the interest of public order or morality. Article 19(2) or 19(4); may not be directly relevant in the present case in view of the provisions contained in Rule 22 of the service Rules, Rule 22 of the Service Rules is not meant to curtail freedom of speech or exp-ression or the freedom to form associations or unions. It is clearly meant to maintain discipline within the service, to ensure efficient performance of duty by the employees of the Corporation, and to protect the interests and prestige of the Corporation. Therefore, under rule 22 an employee who disobeys the service Rules or displays negligence, inefficiency or is-subordination or does anything detrimental to the interests of prestige of the Corporation or acts in conflict with official instructions or is guilty of misconducts is liable to disciplinary action. Rule 22 is not primarily or even essentially designed to restrict, in any way, freedom of speech or expression or the right to form associations or unions. A rule which is not primarily designed to restrict any of [the fundamental rights cannot be called be in question as violating Article 19(1)(a) or 19(1) (c). In fact, in the present proceedings the constitutional validity of Rule 22 is not under challenge. What is under challenge is the order of dismissal passed for violating Rule 22 when the impugned conduct which violates Rule, 22 is held out as, an exercise of a right under Article 19(1)(a) or 19(1)(c).

14. In the case of *P. Balakotaiah v. The Union of India & Ors.* (1958 SCR 1052) certain railway employees who belonged to a Workers' Union sponsored by the communist carried on agitation for a general strike in order to paralyse communications and movement of essential supplies. They were charge-sheeted and their services were terminated. The charges showed that the action was taken

against the employees because they were Communists or trade-unionists-but because they were engaged in subversive activities. This Court said that there is no contravention of Article 19(1) (c) by the impugned order. The impugned order did not prevent the workers from continuing to be Communists or trade Unionists. Their right is that behalf remained as before. The real complaint of the workers - was that their services had been terminated and this did not involve infringement of any of their Constitutional rights apart from Article 311. This court said, This appellants have no doubt a fundamental right to form associations under Article 19(1)(c) but they have no fundamental right to be continued in employment by the State and one their services are terminated by the State they cannot complain, of the infringement of any of their constitutional rights when no question of violation of Article 311 arises” (page 1064).

15. However, in the case of Kameshwar Prasad and ors. V. The State of Bihar & Anr. [(1962) Supp. 3 SCR 369J. Balakothiah’s case (Supra) was distinguished on the ground that the Service Rules had not been challenged as Ultra vires in bat case. In Kameshwar Prasad’s case (Supra) there was a challenge to Rule 4A of the Bihar Government Servants Conducts Rules in so far as it prohibited any form of demonstrations by Government servants. This Court said that a Government servant, by accepting Government service, did not lose his fundamental rights under Article 19 and that Rule 4A in so far as it prohibited all kinds of demonstrations, whether orderly or disorderly, violative of Article of Article 19(1) (b) which secured the right to essemble peaceably and without arms. The Court felt that the Rule was so worded that it was not possible to make a distinction under the Rule between demonstrations which could be peaceful and demonstrations which could be: violent. So that it was not possible to say that to the extent that; the Rule prohibited violent *demon st rations*, which may result in breach of public order, the Rule was valid. The entire Rule, therefore, in so far as it prohibited demonstrations, was struck down. However, while doing so, the Court said the following (page 384)

“We have rejected the board contention that persons in the service of Gove-rnment from a class apart to whom the rights guaranteed by part III do not, in general apply. By accepting the contention that the freedoms guaranteed-by part III and in particular these in Article 19(1) (a) apply to the servants of Government, we should not *be* taken to imply that in relation to this class of citizens the responsibility arising from official position would not by itself impose some limitations on the exercise of their rights as citizens.”

[underlining ours]

Illustrations would be, the duty to maintain of the secrecy voting by an officer or clerk engaged in election duty, the duty to maintain confidentiality of defence strategies, and so on therefore, in Kamsshwar Prasad’s casa (supra) this court made it clear that it was not in any manner affecting by the said judgement, the Rules of Government service j designed for proper discharge of duties and obligations by Government servants, although they; may curtail or impose limitations on their rights under Part III of the Constitution.

16. In the case of O. K. Gbosh & Anr. v. E. X. Joseph [(1963) supp. 1 SCR 789 at 794], the re-spondent. a Central Government servant, who was the Secretary of the ‘Civil Accounts Association was departmentally proceeded against under Rules 4(A) and 4(B) of the Central Civil Services conduct Rules, 1955, for participating in demonstration in preparation of a general strike and for refusing to:

dissociate from the Association after the Government had withdrawn its recognition of it. This Court set aside Rule 4(B) as invalid and violative of Article 19(1) (c). The Rule provided that no Government servant shall join or a member of any services association which the Government did not recognise or in respect of which recognition, had been refused or withdrawn by it. This Court said that Rule 4(B) imposed a restriction on the undoubted right of a Government servant under Article 19(1)(C) which was neither reasonable nor in the interest of “public order”, under Article 19(4). Because, in granting or withdrawing the recognition, the Government might be actuated by consideration other than these of efficiency or discipline amongst the services or; consideration of public order. However, Government servants can be subjected to Rules which are intended to maintain discipline within their ranks and which lead to an efficient, discharge of their duties. The Court observed, (page 794). “There Can be no doubt that Government servants can be subjected to Rules which are intended to maintain discipline amongst their ranks and to lead to an efficient discharge of their duties. Discipline amongst Government employees and their efficiency may, in a sense, be said to be related to public order. But in considering the scope of clause (4), it has to be borne in mind that the Rule must be in the interests of public order and must amount to a restriction——— A restriction can be said to be in the interests of public order only if the connection between the restriction and the public order is proximate and direct.”

17. In all these cases, this Court has been at pains to point out that Service Rules can be framed to maintain efficiency and discipline within the ranks of Government Servants. In the case of O.K. Gohash (supra), this Court considered such Rules as being saved by the “public order” clause under Article 19(4). In the present case, the restraint is against doing any thing which is detrimental to the interests or prestige of the employer. There detrimental action may consist of writing a letter or making a speech. It may consist of holding a violent demonstration or it may consist of joining a political organization contrary to the Service Rules. Any action which is detrimental to the interests or prestige of the employer clearly undermines discipline within the organization and also the efficient functioning of that organization. Such a Rule could be constructed as falling under “public order” clause as envisaged by O.K. Ghosh (Supra).

18. The same requirements of Rule 22 can be better looked at from the point or view of Article 19(1) (g) as requirements in furtherance of the proper discharge of the public duties of duties of a Government Service Rules which are directly linked to and are essential for proper discharge of duties of a public officer would be protected under article 19(1)(g) as in public interest. If these Rules are alleged to violate other freedoms under Article 19, such as, freedom of speech or expression or the freedom to form associations or unions or the freedom of assemble peaceably and without arms, the freedoms have to be read harmoniously so that Rules which are reasonably required in furtherance of one freedom are not struck down as violating other freedom. Several in “Constitutional Law of India”, Vol. I page 816, para 10.238 states “.....a civil servant is following a profession or occupation within the meaning of Article 19(1)(g). Whereas his right to freedom of speech and expression or the right to form an association can be subject only to reasonable restrictions in the interest of public order or morality, his right to carry on his profession or calling can be made subject to reasonable restrictions in the public interest. If the true scope and object of an impugned rule is not to deal with freedom of speech or freedom of association but to secure standards of conduct necessary for the efficient and proper discharge of a profession or calling, in the public interest, then such restrictions can be justified under Article 19(h) although they cannot be justified under Article 19(2) and (3).....”

19. The fundamental freedoms enumerated under Article 19 are not necessarily and in all circumstance mutually supportive although taken together they weave a fabric”, of a free and equal democratic society e.g. the right to reside and settle in any part of country can be put in jeopardy by a vociferous local group freely expressing its view against persons from another part of the country. Freedom of speech of one affects the freedom of movement of another. Exercising the right to form an association may curtail the freedom to express view against its activities. For example, a person joining an association to promote adoptions cannot express and adoption views. He may lose his membership. Some restriction on one’s rights may be necessary to protect another’s rights in a given situation. Proper exercise of rights may have, implicit in them, certain restrictions. The rights must be harmoniously construed so that they are properly promoted with the minimum of implied and necessary restrictions. In the present case, joining Government service has, implicit in it, if not explicitly so laid down, the observance of a certain code of conduct necessary for the proper discharge of functions as a Government servant. That code cannot be flouted in the name of other freedoms. Of course, the courts will be vigilant to see that the code is not so widely framed as to unreasonably restrict fundamental freedom. But a reasonable code designed to promote discipline and efficiency can be enforced by the Government organization in the sense that those who flout it can be subjected to disciplinary action.

20. That is why in Balakothajah’s case (supra) this Court said that a person who wanted to exercise his other freedoms under Article 19(1)(a) or (c) may do so but then he could not insist that he be retained in Government service if the Service Rules for the proper functioning of the organization were breached in the process, except to the extent he was protected by Article 311. If freedom of speech of an individual Government employee is circumscribed by the need for efficiency or discipline or confidentiality in public interest the individual exercises his freedom of speech in a manner conflicting with these requirements at the risk of facing disciplinary action. This does not mean that legitimate action discreetly and properly taken by a Government servant with a sense of responsibility and at the proper level to remedy any malfunction in the organization would also be barred. However, such is not the case here. Also a person who legitimately seeks to exercise his rights under Article 19 cannot be told that you are free to exercise the rights, but the consequences’ will be so serious and so damaging, that you will not, in effect, be able to exercise your freedoms. For example, a person may be told that you are free to express your opinion against the State, but if you do so, you will be put behind bars. This is clearly deprivation of freedom of speech. Therefore, what we have to consider is the reasonableness of Service Rules which curtail certain kinds of activities amongst Government servants in the interests of efficiency and discipline in order that they may discharge their public duties as Government servants in a proper manner without undermining the prestige or efficiency of the organisation. If the Rules are directly and primarily meant for this purpose, they being in furtherance of Article 19(1)(g), can be upheld although they may indirectly impinge upon some other limbs of Article 19 qua an individual employee. As the above cases show courts have made sure that such impingement is minimal, and Rules are made in public interest and for proper discharge of public duties. A proper balancing of interests of an individual as a citizen and the right of the State to frame a code of conduct for its employees in the interest of proper functioning of the State, is required.

21. A somewhat similar view seems to have been taken in other commonwealth jurisdictions as well. The appellant drew our attention to the case of *Marvin L. Pickering v. Board of Education of Township High School* (391 US 563). In that case a public school teacher wrote a letter to the editor of

a local newspaper criticizing the way in which the Board of Education and the superintendent of schools had handled past proposals to raise new revenue for the school. After the letter was published, the board of education determined that its publication was detrimental to the efficient operation and administration of the schools of the district. An action was taken against the teacher dismissing him from service. The teacher contended that his remarks and comments in the letter were protected by the constitutional right of free speech. The United States Supreme Court said : “A state has interests as an employer in regulating the speech of its employees that differ significantly from those that it possesses in connection with regulation of the speech of the citizenry in general. Where a public school teacher contends that his dismissal is violative of his constitutional right to free speech, it is necessary to arrive at a balance between the interests of the teacher, as a citizen, in commenting upon matter of public concern, and the interest of the state, as an employer, in promoting the efficiency of public services that it performs through its employees.” The Court after examining the contents of the letter held that the letter had made no allegations against any individual official, not had it made any personal allegations against any member of the board, of education. The letter was confined to criticising only the policy. In the view of the Court, this would not, in any way, affect the efficient functioning of the teacher within the organisation. The United States supreme Court, therefore, set aside the order of dismissal. Another common wealth country has recently considered a somewhat similar case. The Court of Antigua and Barbuda in the case Permanent Secretary, Ministry of Agriculture ors. v. De Freitas (1996 (1) CHRBI) considered the case of a civil servant employed by the Ministry of Agriculture who took part in demonstrations organised by an opposition political party against political corruption. He carried a placard against his own minister. Refuting the contention that his right to freedom of expression and assembly under the Constitution had been violated, the court said that there must be an implied proper performance of their functions and which are reasonably justifiable in a democratic society. A presumption of constitutionality of such provision has to be implied in the constitutional rights and their constitutionality has to be upheld.

22. In the present case, the appellant had made a direct public attack on the head of his organisation. He had also, in the letter to the Governor, made allegations against various officers of the corporation with whom he had to work and his conduct was clearly detrimental to the proper functioning of the organisation or its internal discipline. Making public statements against the head of the organisation on a political issue also amounted to lowering the prestige of the organisation in which he worked. On a proper balancing therefore, of individual freedom of the appellant and proper functioning of the Government organisation which had employed him, this was a fit case where the employer was entitled to take disciplinary action under Rule 22.

23. We, therefore, agree with the findings of the High Court and dismiss the appeal. There will, however, be no order as to costs.

No. 62/35/97-6GSI

From

The Chief Secretary to Government, Haryana.

To

All Deputy Commissioners in the State.

Dated Chandigarh, the June 24, 1998

Subject :- Instructions regarding bonafides of the Charitable Organisations.

Sir,

I am directed to address you on the subject noted above and to enclose a letter received from Sh. N.K. Singh, Revenue Secretary, Government of India and to say that bonafide Charitable Organisations are allowed duty free import of goods for relief work subject to the condition that they furnish a certificate from the State Government to the effect that they are bonafide organisations engaged in relief work. At present within six months of such duty free imports they also have to furnish a certificate from the State Government that the imported goods have been distributed to the poor and needy, free of cost and without any distinction of cast etc.

2. However, wherein malpractices have come to the notice of the Government of India as mentioned in the letter to the effect that in a number of cases the goods were imported availing the benefit of this exemption but were not distributed and were in fact sold.

However, such unscrupulous importers were able to obtain certificates from the concerned District Collectors to the effect that they were bonafide organisations engaged in relief work and that the needs had been distributed to poor and needs, free of cost, without any distinction of caste etc. on enquiry it was found that the concerned District Collectors had issued certificates without verifying the facts and they were apparently not aware of the fact that these certificates could be used to avail benefit of customs duty exemption.

3. Therefore, it has been decided that such certificates should be issued only after due verification of the bonafides of the Charitable Organisations and proper use of the goods imported availing customs duty exemption should be ensured. Any laps in this regard would be viewed seriously.

It is requested that these instructions should be complied with meticulously.

Yours faithfully,

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

Endst. No. 62/35/97-6GSI

Dated Chandigarh, the June 24, 1998.

A copy is forwarded to Sh. N.K. Singh, Revenue Secretary, Government of India Ministry of Finance (Department of Revenue) North Block, New Delhi – 110 001 with reference to his D. O. F. No 354/57/94-TRU, dated 23-6-97 for information.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana .

A copy of D. O. letter No 354/57/94-TRU, dated 23-6-97 from Sh. N. K. Singh, Revenue Secretary, Government of India, Ministry of Finance (Department of Revenue) North Block, New Delhi to Sh. R.J S. Varma, Chief Secretary to Government of Haryana, Chandigarh.

Dear Shri Varma,

Bonafide charitable organization are allowed duty free import of goods for relief work subject to the condition that they have to furnish a certificate from the State Government to the effect that they are bonafide organisations engaged in relief work. Within six months of such duty free imports, they have also to furnish a certificate from the State Government that the imported goods have been distributed to the poor and needy, free of cost and without any distinction of caste.

2. It has been found that in number of cases, the goods are imported availing the benefit of this exemption but were not freely distributed and were sold and the people behind such imports were of dubious background. However, such importers were able to obtain certificate from the District Collectors of Sonipat and Panipat that they were bonafide organisations engaged in relief work and they had also obtained certificates from the District Collectors to the effect that the goods had been distributed to the poor and needy, free of cost, without any distinction of caste

3. Subsequently, on enquiry the District Collectors of Sonapat and Panipat in their statements have stated that they issued certificates without verifying the facts and they were not aware of the fact that these certificates could be used to avail benefit of customs duty exemption. Withdrawing the facility of duty free import by charitable trusts for relief work would adversely effect the genuine charitable organisations involved in relief work.

4. In view of the above, you may like to issue suitable instructions to all concerned State Government authorities to make sure that such certificates are issued after due verification of the bonafideness of the charitable organisations and the proper use of goods imported availing customs duty exemption.

Subject : - Forwarded of promotion proposals to the Haryana Public Service Commission instruction regarding.

Will all the Financial Commissioners and Administrative Secretaries to Government Haryana kindly refer to this Department U.O. No. 66/21/6GSI, dated 21-5-98 on the subject noted above ?

2. The instructions referred to above provide for seeking prior approval of the Haryana Public Service Commission in respect of cases of promotion pertaining to class-I and II posts services under the State Government, which are referable to them under article 320(3) (b) of the Constitution of India.

3. It has been brought to the notice of the State Government by the various departments that they are facing problems in the wake of these instructions in as much as that due to non promotion of the officers against the existing vacancies, their day to day functioning is being hampered.

4. With a view to overcoming the difficulties being experienced by the departments, the whole matter has been reconsidered by the Government in the light of the Full Court judgement of the Punjab and Haryana High Court in 'Tuhi Ram Sharma Vs. Prithvi Singh –Air- 1971, Punjab and Haryana-297'. It has now been decided that all promotions to Class-I and II posts/services under the Government will be effected by the respective departments on adhoc basis for a period not exceeding six months in the first instance. The department will simultaneously forward the cases of the officers concerned, complete in all respect in terms of the Government instructions enunciated in unofficial circular letter No. 66/71/84-7GSI, dated 3.7.85, to the Commission, which are required to be referred to them under Article 320(3) (b) of the Constitution of India for their approval. The Commission should endeavor to dispose of all such cases within a period of two months from the date of months from the date of adhoc promotion of the officer concerned then approval would be deemed to have been granted.

After the Haryana Public Service Commission has conveyed the approval or the approval has been deemed to have been granted the departments will issue revised order of promotion of the officer(s) concerned being made on regular basis. from the date of their initial promotion effected on adhoc basis.

These instructions may be brought to the notice of all concerned for being adhered to rigidly.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government Haryana.

U. O. No. 66/27/97-6GSI

Dated Chandigarh , the July 17, 1998

No. 66/27/97-6GSI

Dated Chandigarh , the July 17, 1998

A copy is forwarded to the following for similar action :—

- 1) All the Heads of Departments, Commissioner,
Ambala Hisar, Rohtak and Gurgaon Divisions.

General Instructions

- 2) All the Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
- 3) The Registrar, Punjab and Haryana High Court, Chandigarh.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

No. 66/27/97-6GSI

Dated Chandigarh, the July 17, 1998

A copy is forwarded to the Secretary, Haryana Public Service Commission, Chandigarh for information.

Sd/-

Under Secretary General Administration,
For Chief Secretary to Government, Haryana.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/23/88-6 GSI

From

The Chief Secretary to Govt., Haryana.

To

All Heads of Departments, Commissioners, Ambala & Hissar, Divisions,

All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh the 9th August, 1998.

Subject :- Inspection of Sub officers by the Heads of Departments.

Sir,

I am directed to refer to the subject noted above and to state that it has been brought to the notice of Government that in most of the departments, the practice of inspecting the sub-offices in the districts by the Head of the departments have issued instructions laying down the schedule and manner of inspection. In some cases it has been laid down that through inspection is carried out firstly by the staff of Head Office and then by Head of Department himself.

Government have considered the matter and it has been decided that the periodic inspection of sub offices by Head of departments should invariably be carried out. Periodicity and procedure for inspection shall be laid down by Heads of department in keeping with their requirements. Similarly, the offices of the Heads of department will be inspected by the Administrative Secretaries. You are, therefore, requested to comply with these instructions strictly. It is also requested that a copy of the rules/instruction in regard to inspection of sub-Offices may be supplied to Government.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

A copy is forwarded to the Financial Commissioners/Commissioners & Secretaries to Government, Haryana and other Administrative Secretaries to Government, Haryana with the requested that it may kindly be ensured that the above instructions are followed by the department under them strictly. It may also be ensured that the offices of the Head of department are inspected periodically.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Govt. Haryana

To

The Financial Commissioners/Commissioners & Secretaries to Government, Haryana and
Administrative Secretaries to Government, Haryana.

U.O. No. 62/23/88-6 GSI,

dated Chandigarh, the 9th August, 1988.

No. 62/35/98-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners,
Ambala Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional
Officers (Civil) in Haryana.
3. The Registrar,
Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the 14th, August, 1998.

Subject :- Judgment of the Apex Court in CA No. 7605-7610 of 1996 B. S. Bajwa & Another V. State of Punjab and ors.

Sir,

I am directed to enclose a copy of judgement dated 11-12-97 of the Hon'ble Supreme Court of India in delivered Civil Appeal No. 7605-7610 of 1996 B. S. Bajwa and another Vs. State of Punjab and others for your information and guidance.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioner/
Commissioners and Secretaries to Government, Haryana.

U. O. No. 62/35/98-6GSI

Dated Chandigarh, the 14th, August, 1998.

Subject :- Non-compliance of the order/directions issued by the Hon'ble Punjab and Haryana High Court.

Will all Financial Commissioners/Commissioners and Secretaries to Government Haryana refer to the State Government letters of even number dated 4-1-1996, 11-6-97, 6-10-97, 26-2-98 and 3-3-98 on the subject noted above wherein it has been repeatedly stressed that delay in processing the Court cases, as also in the implementation Court orders/judgements should be avoided.

2. However, it has been observed that the instructions in question are still not being followed meticulously with the result that the contempt petitions are filed against the concerned Administrative Secretaries and the Chief Secretary to Government of Haryana. It has also been observed that often the legal opinion of Advocate General, Haryana/L.R. for filing review petitions/S.L.P./L.P.A. etc, if necessary, is sought and/or received after the expiry of the prescribed limitation, as a result of which the State Government is left with no option but to carry out the directions of the Hon'ble Courts not with-standing its dissatisfaction with the decision of the Courts.

3. The State Government has taken a serious view of the matter and it has been decided that in all matters where adverse decisions have been announced by the High Court against the State Government, a conscious view may be taken at the level of Administrative Secretary immediately after receipt of the orders of the High Court whether an L P A or S L P in the Supreme Court is required to be filed and it should be ensured that wherever such L P A or S L P is justified in public interest, needful is done within the prescribed limitation period.

4. It is clarified that the Administrative Secretaries will be held personally liable in the event of any failure to do the needful in such cases. Therefore, a Monitoring Register must be maintained of all the Court cases in every Department. These instructions should be brought to the notice of all concerned for strict compliance. Any default will be viewed seriously by Government.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.

U.O. No. 62/30/95-6GSI

Dated Chandigarh, the 4-9-98

No. 62/30/95-6GSI

Dated Chandigarh, the 4-9-98

A copy is forwarded to the L.R. for information and necessary action.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

General Instructions

No. 62/30/95-6GSI

Dated Chandigarh, the 4-9-98

A copy is forwarded to the Advocate General, Haryana for information any necessary action. He is requested to comply with the provisions contained in para 9.6 of the Law Department Manual and communicate his opinion regarding filing or non filing of SLP etc against the judgements of the High Court to L.R. as well as the departments concerned expeditiously to enable them to take a final view in the matter.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

No. 62/96/98-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All Heads of Departments, Commissioners,
Ambala Hisar, Rohtak and Gurgaon Divisions.
2. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
3. The Registrar,
Punjab and Haryana High Court, Chandigarh.

Dated Chandigarh, the December 29, 1998.

Subject :- Non compliance of Section 25 F of the Industrial Disputes Act, 1947 by the Department.

Sir,

I am directed to address you on the subject noted above and to say that Section 25 F of Industrial Disputes, Act, 1947 deals with the conditions precedent to retrenchment of workmen, which reads under :—

“No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until-

- (a) The workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice ;
- (b) The workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months; and
- (c) Notice in the prescribed manner is served on the appropriate Government (for such authority as may be specified by the appropriate Government by notification in the Official Gazette).

2. The Advocate on Record for the State of Haryana, in the Supreme Court of India has brought to the notice of the Government that most matters in which S.L.P. is filed in the Hon'ble Apex Court do not succeed as the department concerned has not complied with the Provisions of Section 25 F of Industrial Disputes Act. As a result enormous sums are being paid to the retrenched workmen as compensation. Consequently, the State Exchequer is being overburdened for non compliance of mandatory Provisions of Law. The Hon'ble Supreme Court of India has also taken a serious view in such cases.

3. The State Government views the matter with grave concern and I am accordingly to emphasize that while retrenching the services of a workman, falling within the ambit of the provisions of Section

General Instructions

25 F of the aforesaid Act, due procedure laid down therein should be followed rigidly.

4. These instructions should be brought to the notice of all concerned for being adhered to strictly. Non compliance of the instructions would be viewed seriously by the Government.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government, Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners
And Secretaries to Government, Haryana.

U.O. No. 62/96/98-6GSI

Dated Chandigarh, the December 29, 1998

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 62/23/99-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All the Heads of Departments, Commissioners, Ambala Hisar, Rohtak and Gurgaon Divisions.
2. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the 1st February 1999.

Subject :- Defence of Court cases and implementation of Court order.

Sir,

I am directed to invite your attention Government letter No. 62/30/95-6GSI, dated 20-3-1996 wherein all the departments were directed to maintain a close liaison with the State Counsel in all court matters and brief them adequately a day before the date of hearing.

2. However, it has come to the notice of the State Government that the instructions in question and various other instructions issued by the Government from time to time regarding defence of court cases are not being followed in their letter and spirit and that the law officers appearing in the courts are not being properly briefed. As a result our view is not properly presented, Government has to face embarrassment in the courts, as also to earn the displeasure of the Courts.

3. The State Government views the matter seriously and has decided to hold the Heads of Department personally responsible for delay in processing of court cases as well as in implementation of court order. They must ensure that State Counsel are properly briefed and view points of the State Government/Departments projected to them before the date of hearing of the court cases. Senior officers, at least of the level of DDA/ADA working in the departments should be deputed to extend full cooperation to the State Counsel and also to attend the courts on the date of hearing.

These instructions should be brought to the notice of all concerned for being followed rigidly. Any lapse in this regard will be viewed seriously by the Government.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

General Instructions

Endst. No. 62/3/99-6GSI

Dated Chandigarh the 1-2-1999

A copy is forwarded to the Advocate General, Haryana, Chandigarh for information and necessary action. He should ensure that the respective law Officers are available for advance briefing before the date of hearing of cases in the High Court. The Law Officers should be instructed to confine to law and the facts of the case, they should not concede anything beyond what is properly authorised by the Government/Department.

Yours faithfully,

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners/Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners/Commissioners
and Secretaries to Government, Haryana.

U.O. No. 62/3/99-6GSI

Dated Chandigarh, the 1-2-1999

क्रमांक 62/37/98-6जी०एस० I

प्रेषक

मुख्य सचिव हरियाणा सरकार ।

सेवा में

1. सभी विभागाध्यक्ष एवं आयुक्त, अम्बाला, हिसार, रोहतक एवं गुड़गांव मण्डल ।
2. रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय, चण्डीगढ़ ।
3. सभी जिला एवं सत्र न्यायाधीश, हरियाणा राज्य ।
4. सभी उपायुक्त एवं उप-मण्डल अधिकारी (नागरिक) हरियाणा ।

दिनांक चण्डीगढ़ 6-10-1999

विषय :- **हरियाणा राज्य में हिन्दी का प्रचलन ।**

महोदय,

मुझे निदेश हुआ है कि मैं उपर्युक्त विषय पर आपका ध्यान सरकार के पत्र क्रमांक 12/45/93-6 जी०एस० I दिनांक 25-5-93 तथा क्रमांक 62/37/98-6 जी०एस० I, दिनांक 3-7-1998 की ओर दिलाते हुए सूचित करूँ कि जैसा कि आपको यह विदित है कि हरियाणा की राज्यभाषा हिन्दी है और समय-समय पर सरकारी कार्यालयों में हिन्दी में कार्य करने बारे निर्देश भी जारी किये जाते रहे हैं, परन्तु बड़े खेद के साथ कहना पड़ता है कि सामान्य रूप से अभी तक भी सरकारी कार्यों में अंग्रेजी का काफी प्रयोग किया जा रहा है। सरकार इस बात की गम्भीरता से देखती है। सरकार ने चाहा है कि भविष्य में सभी प्रशासनिक विभाग राष्ट्रभाषा हिन्दी में ही सरकारी टिप्पणियाँ एवं पत्राचार करें। सरकार ने यह भी चाहा है कि अंग्रेजी का प्रयोग केवल उन कानूनी मामलों में किया जाये जो कि माननीय सर्वोच्च न्यायालय, उच्च न्यायालय या अन्य न्यायालय से सम्बन्धित हो। इसी तरह से भारत सरकार या दूसरी राज्य सरकारों से पत्राचार भी हिन्दी में किया जाए, परन्तु अगर अत्यावश्यक हो तो एक अंग्रेजी रूपान्तर साथ में भेजा जाए ।

इन हिदायतों की अवहेलना करने पर दोषी अधिकारियों/कर्मचारियों के विरुद्ध कार्यवाही की जायेगी । आपसे अनुरोध है कि इन हिदायतों की अनुपालना कड़ाई से करवाएं ।

भवदीय,

हस्ता / -

संयुक्त सचिव, सामान्य प्रशासन,

कृते : मुख्य सचिव, हरियाणा सरकार ।

General Instructions

एक प्रति सभी वित्तायुक्तों एवं प्रशासकीय सचिवों को सूचनार्थ एवं अनुपालनार्थ प्रेषित की जाती है।

हस्ता / -

संयुक्त सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार ।

सेवा में

सभी वित्तायुक्त एवं प्रशासकीय सचिव, हरियाणा सरकार ।

अशा० कमांक 62/37/98-6 जी०एस० I

दिनांक 6-10-1999.

पृ० कमांक 62/37/98-6 जी०एस० I

दिनांक 6-10-1999.

एक प्रति हरियाणा राज्य के बोर्ड/निगमों के सभी प्रबन्ध निदेशकों को इस अनुरोध के साथ भेजी जाती है कि उपरोक्त हिदायतों की दृढ़तापूर्वक अनुपालना कारवाई जाए ।

हस्ता / -

संयुक्त सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार ।

A copy of letter No. RPO/CDG/MISC/99, dated 3-11-99 from Dr. T. Suresh Babu, Regional Passport Officer, Government of India, Ministry of External Affairs, Regional Passport Office, Chandigarh to Sh. Ram S. Varma, IAS, Chief Secretary to Government Haryana.

Taking the opportunity of calling on you on my recent taking over as the new Regional Passport Officer at Chandigarh covering primarily Punjab, Haryana, U.T. and H.P., I would like to place on record our sincere gratitude for your cooperation and support to this officer and to hope to receive the same in future also.

In this context, I would like to draw your personal attention and seek your assistance in the following.

2. In order to facilitate issue of passports to persons who are in possession of documentation in regard to employment abroad, attending business conferences, medical emergencies or admission into Foreign Universities etc., the Government of India has introduced a system of issue of passports for the above categories of persons on out of turn basis on submission at verification Certificates specimen of which is given in the printed instructions attached to the passport application forms. However, it has been observed that some of the officers have been issuing these verification Certificates so indiscriminately little bothering to check-up the genuineness whether the applicants are personally known to them actually or otherwise, Normally, Passports are issued to the applicants in a period ranging from two to three months. However, in extreme emergent cases passports are issued on the basis of Verification Certificate pending mandatory police reports. But some of the Officers mostly at the local level (SMDs, ADMs, SSPs) and sometimes at the State Government level (Joint Secretaries, Chairman of State Corporations) are on the signing spree of these verification Certificates. But some of the officers without foreseeing the implications of their “goodwill gestures” have been risking themselves by signing these Verifications Certificates with no knowledge of the applicant’s background. In some cases, the applicants who are in possession of these Verification Certificate Visit this officer without any documentary evidence in proof of their urgency for the issue of passports to them. This often puts us in a difficult position. You appreciate the very facts that Passport is a very valuable documents and involves country’s security, integrity and sovereignty.

3. You may, therefore, like to consider issuing necessary instructions to all the concerned officers to ensure that they should issue the Verification Certificates only to the persons who are known to them and that who actually need to go abroad in extreme emergent circumstances and the said applicants are in possession of the other required documentation pertaining to the urgency of issue of passports.

4. Secondly, we shall also grateful if you could kindly put in a word with the Director General of Police of your State to instruct the District Police Authorities to send their police reports to this office as expeditiously as possible enabling this office to issue passports to the needy public without any delay. Sometime bonafide applicants share with us their bitter experiences which they undergo with the local police authorities during the process of verification of their antecedents. They may be directed to be polite and appreciative of the problems of the applicants and they should not subject them to any harassment whatsoever.

5. Thirdly, it has also been observed that some Travel Agencies are operative in the State including the U.T., who reportedly fleece the innocent public on the pretext of arranging issue of passports to them in no time. They also reportedly hoodwink the public and make them to shell out huge amounts. You may, therefore, also like to direct the concerned authorities to be more vigilant and to keep strict watch on the activities of some of these self claimed "Government recognised Passport Agencies.

Copy of D.O. Letter No. 502/6/99-C.A.V. dated 8-11-1999 from Shri Prabhat Kumar, Cabinet Secretary, New Delhi to Shri Ram S. Varma, Chief Secretary to Government, Haryana.

It is important to provide passport services in a quick, transparent and efficient manner. A coordinated action by all Government agencies would help in devising ways and means to attend to issues which give rise to public dissatisfaction in the regard.

2. It has been reported to me that in almost 20-25% cases incomplete police verification reports result in inordinate delays in the issue of passports. Efforts need to be made to streamline the process of police verification so as to ensure that those who have criminal records are not issued passports, while those with clean records are not harassed. The Ministry of External Affairs has reduced the requirement of police verification for all place of residence of the applicant from the current 2 years to 1 year. The Ministry of External Affairs has also decided that in case of absence of the applicant at the time of police officer's visit to the residence, the visiting police constable would leave a slip at the residence requesting the passport applicant to report at a specified Police Station. This would shift the onus of police clearance on the absentee applicant and initiate a process by which the applicant would be able to contact the Government officials for completing the police verification procedure.

3. In addition, the Ministry of External Affairs is also taking several steps to enhance public satisfaction with regard to issuance of passport. These steps include ensuring easier availability of passport application forms which are now available at MEA website, submission of forms at more centers, computerisation of passport offices, etc. A letter dated, October 13, 1999 issued by Ministry of External Affairs indicating various steps taken to streamline the process of issuance of passport is enclosed.

4. I would request you to kindly instruct your officers to ensure that police verification of passport applications is done expeditiously.

MOST IMMEDIATE

S.R. Tayal

JS (CPV) & Chief Passport Officer

Tel : 3387104, 3384529

Fax : 3782821, 3387281

No. vi/401/38/98-II

October 13, 1999

Dear RTO/PO,

Para 23 of the passport Manual, 1982 exempts the following categories of persons from the purview of the requirement of police clearance, since in their cases their identity is reasonably established :

- (i) All verifying authorities, their spouses and minor children;
- (ii) All persons, who apply for fresh passport prior to the expiry of the existing passport;
- (iii) All Government officials, who obtain no objection certificate from their Heads of Offices;
- (iv) All persons, who replace their Diplomatic and Official Passports with ordinary passports;
- (v) Minor, whose parent (s) hold valid passports;

2. However, the general practice with our passport office has been not to apply this provision rigorously. You may, therefore, start applying these provision rigorously with the stipulation that except for the category of minors the passport to all other categories would be issued on post police verification would be necessary if neither of the parents has a valid Indian passport.

3. In an Inter-Ministerial Meeting the approval of the ministry of Home Affairs, I B etc. has also been obtained for the following:-

- (i) The requirement for police verification from all the places of residence of the applicant would be reduced from the current two years to one year. Please convey this to the chief of Police as well as all District Superintendents in your area of jurisdiction for modification of their existing instructions I would also be writing to the Director Generals of the police of every State. Please convey their names, address and fax number to me by return fax.
- (ii) In case of absence of the applicant at the time of police official's visit to the residence, the residence, the visiting police constables would leave a slip at the residence intimating the date and time of his visit and asking the passport applicant to report at a specified police station. This would shift the onus of police clearance on the absentee applicant and initiate a process by which the applicant would be able to contact the investigating officials for completing the police verification procedure.
- (iii) On production of verification, certificate duly signed by a Deputy Secretary to the

General Instructions

Central Government or any other authorised officer, a five year validity passport would henceforth be issued in place of the present one year short validity passport. This relaxation would be reviewed after one year.

- (iv) A full validity passport is to be issued on post police verification basis to all Government servants/public sector employees/armed forces officials and their spouses on the basis of 'No Objection Certificate from their Head of Departments.
- 4. In post police verification reports the report should not be treated adverse unless it is clearly negative. All incomplete reports stating for e.g. applicant out of station, residing for less than one year etc. the passport should not be revoked or impounded and the applicant should be informed to sort out the police verification report.
- 5. Please write to the Chief of police as well as all District Superintendents in your area to note these reforms and suitably instruct their field level officer of 3 (i) and (ii) above for implementation.
- 6. You may brief all officers and dealing hands about these changes particularly the requirement of clear police report from places of only one year's stay instead of two years.
- 7. You may also devise a system locally where a separate file number could be given to all those categories of applicants to whom passport can be issued on Post-PVR basis. However please note that they will not be given passports out of turn in routine and will be granted passports when their turn comes along with other normal applicants.
- 8. These instructions are to be implemented with immediate effect.

Yours Sincerely,

Sd/-

(SR Tayal)

All Regional Passport Officers/Passport Officers

(Excluding : PO, Jalandhar, PO, Chandigarh, PO Guwahati, PO Calcutta & PO Srinagar.)

विषय :- रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय की राज्य सरकार द्वारा जारी की जाने वाली हिदायतों में उपायुक्तों के ऊपर दर्शाए जाने बारे।

क्या सभी वित्तायुक्त एवं सचिव/आयुक्त एवं सचिव, हरियाणा सरकार उपरोक्त विषय की ओर ध्यान देंगे?

2. यह अवलोकन किया गया है कि सामान्यतः राज्य सरकार के प्रशासकीय विभागों द्वारा सभी विभागाध्यक्षों को जारी की जाने वाली हिदायतों में रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय की placement उपायुक्तों एवं उप-मण्डल अधिकारी (नागरिक) से नीचे दर्शायी जाती है जबकि order of precedence में रजिस्ट्रार, पंजाब एवं हरियाणा उच्च न्यायालय की placement उपायुक्तों के ऊपर दर्शायी गई है, अतः मामले में विचारोपरान्त सरकार ने यह निर्णय लिया है कि सभी विभागों द्वारा जारी की जाने वाली हिदायतों में रजिस्ट्रार, पंजाब एवं हरियाणा की placement उपायुक्तों से ऊपर रखी जाए। ऐसा ही मौखिक अवलोकन माननीय उच्च न्यायालय द्वारा भी सिविल रिट याचिका नं० 7431/1998 - सुमेर सिंह बनाम हरियाणा राज्य की सुनवाई के दौरान किया गया है।

उनसे अनुरोध है कि उक्त निर्णय को उनके अधीन कार्यरत अधिकारियों/कर्मचारियों के ध्यान में ला दिया जाए ताकि वे इसका दृढ़ता से पालन कर सकें।

हस्ता/-

अवर सचिव, सामान्य प्रशासन,
कृते : मुख्य सचिव, हरियाणा सरकार।

सेवा में,

सभी वित्तायुक्त एवं सचिव/आयुक्त
एवं सचिव, हरियाणा सरकार।

अशा० क्रमांक 12/54/98-2 जी०एस०-1

दिनांक 10 नवम्बर, 1999

No. 62/6/2000-6GSI

From

The Chief Secretary to Government, Haryana

To

1. All the Deputy Commissioners in Haryana.
2. All the Superintendents of Police in Haryana.

Dated Chandigarh, the 16th February, 2000.

Subject :- Regarding issue of passports.

Sir,

I am directed to invite your attention on the subject noted above where the Cabinet Secretary to Govt. of India and Regional Passport Officer, Chandigarh have emphasised that there should not be any harassment to general public in the process of Police verification. It was also emphasised that Authorised Officer who issue verification certificates should take due care while signing such certificates.

2. Regional Passport Officer, Chandigarh has also brought to the notice of the Govt. that in order to facilitate issue of passport to persons who are in possession of documentation in regard to employment abroad, attending business conferences, medical emergencies or admission into Foreign Universities etc. the Govt. of India has introduced a system of issue of Passport for the above categories of persons on out of turn basis on submission of Verification Certificates. However it has been observed that some of the officers have been issuing these Verification Certificates indiscriminately. In emergent cases passports are issued on the basis of Verification Certificates pending mandatory police reports.

3. The Ministry of external Affairs has also decided that in case of absence of the applicant the time of police officers visit to the residence, the visiting police constable would leave a slip at the residence requesting the passport applicant to report at a specified Police Station. This would shift the onus of police clearance on the absentee applicant and initiate a process by which the applicant would be able to contact the government officials for completing the police verifications procedure.

4. In addition, the Ministry of External Affairs is also taking several steps to enhance public satisfaction with regard to issuance of passports. These steps include ensuring easier availability of passport application forms which are now available at MEA website, (<http://passport.nic.in>) submission of forms at more centers, computerisation of passport offices etc. A letter dated October 13, 1999, issued by Ministry of External Affairs indicating various steps taken to streamline the process of issuance of passports is enclosed.

5. Para 23 of the passport Manual, 1982 exempts the following categories of persons from the purviews of the requirement of police clearance, since in their cases their identity is reasonably established.

- (i) All verifying authorities, their spouses and minor children.
- (ii) All persons, who apply for fresh passport prior to the expiry of the existing passport;
 - (i) All Government officials, who obtain no objection certificate from their Heads of Offices;

Compendium of Instructions - Miscellaneous Matters – Vol. IX

- (ii) All persons, who replace their Diplomatic and Officials Passports with Ordinary passports;

6. The requirement for police verification from all the places of residence of applicant would be reduced from the current two years to one year. Sometimes bonafide applicants share with us their bitter experiences which they under go with the local police authorities during the process of verifications of their antecedents. They may be directed to be polite and appreciative of the problems of the applicants and they should not subject them to any harassment whatsoever.

7. It has also been observed that some Travel Agencies are operative in the State who reportedly flees the innocent public on the pretext of arranging issue of passports to them in no time. They also reportedly hoodwink the public and make them to shell out huge amounts. The concerned authorities are directed to be more vigilant and keep strict watch on the activities of some of these self claimed “Government recognised Passport Agencies”.

8. I have been directed to forward herewith the copies of communication received from aforesaid authorities for your information and strict compliance.

9. These instructions should also be brought to the notice of all concerned officers working under your control for being adhered to rigidly.

Yours faithfully

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy alongwith copies of its enclosures is forwarded to the Financial Commissioner and Secretary to Government Haryana, Home Department for information and necessary action.

Sd/-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

The Financial Commissioner and Secretary to Government Haryana,
Home Department.

U.O. No. 62/2/2000-6 GSI

Dated Chandigarh, the 16-2-2000

No. 12/108/2001 -2SII

From

The Chief Secretary to Government, Haryana

To

1. All the Financial Commissioners/Commissioners and Secretaries to Government, Haryana.
2. All the Divisional Commissioners in the State.
3. All the IAS officers in Haryana State.

Dated, Chandigarh the 31st December, 2001.

Subject :— Grant of Casual Leave to the IAS officers/working in the Haryana State.

Sir,

I am directed to enclose a copy of the Office Memorandum issued by the Government of India, the Ministry of Personnel, PG and Pension Department of Personnel and Training vide letter No. 12/9/94-JCA, dated 14-1-98 regarding the entitlement of Casual Leave for I.A.S officers.

2. It is clarified that the IAS officers working in the Haryana State are also governed by these regulation and accordingly they are entitled to 8 (eight) days Casual Leave in a calendar year.

Yours faithfully,

Sd/-

Under Secretary Administration
for Chief Secretary to Government Haryana.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 12/108/2001-2SII

From

The Chief Secretary to Government Haryana

To

1. All the Financial Commissioners & Principal Secretaries and Commissioners & Secretaries to Government, Haryana
2. All the Divisional Commissioners in the State.
3. All the IAS Officers in the Haryana State.

Dated Chandigarh. the 11th April, 2002.

Subject :— Grant of Casual Leave to the IAS Officers working in the State.

Sir,

I am directed to invite your attention to the subject mentioned above and to say that on reconsideration of the matter, the Government have decided to withdraw letter No. 12/108/2001-2SII, dated 31.12.2001. Under rule 8.61 of CSR Vol. I, Part-I, (Appendix-17 of CSR Vol.-I, Part-II) the casual leave to the IAS officers working in the State of Haryana, shall be admissible as follows :—

- | | |
|---|-----------------------------------|
| i) Officers with 10 years service or less | 10 days Leave in a Calendar Year. |
| ii) Officers with more than 10 year Service but less than 20 years service. | 15 days in a Calendar year. |
| iii) Officers with over 20 years service | 20 days in a Calendar year. |

Yours faithfully,

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government Haryana.

No. 62/43/2002- 6 GSI

From

Chief Secretary to Government Haryana

To

1. All Heads of Departments , Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh.
3. All Deputy commissioners and Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the September 16, 2002.

Subject: Criticism of News appearing in the News Papers on the basis of the facts/statistics available with the department.

Sir,

I am directed to address you on the subject noted above and to say that it has been brought to the notice of the Government that news relating to various departments appearing in the newspapers are not being refuted by the departments concerned.

In this connection attention is invited to the provisions contained in para 222 (2) of the Secretariat instructions which envisages that criticism appearing in the press about the department(s) will be brought to the notice of the respective Head of Departments by the Public Relations Department to enable them to take suitable action and give correct information to the public.

The Government has viewed the non-observance of the above instructions seriously and it has been now decided that any news-item appearing in the newspaper contrary to the facts must be suitably contradicted by the concerned department on the basis of statistics and facts. The departments should remain alert to such news-items and should give the correct information to the Press and public through the Director, Public Relations.

These instructions may be complied with strictly.

Your faithfully

Sd/-

Under Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government Haryana.

Compendium of Instructions - Miscellaneous Matters – Vol. IX

To

To all the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana.

U.O.62/43/2002-6GSI

Dated Chandigarh, the September 16, 2002

No. 62/43/2002-6GSI

Dated Chandigarh, the September 16, 2002

A copy is forwarded to the Secretary to Governor of Haryana for information with reference to his letter No. HRB-V.A. -59(18) 2000/5582, dated 26.06.2002.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

No. 62/43/2002-6GHI

Dated Chandigarh, the September 16, 2002

A copy is forwarded to the Director, Public Relations Department, Haryana Chandigarh for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

No. 62/71/2002-6GSI

From

The Chief Secretary to Government Haryana

To

All the Deputy Commissioners and Sub Divisional Officers
(Civil) in Haryana.

Dated Chandigarh, the 4-12-2002

Subject:- Collection of funds for organizing sports events.

Sir,

I am directed to refer to the subject noted above and to say that various Sports Organizations and even private organizations collect funds for organizing various events by getting the tickets printed in the name of sports events or any other events/publication of souvenirs etc. There may be some such organizations who misutilise the funds so collected. In order to put a check on collection of funds by such organizations, the working of such organizations needs to be kept under watch. In this regard, I am desired to request you that no organization in your respective jurisdiction should be allowed to collect funds in an unauthorized manner, for organization of sports events or any other event/publication of Souvenirs etc., if any Sports Organization wishes to collect funds. Specific approval of the Government (If sports Department) must be obtained for the same, prior to making any collections.

These instructions may be complied with strictly.

Yours faithfully

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government Haryana

To

All the Financial Commissioners and Principal Secretaries/
Commissioners and Secretaries to Government Haryana.

U.O.No. 62/71/2002-6GSI

Dated Chandigarh, the 4-12-2002

IMMEDIATE

No. 62/18/2005-6GSI

From

The Chief Secretary to Government Haryana.

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh
3. All Deputy Commissioners in Haryana.
4. All the Managing Directors of Boards/Corporations/Public Undertakings.
5. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Haryana Agriculture University, Hisar and Guru Jambhwar University, Hisar and Ch. Devi Lal University, Sirsa.

Dated Chandigarh, the 13th May, 2005

Subject: - To circulate all important letters to the Haryana Bhawan, New Delhi.

I am directed to refer the subject matter above and to say that Resident Commissioner, Haryana Bhawan, New Delhi is often required to follow up cases referred by the State Government to Govt. of India. Similarly, Govt. of India too uses the Resident Commissioner as an interface with the State Govt. However, it has been observed that neither Haryana Bhawan office is kept informed of the status of these cases by the Departments of the State Govt. nor is the requisite correspondence endorsed to their office for record. In fact, minutes of the meetings that are coordinated by Resident Commissioner office are also not sent to them. There have been instances when senior officers of Govt. of India have contacted Resident Commissioner office to ascertain details of Haryana cases under their consideration and he had to suffer the embarrassment.

2. You are, therefore, directed to endorse a copy of references of all important matters taken up with Govt. of India, also to keep the office of Haryana Bhawan, New Delhi informed all meeting held at the level of Secretary/Heads of Department with Govt. of India.

Your faithfully,

Sd/-

Superintendent, General Services-I,
for Chief Secretary to Government Haryana.

General Instructions

A copy is forwarded to all the Financial Commissioners & Principal Secretaries/Commissioners & Secretaries to Government, Haryana, for information and necessary action.

Sd/-

Superintendent, General Services-I,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners & Principal Secretaries/ Commissioner & Secretaries to Government, Haryana.

U.O. No. 62/18/2005-6GSI

Dated Chandigarh, the 13th May, 2005

Endst. No. 62/18/2005-6GSI

Dated, Chandigarh the 13th May, 2005

A copy is forwarded to the Director, NIC, Chandigarh for information and necessary action.

2. He is requested to develop a Monitoring Mechanism for the periodically reviewing the status of the projects refer to Govt. of India which are at different stages of consideration. This Monitoring System could be on line and available to the office of the Resident Commissioner for use and follow up.

Sd/-

Superintendent General Services-I,
for Chief Secretary to Government Haryana.

Endst. No. 62/18/2005-6GSI

Dated, Chandigarh the 13th May, 2005

A copy is forwarded to the Resident Commissioner, Haryana Bhawan, New Delhi, with reference to D.O.No. RC- 2005/252, dated 4-5-2005 for his information and necessary action.

Sd/-

Superintendent, General Services-I,
for Chief Secretary to Government Haryana.

No. 62/19/2005-6GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners and Principal Secretaries/Commissioners and Secretaries to Government Haryana.
2. All the Heads of Departments in the State.

Dated Chandigarh, the 8th September, 2005

Subject :- Regarding tour programme of the administrative Secretaries and other Officers.

Sir/Madam,

I am directed to refer to Government instructions issued vide letter No.62/19/2005-6GS 1, dated 12-5-05 on the subject noted above, wherein all the Financial Commissioners and Principal Secretaries / Commissioners and Secretaries .to Government Haryana and Heads of Departments were directed to submit their tour programmers to Chief Secretary for the approval of Chief Minister a day or two before they actually proceed on tour. Resultantly, by the time the papers get to him and further on to Chief Minister the tour has already been performed. As such, the whole exercise is nothing but mechanical and relevant for TA purposes only. The whole matter has been reconsidered and it has been decided to withdraw the instructions henceforth.

Yours faithfully

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to the Principal Secretary/Additional Principal Secretary-I & II/ Senior Special Private Secretaries /Senior Private Secretaries / Private Secretaries to the Chief Minister / Ministers for information.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

To

The Principal Secretary/Additional Principal Secretary-I & II /Senior Special Private Secretaries/ Secretaries /Private Secretaries to the Chief Minister/ Ministers.

U.O.No. 62/19/2005-6GSI

Dated Chandigarh, the 8th September, 2005

Subject :- Participation of School Children in various Public Functions.

Sir/Madam,

I am directed to refer to the subject noted above and to say that the Government has observed that school children sometimes have been made to wait for long hours at public functions without proper care and arrangements, causing severe strain and suffering. For example, in a function held at Kanpur on 2nd October last, about 45 children had reportedly fainted. In order to avoid any such happening, you are requested to follow the following guidelines :-

- i) School Children are not mobilized merely for welcoming/seeing off/honouring various personalities;
- ii) While it is necessary and desirable that school children participate in various National Days like Republic Day, Independence Day, Gandhi Jayanti, Children's Day, etc. and in other relevant functions, the following need to be ensured in all such cases :-
 - a) Children are not detained expect for the minimum necessary time,
 - b) There are adequate arrangements to protect them from harsh weather, injury, etc. and regarding safe drinking water (as also refreshment wherever appropriate) and first-aid.

These instructions should be brought to the notice of all concerned for their information to ensure strict compliance. Any lapse to follow these instructions will be viewed seriously.

Yours faithfully,

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners & Principal Secretaries / Commissioners & Secretaries to Government Haryana for information and necessary action.

Sd/-

Deputy Secretary General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government Haryana

U.O.No. 62/71/2005-6GSI

Dated Chandigarh, the January 3, 2006

No. 62/15/2006-6GSI

From

The Chief Secretary to Government Haryana.

To

1. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
2. The Registrar, Punjab and Haryana High Court, Chandigarh
3. All Deputy Commissioners in Haryana.
4. All the Managing Directors of Boards/ Corporations/Public Undertakings.
5. The Registrar, Maharishi Dayanand University, Rohtak, Kurukshetra University, Kurukshetra, Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa.

Dated Chandigarh, the 3rd April, 2006

Subject :- Regarding issue of instructions etc. on e-mail.

Sir/Madam,

I am directed to refer to the subject noted above and to say that the matter regarding issue of instructions has been considered by the Government and it has been decided to reduce paper work in Government and to ensure fast transfer of information using technology. Therefore, all instructions issued by the General Administration Department and also letters seeking information except instructions that are in the nature of a policy decision or advices to Administration Department on matters referred by them, shall be sent through Electronic mail (e-mail) alone in future. For a period of two months from the date of issue of these instructions, these should be sent by both modes i.e. via e-mail as well as in writing as earlier to enable a smooth transition. However instructions conveying policy decisions of Government and advices would be issued in writing as well as through e-mail. The Department of IT is separately bringing out an e-mail directory assigning mail address to each Department/Board/ Corporation and offices of the Government.

2. Its is, therefore, requested that a Nodal Employee in your organization, preferably the employee concerned with dairy/dispatch, be nominated who would open the mail boxes and disseminate the e-mail to the relevant officers within the organization. The name of the Nodal Employee be intimated through e-mail to the following address:-

usgenadmin @ hry.nic.in

These instructions should be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana.

General Instructions

A copy is forwarded to all the Financial Commissioners & Principal Secretaries/Commissioners & Secretaries to Government, Haryana for information and necessary action.

Sd/-

Deputy Secretary, General Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government, Haryana

U.O.No. 62/15/2006-6GSI

Dated Chandigarh 3rd April, 2006

Compendium of Instructions - Miscellaneous Matters – Vol. IX

No. 42/63/99-5GSI

From

The Chief Secretary to Government Haryana.

To

1. The Commissioner, Hisar, Ambala, Gurgaon and Rohtak Division.
2. All Heads of Departments of the State.

Dated Chandigarh the 13th March, 2007

Subject: Submission of cases for seeking advice from F.D/LR/CS.

Sir,

I am directed to invite your attention on the subject noted above and to say that in the Secretariat Instructions in para 289(2) it is provided that all U.O. references to the Finance Department should be marked by the Secretary concerned to the FD simply. Only in important cases such references may be marked to F.S. but in no case should they be sent direct to the Finance Minister ..

2. Similarly in para 2.15 of Law Department Manual it is *inter-alia* stated that unless otherwise expressly permitted by any rule, reference to the Legal Remembrancer for opinion may be made by or through the following officers only:-

- (a) Chief Secretary and the Secretary to the Government, Haryana.
 - (b) The Financial Commissioner, Revenue, Haryana; or
 - (c) The Head of department of the Government of Haryana, but in regard to matters relating to arbitration, attention is drawn to Chapter 24 of this manual; provided that sanctions and arranging for defence of Government employees may be referred to the Legal Remembrancer by the Deputy Secretary to Government, Haryana and where there is no Deputy Secretary by the Under Secretary.
- II. Superintending Engineers of Irrigation, Building and Roads and Public Health branches are authorized to send security deposit agreements of Irrigation, Buildings and Roads and Public Health Departments employees to the Legal Remembrance for scrutiny (Paragraph 498 of the Buildings and Roads Manual).

Further under the Government instructions obtained in circular letter No. 50/3/82-5GSI, dated 30.8.1982 as reiterated from time to time, the cases which are referred to the Chief Secretary for advice, are also required to be routed through the Administrative Secretary concerned.

4. The matter has been reconsidered by the Government and it has been decided that in the above instructions/manuals the word Secretary/Administrative Secretary shall include the "Special Secretary" also. Hence in future the cases for seeking advice/opinion from Chief Secretary/Finance Department/Legal Remembrancer can also be referred to them at the level of Special Secretary.

General Instructions

These instructions may be brought to the notice of all concerned for compliance.

Yours faithfully

Sd/-

(Sumita Misra)

Special Secretary, General Administration
for Chief Secretary to Government, Haryana

A copy is forwarded to the All Financial Commissioners and Principal Secretaries/
Commissioner & Secretaries to Government Haryana except Financial Commissioner to Government
Haryana, Administrative Reforms Department for information.

Sd/-

Special Secretary General Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners and Principal
Secretaries/Commissioners and Secretaries to Government Haryana,
(Except F.C.A.R.)

U.O.No.42/63/99-5GSI

Dated, Chandigarh the 13th March, 2007

A copy is forwarded to Financial Commissioner & Principal Secretary to Government,
Administrative Reforms Department and Legal Remembrancer & Secretary to Government Haryana,
Law & Legislative Department for information. They are requested to take further steps for amending
of Secretariat Instructions/ Law Manual respectively immediately.

Sd/-

Special Secretary General Administration
for Chief Secretary to Government, Haryana

To

The Financial Commissioner and Principal Secretary to Government Haryana, Administrative
Reforms Department/Legal Remembrancer & Secretary to Govt. Haryana, Law & Legislative Department.

U.O.No.42/63/99-5GSI

Dated, Chandigarh the 13th March, 2007

No. 62/20/2007-6GSI

From

The Chief Secretary to Government Haryana.

To

1. All the Administrative Secretaries.
2. All Heads of Departments, Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.

Dated Chandigarh, the 16th May, 2007

Subject :- Regarding coordination in decision making issues having inter-departmental implications.

Sir/Madam,

I am directed to refer on the subject noted above and to say that it has been observed by the Government that at times departments take a decision on an issue in isolation and obtain the necessary approval of the competent authority (Minister-in-Charge/CM/CMM), which is at variance with each other. On similar or related issues, it is observed that the decision taken by the other. On similar or related issues, it is observed that the decision taken by the other department is not in consonance. Further, it has been observed that departments take contradictory stands or give undertaking for compliance before the courts which are at variance with the other departments, creating an embarrassing situation for the Government.

In order to avoid such anomalous situations, it has been decided by the Government that before taking any decision on an issue, the following steps should be taken :-

- i) Identify the areas involving inter-departments issues.
- ii) A gist of the subject matter may be sent by the Department moving the proposal to the concerned Departments which should respond with their views in a time bound manner preferably within 15 days.
- iii) If required, the Heads of Departments and then the Secretaries concerned should deliberate the issue in a meeting so as to reach a considered and consensus decision.
- iv) If any point of divergence of opinion remains, the matter should be placed before the Committee of Secretaries under the Chairmanship of Chief Secretary for a final view.

After having observed the above mentioned steps, the matter should be brought before the competent authority (Minister-in-Charge/CM/CMM) in case of issues involving inter-departmental ramifications for a decision. Whenever an issue involving inter-departmental ramifications is dealt with, the final note/cabinet memorandum should take on board the views of the other departments also so that a well considered decision is arrived at by the competent authority.

General Instructions

These instructions should be brought to the notice of all concerned for their information and strict compliance.

Yours faithfully,

Sd/-

(SUMITAMISRA)

Special Secretary, General Administration
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners & Principal Secretaries/ Commissioners & Secretaries to Government Haryana for information and compliance.

Sd/-

Special Secretary, General Administration
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners & Principal Secretaries/
Commissioners & Secretaries to Government Haryana.

U.O.No. 62/20/2007-6GSI

Dated Chandigarh, the 16th May, 2007

No. 62/20/2007-6GSI

Dated Chandigarh, the 16th May, 2007

A copy is forwarded to all the Chief Administrators/Managing Directors of Board/Corporation and Government Undertakings for information and compliance.

Sd/-

Special Secretary, General Administration
for Chief Secretary to Government Haryana.

VII

L.T.C.

OFFICE MEMORANDUM

Subject : Leave Travel Concession to Central Government Employees-clarifications and decisions relating there etc.

The undersigned is directed to refer to this department O.M. No. 43/6/73-Estt. (A), dated the 11th March, 1974, and subsequent O.M. of even number dated the 3rd May, 1974 and to clarify some points relating to the concession to visit any place in India, as under :—

- | | |
|---|--|
| 1. Is the concession to visit any place in India an additional benefit to those who are already entitled to LTC to home-town ? | 1. No, in the case of Govt. servants who are already entitled to Leave Travel Concession to home-town the concession to visit any place in India is in lieu of, and to be adjusted against, the Level Travel concession to home- town to which a Govt. servant is eligible at the time of undertaking the journey to visit any place in India, including the concession carried forward ; if any. |
| 2. Can a Govt. servant who has already availed of LTC to visit home-town in a block of two years avail of the concession to visit any place in India within the same block of two years or should he wait for the next block of two years ? | 2. As already stated under item (I) above, the LTC to visit any place in India, if availed of by Govt. servant who is entitled to LTC to home-town will be adjusted against the LTC to home-town available to him at the time of undertaking the journey. Therefore, if a Govt. servant has already availed of LTC to home town in respect of say the block of 1978-79, he cannot avail of the concession to visit any place in India till the end of 1979 because there is no LTC to home-town admissible to him which can be adjusted against the LTC to visit any place in India. He can avail of the concession to visit any any place in India only when he becomes entitled to the next block of LTC to home-town viz., 1980-81. |
| 3. Whether a Govt. servant should intimate to the Controlling Authority before the commencement of the journeys, the place he or his family member (s) intend (s) to visit and also actually visit that place under the LTC to visit any place in India ? | 3. Yes. Whenever a Govt. servant proposes to avail of leave travel concession to visit any place in India in a block of four years either for himself and /or a member/members of family, he has to declare the intended place of visit as and when the concession is proposed to be availed of by the Govt. servant and/of members of his family. After the intended place of his family. After the intended place of visit is declared, he and/ |

- or member/members of his family, as the case may be, _____ must visit that place in order to be eligible for marking the claim. While _____ the Govt. servant and or member/memebers of family is/are free to go by any route to the declared place of visit, the claim will be regulated with reference to the shortest direct route on a through with reference to the shortest direct route on a through ticket basis between the headquarters and the declared place of visit.
- | | |
|---|---|
| <p>4. What is the scope of the expression any place in India ?</p> | <p>4. The expression 'any place in India' will cover any place within the territory of India, whether it is on the main-land India or overseas. If there are any local restrictions on visit to places in border area, it is the responsibility of the Govt. servant undertaking the visit to fulfill the conditions for visit to the places in border areas, it is the responsibility of the Govt. servant undertaking the visit to fulfil the conditions for visit to the places which are subject to local restrictions.</p> |
| <p>5. How will the claim of a Govt. servant be regulated when he visits a place like Port Blair in Andaman & Nicobar Islands under the concession to visit any place in India ?</p> | <p>5. The surface journey to the nearest Port will be regulated under the Noramal LTC rules and the sea passage will be regulated in accordance with the provisions of SR-40.</p> |
| <p>6. Is the concession to visit any place in India admissible to Govt. servants employed on contract basis ?</p> | <p>6. Yes, provided they complete one years continuous service and the appropriate adminitrative authority certifies at the time the Govt. servant concerned avails of the LTC to visit any place in India that he is likely to continue to serve under the Central Govt. for a period of 4 years from the date of his joining the post under the Central Govt. The block of 4 years will be reckoned from the actual date of joining the post under the Central Govt.</p> |
| <p>7. What is the position regarding admissibility of LTC to visit any place in India to State Govt. servants on deputation to Central Govt. ?</p> | <p>7. If an officer of a State Govt. is entitled to LTC to visit home-town in accordance with the provisions in this concession either to</p> |

visit his home-town or exchange it for the concession to visit any place in India subject to the conditions that the administrative authority concerned should certify that he is likely to serve the Central Govt. for a period of 4 years. If the officer concerned is not entitled to LTC to home-town being within the minimum distance provided in this regard he can avail of the LTC to visit any place in India, only if the appropriate administrative authority certifies that he is likely to serve the Central Govt. for a period of 4 years reckoned from the date of his joining the Central Govt.

8. What is the position regarding eligibility of re-employed officer to the concession to visit any place in India ?

8. A re-employed officer can also avail of the concession to visit any place in India provided he completed one year's continuous service after re-employment and the administrative authority certifies that he is likely to serve for a period of 4 years from the date of his initial re-employment. In case of re-employment immediately after retirement without break, the period of re-employed service may be treated as continuous with the previous service for the purpose of LTC and the concession allowed for the re-employed period, provided the concession would have been admissible to the re-employed officer had he not retired. Thus, if an officer has availed of the concession to visit any place in India in respect of a block of four years before his retirement and he is re-employed without any break, he would not be given further concession till the expiry of the particular block of four years.

9. How will the claim of a Govt. servant under the LTC to visit any place in India be regulated if he purchases a circular tour ticket ?

As already stated, a Govt. servant has to declare the place (s) of visit with reference to which he and/or a member/ members of family will avail of the concession to visit any place in India. Once this is done, the claim will be regulated as between the headquarters and the place (s) indicated by the Govt. servant by the shortest direct

- route. The actual claim will be limited to the amount that would be admissible if the officer had travelled between the headquarters and the declared destination by the shortest direct route in the case of accommodation actual used by purchasing circular tour ticket or by the entitled class, whichever is less.
10. Will the definition to the family applicable for the purposes of LTC to visit home-town apply to the LTC to visit any place in India ?
- Yes.
2. The following decisions of the Govt. in regard to the LTC are also brought to the notice of all administrative authorities.
1. Change of the declared place at visit after its being intimated to the controlling authority.
- The declared place of visit can be changed if a Govt. servant so desires, with the approval of the controlling authority, before the commencement of the journey.
- The declared place of visit cannot be changed after the commencement of the journey.
- Exceptions can, however, be made where it is established that the request for change in the place of visit could not be made before the commencement of the journey owing to the circumstances beyond the control of the Govt. servant of concerned. This relaxation can be allowed by the administrative Ministry/ Department in respect of persons serving in a Ministry/ Department, or by the Head of Department in the case of others and the claim allowed.
2. Travel to different places by the Govt. servant and members of his family under the concession to visit any place in India ?
- While availing of LTC to visit any place in India the Govt. servant and/or members of his family may visit the same place, or different places of their choice. When the Govt. servant or any member of his family performs a journey to home-town the Govt. servant will have to bear the cost of the journey for the first 400/160 K.M. both ways.

3. Regulations of LTC claim when a Govt. servant purchases a seat in Yatra Special trains, inclusive of the cost of board etc.

In this case, the claim will be regulated with reference to the place indicated by the Govt. servant as his place of visit. If the amount of claim calculated on the basis of the shortest direct route between the headquarters and the declared place of visit by the entitled class or by the lower class (if a lower class of accommodation has actually been used while travelling by Yatra Special) is less than the expenditure incurred by the Govt. servant for purchasing a seat in the Yatra Special, the former amount an one would be admissible.
 4. Regulations of LTC claim when a Govt. servant undertakes the journey in a chartered bus.

Where a Govt. servant takes a seat or seats in a chartered bus under the LTC scheme to visit any place in India, the reimbursement may be either the actual hire charges on the chartered bus, or the amount reimburseable had the journey to the declared place of visit been undertaken by the entitled class by rail by the shortest direct route, whichever is less.
 5. Regulations of LTC claim if the spouse of a Govt. employee is employed in offices other than a Central Govt. Office where the LTC facilities are available.

In such cases, the Central Govt. servant should furnish a certificate as under at the time of preferring his/her LTC claim.

"Certified that my wife/husband for whom LTC is claimed by me is employed in (name of the Public Sector Undertaking/ Corporation/ Autonomous Body etc.) which provides leave travel concession facilities but she/he has not preferred, and will not prefer, any claim in his behalf to her/his employer."

Where the spouse of the Govt. servant is not so employed, the Govt. servant concerned should give a certificate as under :—

"Certified that my wife/husband for whom LTC is claimed by me is not employed in any Public Undertaking/Corporation/ Autonomous Body financed wholly or partly by the Central Govt. or a Local Body, which provides LTC facilities to its employees and thier families."
3. The provisions of para 2(2) above shall be applicable to journeys performed on or after issue of this O.M. availing of LTC admissible for the four year block 1978-81 (but not to journeys performed

by availing of LTC admissible for the block year 1974-77). This provision will also be applicable in cases where either the Govt. servant, members of the family of the Govt. servant himself or some have already availed of LTC in respect of the block 1978-81 but rest of the family members avail of it after the issue of this O.M. Past cases shall not be re-opened.

4. In so far as persons serving in the Indian Audit and Account Department are concerned these orders issue in consultation with the Controller and Auditor General of India.

5. Hindi version will follow.

Sd/-
R.C. Gupta,
Dy. Secy. to the Govt. of India.

To

All Ministries/Departments to the Govt. of India with usual number of spare copies.

**Copy of letter No. 11022/3/81-AIS (II), dated the 20th June, 1981 from Government of India.
Ministry of Home Affairs, Department of Personnel and Administrative Reforms, New Delhi, to the
Chief Secretaries of All States.**

Subject :— Leave Travel Concession-clarification whether the travel by air/air conditioned first class rail accommodation would be admissible.

I am directed to say that clarifications have been sought as to whether a member of an All India Service serving under the State Government where the Leave, Travel Concession is not admissible in respect of the State Civil Services, and has consequently availed the leave travel concession under the rules as applicable to members of the Central Civil Services Group 'A' under rule 3 of the All India Services (Leave Travel Concession) Rules, 1975, would be eligible to travel by air or air conditioned first class by rail. Leave Travel Concession is a benefit admissible for travel to home-town/anywhere in India, as the case may be while the Officer takes leave and avails of the benefit under the leave travel concession scheme, consequently the entitlement of an Officer in regard to the class of travel is not related to the position obtaining under the relevant T.A. rules which are a different set of rules admissible when the Officer is on tour or on transfer. It is clarified that under the leave travel concession rules as applicable to Central Civil Service Group 'A' referred to above, travel by air-conditioned first class in rail is not admissible.

Copy of office Memorandum No. 31011/14/83-Estt. (A) dated 29-11-1983 from the Deputy Secretary to Govt. of India, Ministry of Home/Affairs, Department of Personnel and Administrative Reforms addressed to All Ministers/Departments with number of spare copies and others.

L.T.C.

Copy of Office Memorandum No. 31011/14/83-Estt. (A) dated 29-11-1983 from the Deputy Secretary to Govt. of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms addressed to All Ministries/Departments with usual number of spare copies and others.

Subject :— Leave Travel Concession-Procedure to prevent mistutilisation of an advance or delay in refund of an unutilised advance.

The undersigned is directed to say that in order to ensure that advances drawn for availing the Leave Travel Concession are not misutilised and the amount if not utilised for any reasons is refunded without any delay, it has been decided that in all case of drawl of an advance for the purpose of leave travel concession, the documentary evidence of utilisation of the advance for the outward journey-such as cash receipts or the tickets for journeys by bus or railway tickets shall be produced to the competent authority within 10 days of the drawl of the advance to show that the concerned government servant has actually utilised the amount to purchase the tickets for journey to the place named in his application for the advance.

Ministry of Finance, etc. are requested to bring this to the notice of all concerned for compliance.

Copy of letter No. 3106/0/83-AIS (II) dated 5-10-1983 from the Desk Officer Govt. of India, Ministry of Home Affairs Deptt. of Personnel and Administrative Reforms addressed to the Chief Secretary to Govt. Haryana.

Subject :— Leave Travel Concession to Central Govt. employees once in four years of visiting the home town out of India clarification.

Sir,

I am directed to refer to your letter No. 13/18/82-SII dated 29-10-82/4-11-82 on the subject mentioned above and to say that LTC to visit any place in India once in four years is not admissible in those cases where an officer intends to visit a place outside India.

Copy of Memorandum No. 31011/17/83-Estt. (A) dated 27-12-1983 from the Deputy Secretary to Govt. of India, Ministry of Home/Affairs, Department of Personnel and Administrative Reforms, New Delhi addressed to all Ministries/Departments and to others.

OFFICE MEMORANDUM

Subject :— Leave Travel Concession- Central Govt. Servants posted at non family stations Entitlement in respect of members of family.

The undersigned is directed to say that in the context of this Department's O.M. No. 31011/6/80 Estt. (A) dated 24th March, 1981, some Ministries and Departments have raised the question of admissibility of Leave Travel Concession to family of Central Government employees posted at non family stations as the families of such employees have necessarily to reside at a place away from the headquarters of the employees concerned and they do not therefore fulfill the requirement of SR 2(8) regarding residence with the Government servant in order to be treated as the members of his family. After careful consideration of the matter in all its aspects, it has been decided that families of Government servants posted at non family stations may be allowed leave travel concession to any place in India a block of 4 years/ to home once in a block of two years, subject to the following conditions :—

- (1) The concerned Government servant is debarred by the conditions of his service to reside with his family at the place of his posting ;
- (2) The concession will be restricted to Govt. servant's spouse and dependant children upto 21 years of age only and
- (3) The reimbursement should in no case exceed the actual distance travelled by the family or the distance between the headquarters/place of posting of the Government and the place visited/home town whichever is less.

L.T.C.

No. 13/18/82-SII

From

The Chief Secretary to Govt., Haryana

To

1. All Heads of Departments (IAS Officers only)
Commissioners, Ambala/Hisar Divisions,
All Deputy Commissioners and
Sub Divisional Officers in Haryana.
2. All IAS Officers in Haryana State.

Dated Chandigarh, the 20th March, 1984.

Subject :— Leave Travel Concession to Central Govt. employees once in four years for visiting the Home Town out of India-clarification.

Sir,

I am directed to refer to the subject noted above and to say that the Govt. of India was requested to clarify whether the Leave Travel Concession to visit any place in India once in four years is admissible in those cases also officer intends to visit a place out-side India. if so, to what extent the claim of such an Officer is to be met by the State Govt. I am to add that the Govt. of India have clarified vide their letter No. Dy. No. 3106/0/83-AIS(II), date 5-10-83 (copy enclosed) that Leave Travel concession to visit any place in India once in four years is not admissible in these cases where an Officer intends to visit a place outside India. This clarification may be brought to the notice of IAS officers working in your Departments.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

Dated, Chandigarh, the 20th March, 1984.

No. 13/18/82-SII,

A copy is forwarded for information and action, where necessary, to the :—

- (i) Accountant General, Haryana, Chandigarh ;
- (ii) Director-General of Police, Haryana ;
- (iii) Chief Conservator of Forest, Haryana.

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

Compendium of Instructions — Miscellaneous Matters—Vol. IX

A copy is forwarded for information to the Financial Commissioners and All Administrative Secretaries to Govt., Haryana (for Home & Forests Deptts.). The above clarification may be brought to the notice of IPS/IFS officers.

Sd/-
Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

To

The Financial Commissioners & All Administrative
Secretaries to Govt., Haryana.

U.O. No. 13/18/82-SII,

dated, Chandigarh, the 20th March, 1984.

क्रमांक 13/25/82-एस-II

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में

1. हरियाणा राज्य के सभी विभागाध्यक्ष, आयुक्त अम्बाला/हिसार मण्डल व हरियाणा राज्य में सभी उपायुक्त व सभी उप-मण्डल अधिकारी, (नागरिक) ।
2. रजिस्ट्रार, पंजाब व हरियाणा हाई कोर्ट, चण्डीगढ़।
दिनांक, चण्डीगढ़ 23-3-1984.

विषय :- राज्य सरकार के कर्मचारियों को होम टाऊन जाने के लिए आकस्मिक अवकाश की अवधि में अवकाश यात्रा सुविधा देने के संबंध में।

महोदय,

उपर्युक्त विषय पर मुझे यह कहने का निर्देश हुआ है कि राज्य सरकार के कर्मचारियों को होम टाऊन जाने के लिए अवकाश यात्रा सुविधा देने के संबंध में संयुक्त पंजाब सरकार के पत्र क्रमांक 2892-जी.-I-57/6828 दिनांक 26/28 मई, 1957 (प्रति व अनुलग्नक की प्रति संलग्न है) द्वारा जारी किए गए अनुदेशों में व संबंध में जारी की गई स्टैंडिंग गाईड फाईल के पैरा 38 (संदर्भ संलग्न है) में यह व्यवस्था की गई थी कि राज्य सरकार के कर्मचारी होम टाऊन जाने के लिए अवकाश यात्रा सुविधा केवल सामान्य अवकाश (Regular Leave) जिसकी अवधि कम से कम 15 दिन की होनी चाहिए, में ही ले सकते हैं व यह सुविधा आकस्मिक अवकाश में नहीं ले सकते। सरकार ने इस संबंध में पुनः विचार किया है और निर्णय लिया है कि राज्य सरकार के कर्मचारी होम टाऊन जाने के लिए अवकाश यात्रा सुविधा आकस्मिक अवकाश में भी Irrespective of its duration ले सकते हैं। कृपया इस संबंध में आपके अधीन कर्मचारियों को अवगत करा दिया जाए।

2. ये अनुदेश वित्त विभाग के अः क्रमांक 8/2/83-I एफः आर:-II/1270 दिनांक 13-7-83 द्वारा दी गई अनुसार उपरांत जारी किए गए हैं।

भवदीय,

हस्ता/-

अवर सचिव प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

एक प्रति अनुलग्नक को प्रति सहित सभी वित्तायुक्त तथा राज्य के सभी प्रशासकीय सचिवों को सूचनार्थ तथा आवश्यक कार्यवाही हेतु भेजी जाती है।

हस्ताक्षर

अवर सचिव प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

सेवा में

सभी वित्तायुक्त एवं राज्य के सभी प्रशासकीय सचिव।

अशा० क्रमांक 13/25/82-एस-II

दिनांक 23-3-1984.

एक प्रति अनुलग्नक की प्रति सहित सूचनार्थ व आवश्यक कार्यवाही हेतु निम्नलिखित को भेजी जाती है।

1. महालेखाकार, हरियाणा।
2. उप सचिव (सामान्य) हरियाणा सरकार सेवाएं शाखा - III

भवदीय,

हस्ता०/

अवर सचिव प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार।

क्रमांक 13/13/84-एस-II

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. हरियाणा राज्य के सभी विभागाध्यक्ष
आयुक्त अम्बाला/हिसार मंडल व हरियाणा
राज्य में सभी उपायुक्त व
सभी उपमंडल अधिकारी (नागरिक)

दिनांक 5-7-84.

विषय :- Leave Travel concession to Central Government employees deputed to top level posts in Public Sector Under-takings.

महोदय,

उपरोक्त विषय पर भारत सरकार के पत्र क्रमांक 11022/4/82-ए. आई.-II, दिनांक 8-5-84 की प्रति अनुलग्नकों की प्रतियों सहित आपको सूचना तथा मार्गदर्शन के लिए संलग्न है।

भवदीय,

हस्ता/-

अवर सचिव प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार,

क्रमांक 13/13/84-एस-II

दिनांक 5-7-84.

एक प्रति अनुलग्नकों की प्रतियों सहित निम्नलिखित को सूचनार्थ तथा मार्गदर्शन के लिए भेजी जाती है :

1. हरियाणा राज्य के सभी आई.ए.एस. अधिकारी।
2. हरियाणा राज्य के सभी बोर्डों/कारपोरेशन के अध्यक्ष/प्रबंध निदेशक (केवल आई.ए.एस. अधिकारी)
3. महालेखाकार, हरियाणा, चण्डीगढ़।
4. महानिदेशक, पुलिस, हरियाणा।
5. मुख्य वनपाल, हरियाणा।

भवदीय,

हस्ता/-

अवर सचिव प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार,

एक प्रति अनुलग्नकों की प्रतियों सहित सभी वित्तायुक्त तथा हरियाणा सरकार के सभी प्रशासकीय सचिवों की सेवा में सूचना तथा मार्गदर्शन के लिए प्रेषित है।

2. (गृह तथा वन विभाग के लिए) उनसे अनुरोध है कि उपरोक्त हिदायतें सभी आई०पी०एस० / आई०एफ०एस० अधिकारियों के ध्यान में ला दी जाएं ।

हस्ता / -

अवर सचिव प्रशासन,

कृते: मुख्य सचिव, हरियाणा सरकार,

सेवा में

सभी वित्तायुक्त तथा हरियाणा सरकार के सभी प्रशासकीय सचिव।

अशा: 13 /13 /84 - एस - II

दिनांक 5 - 7 - 84.

Copy of letter No. 11022/4/82-AIS dated 8-5-1984 from the Deputy Secretary to Govt. of India Ministry of Home Affairs, Departments of Personnel and Administrative Reforms addressed to the Chief Secretary to All State Governments.

Subject :— Leave Travel Concession to Central Govt. employees deputed to top level posts in Public Sector undertakings.

I am directed to forward herewith a copy each of this Department's O.M. No. 2 (16)-Estt. (P-II) 82 dated 6th March, 1984 on the above subject and to request that the contents of this order may be brought to the notice of all the All India Service Officers of your State.

क्रमांक 13/2/84-एस-II

प्रेषक

मुख्य सचिव, हरियाणा सरकार।

सेवा में,

1. हरियाणा राज्य के सभी विभागाध्यक्ष
आयुक्त अम्बाला/हिसार मंडल व हरियाणा
राज्य में सभी उपायुक्त व सभी उपमंडल अधिकारी (नागरिक)
2. रजिस्ट्रार, पंजाब व हरियाणा हाई कोर्ट, चण्डीगढ़।
दिनांक चण्डीगढ़. 6-7-1984

विषय :- Leave Travel Concession.

महोदय,

उपरोक्त विषय पर भारत सरकार के पत्र क्रमांक 11022/1/83-ए०आई०एस०-II दिनांक 12-1-84 की प्रति, अनुलग्नकों की प्रतियों सहित, आपको सूचना तथा मार्गदर्शन के लिए संलग्न है।

भवदीय,
हस्ता/-
अवर सचिव, प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

क्रमांक 13/2/84-एस-II

दिनांक 6-7-1984.

एक प्रति अनुलग्नक की प्रतियों सहित निम्नलिखित को सूचना तथा मार्गदर्शन के लिए भेजी जाती है :

1. हरियाणा राज्य के सभी आई०ए०एस० अधिकारी।
2. हरियाणा राज्य के सभी बोर्डों/कारपोरेशन के अध्यक्ष/प्रबन्धक निदेशक (केवल आई०ए०एस० अधिकारी)
3. महानिदेशक, पुलिस हरियाणा, चण्डीगढ़।
4. मुख्य वनपाल, हरियाणा।
5. महालेखाकार, हरियाणा, चण्डीगढ़।

हस्ता/-
अवर सचिव प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

एक प्रति अनुलग्नकों की प्रतियों सहित सभी वित्तायुक्त तथा हरियाणा सरकार के सभी प्रशासकीय सचिवों की सेवा में सूचना तथा मार्गदर्शन के लिए प्रेषित है।

2. (गृह तथा वन विभाग के लिए) कृपया उपरोक्त हिदायतें सभी आई०पी०एस०/आई०एफ०स० अधिकारियों के ध्यान में ला दी जायें।

हस्ता०/
अवर सचिव, प्रशासन,
कृते: मुख्य सचिव, हरियाणा सरकार।

Copy of letter No. 11022/1/83-AIS-II dated 12-1-1984 from the Desk Officer Government of India Ministry of Home Affairs, Deptt. of Personnel and Administrative Reforms addressed to the Chief Secretary to All State Governments.

Subject:— Leave Travel Concession.

Sir,

I am directed to forward herewith a copy each of this Department's O.M. No. 31011/14/83-Estt. (A) dated 29-11-1983 and No. 31011/17/83-Estt. (A) dated 7-12-83 on the above subject and to request that the contents of these orders may be brought to the notice of all the All India Service Officers of your State.

L.T.C.

No. 13/8/84/S-II

From

The Chief Secretary to Government Haryana

To

- (i) All Heads of Departments, Commissioners, Ambala and Hissar-Divisions, All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and all District and Sessions Judges in Haryana.

Dated Chandigarh the 31st December, 1984.

Subject :— Grant of leave travel concession of visiting any place in India to the State Government employees.

Sir,

I am directed to say that the Haryana Government employees are at present allowed leave travel concession for visiting their home towns once in a block of two years beginning from the block year from 1956-57 as per instructions contained in the Joint Punjab Government letter No. 2892-GI 57/6828, dated the 26/28th May, 1957 and the instructions issued subsequently from time to time this respect.

2. The question of extending the facility of leave travel concession for visiting any place in India once in four years to the State Government employees has been under consideration of Government for some time. It has now been decided that this concession may be given to State Govt. employees on the pattern laid down by the Government of India subject to the following conditions :—

- (i) Once in a block of 4 Calendar years commencing from the year 1984- the first block being 1984-87, every State Government employee (including those whose home towns are situated within., 400 kms. or in the case of Government employees in class IV services/posts 160 kms.) would be entitled to avail himself and for members of his family, of the leave travel concession for journey to any place in India subject to all other conditions laid down in the existing scheme of leave travel concession for visiting home town. If this concession for visiting any place in India is not utilised during the block of 4 years it can be carried forward to the first year of the next block of 4 years with permission of the Head of the Department.
- (ii) The State Government employees who are entitled to get LTC for journeys to their home town under the existing scheme will also be eligible to avail themselves of the concession to visit any place in India once in a block of 4 years. But if this concession is availed of, it will be in lieu of and adjusted against the leave travel concession to the home town admissible to the employee during the corresponding block of 2 years e.g. if any employee avails of LTC for visiting any place in India for the block years 1984-87 during the years 1984-85 he will have to forgo LTC for visiting Home Town for the Block 1984-85 if admissible to him.

- (iii) The reimbursement of fare all will be allowed for the entire distance both ways without any deduction in respect of the first 400/160 kms. A Govt. employee will not thus be required to bear the liability in respect of fare for the first 400 kms. of the journey (in the case of class IV employees fare visiting for the first 160 kms. of the journey) as in the case of LTC for visiting home town. These will, however, be no change in the matter of LTC for visiting home town under which a Government employee will have to bear the liability in respect of the first 400 kms./160 kms. as the case may be.
 - (iv) The reimbursement of the expenditure will be made only if the journeys are performed by rail, or by buses of Haryana Transport Department, Haryana Tourism Department or of Haryana Tourism Corporation.
 - (v) Prior permission of the Head of Department or Administrative Department as the case may be should be obtained before undertaking the journey while availing of the concession. A copy of the application form in which employees should seek such permission is at annexure 'A'.
 - (vi) After the completion of journeys while submitting his claim the employee will give a certificate and an affidavit in the forms at annexure 'B' and 'C' that the journeys have actually been performed by him/members of his family for going to the declared place of his visit.
 - (vii) The concession will also be admissible for journeys performed by the Government employees during the regular leave or casual leave as the case may be irrespective of the duration of leave.
 - (viii) The definition of family for purposes of the leave travel concession under the scheme will be the same as has been accepted for purposes of travelling allowance for journeys on transfer.
 - (ix) The concession will not be admissible for travel by air or air conditioned first class in rail. It may be further clarified that in case of officers entitled to travel by air, or air conditioned train or air conditioned bus, they will be entitled or restricted to claim only first class railway fare. For the journeys performed by LTC beneficiaries, they will claim the fare only for the shortest route between the place of embarking for journey and the destination.
3. Instructions issued by the Government of India for the grant of leave travel concession for visiting any place in India (details given in the annexure 'D') will henceforth apply *mutatis mutandis* to all the State Government employees subject to the conditions mentioned in para 2 above. Copies of these instructions are also enclosed.
4. All the Departments/Controlling Authorities are requested to maintain regular accounts of the expenditure incurred on the grant of benefit of LTC to visit any place in India to the employees working under them. This information should be sent to the Finance Department by 30th April every year in regard to the preceding financial year.
5. The members of All India Services will, however, continue to avail of the leave travel concession as per the provisions of the All India Services (Leave Travel Concession) Rules, 1975 as amended from time to time.

L.T.C.

6. This issues with the concurrence of Finance Department conveyed vide their U.O. No. 4/11/3PR-(F.D.)-84, dated 21-12-84.

Yours faithfully,
Sd/-
BALDEV MEHNDROO
Under Secretary, Administration,
for Chief Secretary to Govt., Haryana.

No. 13/8/84-S-II

Dated Chandigarh , the 31st Dec., 1984.

A copy with a copy of enclosures, is forwarded to the Accountant General (Accounts) Haryana for information.

Sd/-
BALDEV MEHNDROO
Under Secretary, Administration,
for Chief Secretary to Govt., Haryana.

A copy each with a copy of enclosures, is forwarded to all Financial Commissioners and Administrative Secretaries to Govt. Haryana for information.

Sd/-
BALDEV MEHNDROO
Under Secretary, Administration,
for Chief Secretary to Govt., Haryana.

To

All the Financial Commissioners and Administrative Secretaries to Government, Haryana.

U.O.No. 13/8/84-SII

Dated Chandigarh the 31st Dec., 1984.

A copy each, with a copy of enclosures, is forwarded to the Principal Secretary/Deputy Principal Secretary/Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary for the information of the Chief Minister/Minister/State Ministers/Chief Parliamentary Secretary.

Sd/-
BALDEV MEHNDROO
Under Secretary, Administration,
for Chief Secretary to Govt., Haryana.

To

The Principal Secretary/Deputy Principal Secretary/Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretary.

U.O. 13/8/84-SII

Dated Chandigarh, the 31st December, 1984.

ANNEXURE 'A'

APPLICATION FOR AVAILING OF LEAVE TRAVEL CONCESSION

1. Name of the officer/employee.
2. Post held.
3. Date of appointment in the present service.
4. Period during which L.T.C. is proposed to be availed of (in case of self please indicate whether leave has been sanctioned).
5. Block of years for which L.T.C. is Proposed to be availed of .
6. Detailed of L.T.C. to be availed of :
 - (i) Whether for visiting home town.
 - (ii) Whether for visiting any place in India.
 - (iii) In case of (ii) above the place to be visited.
7. Members of family for whom L.T.C. is to be availed of.
 - (i) Name of family members with present age.
 - (ii) Relationship with the applicant.
- 8.(i) When L.T.C. was availed of last ?

(Indicate the block years for which L.T.C. was availed of and the period during which it was availed of).

 - (ii) If any sanction for the grant of L.T.C. was issued, please quote its No. and date.

It is certified that Leave Travel Concession for the block years being Claimed above was not availed of previously.

It is further certified that the members of for whom L.T.C. is being claimed, are residing with me.

Dated :

Signature of Applicant

Place :

Designation

ANNEXURE 'B'

CERTIFICATE TO BE GIVEN BY A GOVERNMENT EMPLOYEE

1. I have not submitted any other claim so far for Leave Travel Concession in respect of myself, or my family members in respect of the block of two years/four years from _____ to _____
2. I have already drawn T.A. for the Leave Travel Concession in respect of a journey performed by me/my wife with _____ children _____ children. This claim is in respect of the journey performed by my wife/myself with _____ children/ _____ children none of whom travelled with the party on the earlier occasion.
3. I have not already drawn T.A. for the Leave Travel Concession in respect of a journey performed by me/my wife with _____ children / _____ children in respect of the block of two year/four year from _____ and _____. This claim is in respect of the journey performed by my wife/myself with _____ children/ _____ children none of whom availed of the concession relating to that block.
4. I have already drawn T.A. for the leave travel concession in respect of a journey performed by me in the year _____ in respect of block of two years/four years from _____ and _____. This claim is in respect of the journey performed by me in the year _____. This is against the concession admissible once every two years in a prescribed block for visiting home-town as all the members of my family are living away from my place of work.
5. The journey has been performed by me/my wife with _____ children/ _____ children to the declared home town viz/place _____ in India.
6. That my husband/wife is not employed in /that my husband/wife is employed in Government service and the concession has not been availed of by him/her separately for himself herself or any of the family members for the concerned block of two years/ four years.

Signature of the Govt. Employee.

ANNEXURE 'C'

AFFIDAVIT

I, _____ S/o _____ employed
as _____ in the office of _____
_____ do hereby
solemnly affirm and declare that the journeys in respect of which L.T.C. for visiting _____
_____ is being claimed vide my bill for the period _____
were actually performed by me and / or the members of my family as per details given in the L.T.C. bill.

VERIFICATION :

DEPONENT

Verified that the above facts are true to the best of my knowledge and belief and that nothing
relevant has been concealed therein.

Place _____

DEPONENT

Date _____

Copy of letter No. 31011/2/84-Estt. (A), dated 11th July, 1985 from Shri A Jayaraman, Director, Ministry of Personnel & Training, Administrative Reforms and Public Grievances and Pension (Department of Personnel and Training/Karmik Aur Prashikshan Vibhag), Govt. of India/Bharat Sarkar, New Delhi addressed to All Ministries and Deptts. of Govt. of India.

Subject :— Leave Travel Concession to Central Government Employees Modification in Leave Travel Concession to home-town once in a block of two years.

The undersigned is directed to say that as a result of the recommendations of the 3rd Central Pay Commission. Leave Travel Concession to any place in India once in a block of 4 years was introduced by the Department of Personnel and A.R. O.M. No. 43/6/73 Estt. (A) dated 11th March, 1974 (for Group 'B', 'C' & 'D' employees) and 3rd May, 1974 (for Group 'A' employee), subject to all the conditions applicable to leave travel concession to home town once in a block of 2 years. Consequently, Government servants had to bear the liability in respect of the first 400/160kms., as the case may be, also in respect of the L.T.C. to any place in India once in a block of 4 year. Later on the scheme was further liberalised through the Department of Personnel and A.R. O.M.No. 31011/10/78-Estt. (A) dated 1st September, 1978, to provide that in the case of leave travel concession to visit any place in India (other than home town) once in a block 4 years full reimbursement of fare might be allowed for the entire distance but ways, without any deduction in respect of first 400/160 kms. as the case may be. Therefore, as a result of discussions in the 26th Ordinary Meeting of the National Council (JCM) held on 13/14 May, 1982, the provisions in the aforesaid O.M. of 1st September, 1978 were further liberalised through this Department O.M. No. 31011/3/82-Estt. (A), dated 23-12-82 providing for full reimbursement in respect of visit to home-town as if it were a visit to any place in India if the LTC to any place in India in a block of 4 years was utilised to visit home town.

2. In view of the aforesaid developments, government have had under consideration the question whether full reimbursement may be allowed in respect of LTC to visit home town once in a block of 2 years without the existing deduction in respect of the first 400/160 kms., as the case may be. The matter was also discussed in the Standing Committee of the National Council (JCM) on 30th May, 1985. As a result of the discussions, it has been decided that full reimbursement may be allowed also in respect of LTC to home town once in a block of 2 years, without any restriction in regard to the first 400/160 kms., as the case may be. As a corollary of this, the whose Home Town are situated at distances less than 400/160kms. will also be eligible for LTC to home town. Fresh declarations may therefore, be called for from such of those persons who were hitherto ineligible for LTC to Home Town on account of their Home Town being situated within 400/160kms. from there headquarters and who had not declared their Home Towns so far. All new entrants into service may also be asked to declare their Home Town irrespective of its distance from headquarters.

3. Further, in view of the possibilities of misuse and difficulties in verifying the bona-fides of individual claims, it has been decided in consultation with the staff side in the aforesaid meeting of the Standing Committee that the existing provisions relating to regulation of L.T.C., claim when a government servant undertakes the journeys in a chartered bus, van or other vehicle shall be withdrawn with immediate effect, in so far such vehicles are owned by private operators. Accordingly, Para 2(4) of this Department O.M.No. 31011/2/84/Estt. (A), dated the 3-2-79 may be treated as modified to this extend. There is, however, no bar to travel by buses, vans or other vehicles, on character, where these vehicles are operated by Tourism Development Corporations in the Public Sector, State Transport Corporations and Transport services run by other Government or local bodies.

4. It has also been decided for similar reasons that the provisions contained in the then Ministry of Home Affairs O.M. No. 43/57-Estt. (A). dated 11-2-1958, providing for reimbursement for journeys performed by government servants by private cars, (the cost of people being borne by government servants themselves) shall be withdrawn with immediate effect. The aforesaid O.M. of 11-2-1958 may, therefore, be treated as modified to this extent.

5. These orders will take effect from the date of issue. All journeys under LTC commencing on or after the date of issue of this O.M. may, therefore be regulated in accordance with these instructions. Past cases already decided need not be reopened and past cases which are pending may be regulated in accordance with the instructions which were enforced at the relevant time.

6. In so far as employees serving in the Indian Audit Accounts Departments are concerned, these issue in consultation with the Comptroller and Auditor General India.

L.T.C.

Copy of letter No. O.M. No. 31011/34/86-Estt. (A), Dated the 5th Feb., 1987 from Shri A. Jayaraman, Director (E), Ministry of Personnel, P.G. & Pensions (Department of Personnel & Training), Government of India, North Block, New Delhi addressed to All Ministries & Departments of Government of India.

Subject :— Leave Travel Concession to Central Government Employees Modification in Leave Travel Concession to Home-Town once in a block of two years.

The undersigned is directed to invite attention to the Department of Personnel & Training, O.M. No. 31011/2/84-Estt. (A) dated 11-7-1985 by which the following decisions in the matter of LTC applicable to Central Government Servants were made effective from the date of issue of the O.M.

- (i) Full reimbursement of the expenditure incurred by Central Government Servants under the scheme of LTC to Home-Town once in two years will be allowed irrespective of the distance between the headquarters and the home-town.
- (ii) Travel by chartered vehicles owned and/or operated by private operators or by private cars will not be allowed for purposes of journeys for visiting to home-town or any place in India availing of the L.T.C.

It has been represented that the instructions contained in the O.M. dated the 11th July, 1985 reached the field officers much after the issue of the O.M. and as a result of the delay in circulation of the instructions a number of Government servants, who had undertaken journeys availing of LTC on or after the 11th July, 1985 but before the circulation of the O.M. in their officers, by chartered vehicles owned and/or operated by private operators or by private cars have been made ineligible for the reimbursement of the expenditure incurred on such journeys. With a view to remove any hardship, it has been decided that in partial modification of the O.M. dated 11th July, 1985, Government servants, who undertook journeys by vehicles owned or operated by private operators and by private cars may be allowed reimbursement on account of LTC subject to the fulfillment of the following conditions :—

- (i) The benefit of reimbursement in respect of journeys undertaken in vehicles owned or operated by private operators and private cars will be admissible only if the onward journey has been undertaken by the Government servant during the period 11-7-1985 to 15-8-1985.
- (ii) The Government servant should have furnished or should furnish proof to the satisfaction of the authority competent to sanction the leave Travel Concession that he performed the journey by a charter private bus.
- (iii) The actual reimbursement in respect of the LTC journey will be limited to the rail fare by the entitled class or the fare by the Government bus or the fare actually paid for journey by the private bus, whichever is less.

3. In a case falling under Para 2 where a part of the journey has been performed by an approved mode of transport and the remaining part has been performed by a private chartered vehicle made in admissible under the orders dated 11-7-1985, the journey performed by the approved mode of transport will be governed by the instructions issued earlier and the remaining part of the journey in accordance with these instructions.

4. It is, however, clarified that the decision contained in Para 2 above will not in any way affect the benefit of full reimbursement of the expenditure incurred by the Government servants for visiting his home-town by virtue of the decision contained in the O.M. dated 11-7-1985 irrespective of the actual date of the receipt/circulation of the O.M. in his office.
5. Cases not covered by the concession envisaged in para 2 above will be referred to the Department of Personnel and training for deciding them on individual merits.
6. In so far as employees serving in the India Audit and Accounts Departments are concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

Copy of letter No. 11022/1/87- AIS-II. dated the 20th February, 1987 from the Desk Officer, Government of India, Ministry of Personnel, P.G. & Pensions (Departments of Personnel & Training) addressed to Chief Secretaries to the Government of all States.

Subject :— Leave Travel Concession to Central Government Employees-Modification in Leave Travel Concession to home-town once in a block of two years.

I am directed to forward herewith a copy of this Department's O.M.No. 31011/34/86, Estt. (A), dated 5-2-1987 on the subject mentioned above and request that the contents of these orders may be brought to the notice of all members of All India Services serving in your State.

L.T.C.

No. 13/21/86-SII

From

The Chief Secretary to Govt. Haryana

To

- (i) All Heads of Departments, Commissioner, Ambala and Hisar Division. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and all District and Sessions Judges in Haryana.

Dated, Chandigarh, the 15th June, 1987.

Subject :— Admissibility of reservation/Sleeper charges while availing Leave Travel Concession.

Sir,

I am directed to refer to this department circular letter No. 13/8/84-SII, dated the 31st December, 1984 regarding the grant of leave travel concession to the State Government employees and to say that some departments of the State Government have sought a clarification as to whether the Government employees are eligible for the reimbursement of sleeper/reservation charges while performing a journey under the leave travel concession scheme. It is clarified that a Government employee and also member of his family are eligible for the reimbursement of sleeper/reservation charges while performing a journey by availing of the leave travel concession in respect of home town as well as any place in India. However, it is further clarified that reimbursement of telegram charges paid to railway authorities for reservation of berth on train are not admissible.

2. These instructions may be brought to the notice of all Government employees for their information, guidance and compliance.

3. This issue with the concurrence of the Finance Department conveyed vide their U.O. No. 4/11/3PR(FD)-84, dated 21-5-1987.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

No. 13/21/86-II

Dated, Chandigarh, the 15th June, 1987.

A copy is forwarded to the Accountant General (Accounts), Haryana, Chandigarh for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

A copy is forwarded to all Financial Commissioners and Administrative Secretaries to Govt. Haryana for information.

Sd/-
Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners and
Administrative Secretaries to Govt. Haryana.

U.O. No. 13/21/86-SII Dated, Chandigarh, the 15th June, 1987.

A copy is forwarded to the Principal Secretary/Deputy Principal Secretary/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers for the information of the Chief Minister/Ministers/State Ministers.

Sd/-
Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Deputy Principal Secretary/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers.

U.O. No. 12/21/86-SII,

Dated, Chandigarh, the 15th June, 1987.

L.T.C.

Copy of letter No. 31011/35/86-Estt. (A), dated 6th August, 1987 from Shri A. Jayaranman, Director (E), Govt., of India, Ministry of Personnel, P.G. & Pensions (Department of Personnel & Training), New Delhi addressed to All Ministries/Departments of the Govt. of India.

Office Memorandum

Subject :— Entitlement of journeys for purpose of Leave Travel Concession consequent on the revision of pay scales of the Central Government posts on the recommendations of the 4th Pay Commissions.

The undersigned is directed to say that consequent on the decisions taken by the Government on the 4th Pay Commissioner's recommendations relating to the entitlements for journeys on transfer the following will be the entitlement for journeys on various modes of transport while availing L.T.C. by the Central Government employees and their families :—

1.1 Journey by rail	Entitlement of Class
Pay range	
(a) Rs. 2800 p.m. & above	II Class A.C. 2 Tier Sleeper/I Class.
(b) Rs. 1400 p.m. & above but less than Rs. 2800 p.m.	I Class /A.C. Chair Car.
(c) Less than Rs. 1400 p.m.	II Class (Sleeper).

The above entitlements at (a) & (b) shall also apply for the journey performed by II Class AC 2 Tier Sleeper and AC Chair Car on Rajdhani Express.

1.2 Journey by Road

The Government's assistance towards the cost of journey between places not connected by rail will be admissible to the Govt. servants as under :—

- (i) where a public transport system vehicles running between fixed pints, at regular intervals and charging fixed fair rates, exists the reimbursement will be the fare actually charged by such a system for the appropriate class of accommodation for the transport system.

Note : Appropriate class means as follows :—

- | | |
|---|---|
| (a) Officers drawing pay of Rs. 1400/- and above per mensem ; | By any type of bus including Super Deluxe, Express etc.buses but excluding Air Conditioned bus. |
| (b) officers drawing pay of less than Rs. 1400/-p.m. | By ordinary buses only. The claims for travel in Express buses may also be admitted, if the journey is actually performed by such bus on account of non-availability of seat in ordinary bus. |

- (ii) Where a public transport system does not exist, entitlement will be regulated as in the case of journeys undertaken on transfer.

Note : Leave Travel Concession shall not be admissible for,

Copy of letter O.M. No. 11022/3/87-AIS-II dated 2.9.87 from the Desk Officer, Ministry of Personnel, P.G. & Pension (Department of Personnel & Training) addressed to Chief Secretaries to all States.

***Subject :—* Entitlement of Journeys for the purpose of Leave Travel Concession consequent on the revision of pay scales of the Central Govt. posts on the recommendations of the Fourth Pay Commission.**

I am directed to forward herewith a copy of this Department's O.M. No. 31011/35/86-Estt. (A) dated the 6th August, 1987 on the subject mentioned above and to request that the contents of these orders may be brought to the notice of all members of the All India Services serving in your State.

L.T.C.

HARYANA GOVERNMENT
SERVICES DEPARTMENT

No. 13/10/85-SII

Dated, Chandigarh, the 13th Nov., 1987.

A copy each, alongwith a copy of letter No. 31011/2/84-Estt.(A), dated 11-7-1985 and No. 31011/34/86-Estt. (A), dated 5-2-1987 is forwarded for information and guidance to the :—

1. All Heads of Departments in Haryana.
2. Commissioners, Hisar Ambala Division.
3. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
4. Secretary to Governor, Haryana.
5. Special Representative to Govt., Haryana, Haryana Bhawan, New Delhi.
6. All Managing Directors of Corporations/Boards in Haryana (IAS Officers only).
7. Accountant General (Accounts Wing), Haryana, Chandigarh.
8. All the IAS Officers in Haryana.

Sd/-

Superintendent Services-II,
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information to all the Financial Commissioners and Administrative Secretaries to Govt., Haryana.

For Home and Forests Departments

Above mentioned modifications may please be brought to the notice of all I.P.S. and I.F.S. Officers.

Sd/-

Superintendent Services-II,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners and
Administrative Secretaries to Govt., Haryana.

U.O.No. 13/10/85-SII

Dated, Chandigarh, the 13th Nov., 1987.

No. 13/10/85-SII

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of Departments, Commissioners, Ambala and Hissar Divisions, All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and all District & Sessions Judges in Haryana.

Dated Chandigarh, the 16th November, 1987.

Subject :— Grant of Leave Concession for visiting Home Town and any place in India to the State Government employees.

Sir,

I am directed to refer to the composite Punjab Government letter No. 2892-GI-57/6828, dated 26/28th May, 1957 and subsequent instructions issued on the subject from time to time and Haryana Government circular letter No. 13/8/84-SII, dated the 31st December, 1984 regarding the subject noted above, and to say that the Central Government have further liberalised the existing policy of Leave Travel Concession *vide* their letter No. 31011/2/84-Estt. (A), dated the 11th July, 1985 (Copy enclosed for ready reference). After careful consideration of the whole matter, the State Government has taken the following decisions :—

- (a) At present State Government employees of I, II & III Grades whose home towns are situated within a distance of 400 kms. and Government employees of IV Grade, whose home towns are situated within a distance of 160 kms. from their headquarters are not entitled for availing of Leave Travel Concession for going to home towns once in a block of two years and whose home towns are situated beyond the distance of 400/160 kms., as the case may be, from their headquarters have themselves to meet the entire cost of fares for the initial 400/160 kms., as the case may be, on each of the outward and return journeys and for the remaining distance (over the initial 400/160 kms.), the Government meet 100% of the actual fares.

The State Government has now decided that full reimbursement may be made in respect of Leave Travel Concession to home town once in a block of two years without any restriction in regard to the first 400/160 kms. as the case may be. As a result of this, those whose home town are situated at distances less than 400/160 kms. will also be eligible to avail Leave Travel Concession to home town. Fresh declarations any, therefore, be obtained from such of those persons who were hitherto ineligible for Leave Travel Concession to home town on account of their home town being situated within 400/160 kms. from their headquarters and who had not declared the home town so far. All new entrants into service may also be asked to declare their home towns irrespective of its distance from headquarters.

- (b) According to existing policy instructions of the State Government, reimbursement of the expenditure is made only if the journeys are performed by rail or by buses of Haryana Transport Department, Haryana Tourism Department, or of Haryana Tourism Corporation and as a result of this, the State Government employees availing of Leave Travel Concession cannot get reimbursement of such expenditure where rail journey is not available and the buses of the Haryana Government/Tourism Department/Tourism Corporation do not go to such places.

The State Government has now decided that reimbursement of the expenditure will also be made if the journeys are performed by buses, vans or other vehicles, on charter, where these vehicles are operated by Tourism Corporations in the Public Sector, State Government Transport Corporations and Transport Services run by other State Government or Local Bodies.

When a Government servants undertakes a journeys in a chartered bus under L.T.C. Scheme the imbursement may be either the actual hire charges on the chartered bus or the amount reimbursable had the journey to the declared place of visit been under taken by the entitled class by rail by the shortest route, which ever is less.

- (c) The facility for reimbursement for journeys performed by Government servants by private cars (the cost of propulsion being borne by the Government servants themselves) contained in para 1 (c) Govt. of India's O.M.No. 43/5/57-Estt. (A), dated 11-2-58 incorporated in Standing Guide file on "Leave Travel Concession to Government employees" which was circulated *vide* Haryana Govt. their circular letter No. 2305-S-68, dated 2nd May, 1968, shall be withdrawn with immediate effect.
- (d) According to the existing instructions the Govt. employees and their families who are unable to avail themselves of Leave Travel Concession for visiting any place in India in a block of 4 years, it can be carried forward to the first year of the next block of 4 years with the permission of the Head of the Department. It has been decided concession of carrying forward of Leave Travel Concession to the first year of the next block may be available to the Government employees automatically without seeking the permission of Head of the Department.
- (e) The State Government has decided to follow the instructions of the Govt. of India regarding Leave Travel Concession to Home Town and any place in India issued by them from time to time except in the following respects :—
 - (i) Prior permission of the Head of the Department or Administrative Department, as the case may be, should be obtained before undertaking the journey while availing of the concession.
 - (ii) After the completion of journey while submitting his claim the employees will give a certificate and an affidavit in the Annexure 'B' and 'C' already circulated with letter No. 13/8/84-SII, dated 31st December, 1984, that the journeys have actually been performed by him/members of his family for going to the declared place of his visit.

2. Instructions issued by the Government of India for the grant of Leave Travel Concession for visiting any place in India and Home Town will henceforth apply to all the State Government employees subject to the conditions mentioned in para (e) above.

3. These instructions will take effect from the date of issue of this letter, and, all journeys under Leave Travel Concession commencing on or after the date of issue of these instructions may be regulated in accordance with these instructions. Past cases already decided need not be reopened and past cases which are pending may be regulated in accordance with the instructions which were in force at the relevant time.

4. The members of all India Services will, however continue to avail of Leave Travel concession as per the provisions of all India Services (Leave Travel Concession) Rules, 1975 as amended from time to time.

5. This issues with the concurrence of Finance Department conveyed *vide* their U.O. No. 4/1/2PR/87, dated 9th November, 1987.

Yours faithfully,

Sd/-
(Brij Bhushan Lal)
Under Secretary Administration,
for Chief Secretary to Government, Haryana,

No. 13/10/85-SII

Dated, Chandigarh, the 16th Nov., 1987.

A copy, with a copy of enclosures, is forwarded to the Accountant General (Accounts), Haryana for information.

Sd/-
(Brij Bhushan Lal)
Under Secretary Administration,
for Chief Secretary to Government, Haryana,

A copy each with a copy of enclosures, is forwarded to all Financial Commissioners and Administrative Secretaries to Govt., Haryana for information.

Sd/-
(Brij Bhushan Lal)
Under Secretary Administration,
for Chief Secretary to Government, Haryana,

To

All the Financial Commissioners and Administrative Secretaries to Government, Haryana.

L.T.C.

U.O. No. 13/10/85-SII

Dated, Chandigarh, the 16th Nov., 1987.

A copy each, with a copy of enclosures, is forwarded to the Principal Secretary/Deputy Principal Secretary /Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries for the information of the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries.

Sd/-

(Brij Bhushan Lal)

Under Secretary Administration,
for Chief Secretary to Government, Haryana,

To

The Principal Secretary/Deputy Principal Secretary/Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Ministers Parliamentary Secretary/Parliamentary Secretaries.

U.O. No. 13/10/85-SIII

Dated, Chandigarh, the 16th Nov., 1987.

No. 13/36/87-SII

From

The Chief Secretary to Government, Haryana.

- (i) All Heads of Departments, Commissioners Ambala and Hissar Divisions, All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and all District and Sessions Judges in Haryana.

Dated Chandigarh, the 26th April, 1989.

Subject :— Grant of L.T.C. of visiting Home Town & any place in India to the State Government employees-Entitlements for journeys for the purpose of L.T.C.

Sir,

I am directed to refer to Haryana Govt. circular letter No. 13/8/84-SII dated the 31st December 1984 and 13/10/85-SII dated the 16th November, 1987 on the above cited subject and to say that Govt. of India have further liberalised the entitlements for journeys on various modes of transport for the purpose of L.T.C. After careful consideration, the State Govt, have decided that the decision of Govt. of India in this regard may also be made applicable to Haryana Govt. employees. Accordingly, the entitlements for journeys on various modes of transport while availing LTC by Haryana Govt. employees and their families will be as under :—

1.1	Journey by rail	Entitlement of Class
	Pay range	
(a)	Rs. 2800 p.m. & above	II Class A.C. 2 Tier Sleeper/I Class.
(b)	Rs. 1400 p.m. & above but less than Rs. 2800 p.m.	I Class /A.C. Chair Car.
(c)	Less than Rs. 1400 p.m.	II Class (Sleeper)

The above entitlement at (a) & (b) shall also apply for the journeys performed by II Class AC 2 Tier Sleeper and A.C. Chair Car on Rajdhani Express.

1.2 Journey by Road

The Government's assistance towards the cost of journey between places not connected by rail will be admissible to the Govt. servants as under :—

- (i) Where a public transport system with vehicles running between fixed points, at regular intervals and charging fixed fair rates, exists the reimbursement will be the fare actually charged by such a system for the appropriate class of accommodation for the transport system.

Note : Appropriate class means as follows :—

- | | |
|---|--|
| (a) Officers drawing pay of Rs. 1400/- and above per mensem ; | By any type of bus including Super-Deluxe, Express etc. but excluding Air Conditioned bus. |
|---|--|

L.T.C.

- (b) Officers drawing pay of less than Rs. 1400/-p.m. By ordinary buses only. The claims for travel in Express buses may also be admitted, if the journey is actually performed by such bus on account of non-availability of seat in ordinary bus.
- (ii) Where a public transport system does not exist, entitlement will be regulated as in the case of journeys undertaken on transfer.

Note : Leave Travel Concession shall not be admissible for (owned, borrowed or hired) or a bus, van or other vehicle owned or operated on charter by private operators. However, travel by Private buses opening as regular service from point to points at regular intervals on fixed fare rates with the approval of Regional Transport Authority/State Government concerned will be admissible.

1.3 Journey by sea

In regard to places in territory of India, connected by shipping services, the entitlement of a Government servants to travel by ship will be regulated as in the case of journeys by ship undertaken on transfer.

1.4 Travel between places not connected by any means of transport

For travel between places not connected by any means of transport, a Government servants can avail of animal transport like pony, elephant, camel etc. In such cases, mileage allowance will be admissible at the same rate as for journeys on transfer.

2. Pay for the purpose of entitlement as indicated above shall be the basic pay as defined in rules 2.44 (a) (i) of Punjab Civil Services Rules, Volume-I, Part-I.
3. The concession will not be admissible for travel by air or air conditioned first class in rail. It may be further clarified that in case of officers entitled to travel by air, or air conditioned train or air conditioned bus, they will be entitled or restricted to claim only first class railway fare. For the journeys performed by LTC beneficiaries they will claim the fare only for the shortest route between the places of embarking for journeys and the destination.
4. These orders will take effect from the date of issue of the order. Cases already decided otherwise than in accordance with these orders in respect of journeys performed for Leave Travel Concession may not be reopened.
5. These instructions may be brought to the notice of all Government employees for their information, guidance and compliance.
6. This issues with the concurrence of the Finance Department conveyed *vide* their U.O. No. 4/1/2PR(FD)-84 dated the 12th April, 1989.

Yours faithfully,
Sd/-
(Brij Bhushan Lal)
Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

No. 13/36/87-SII

Dated Chandigarh, the 26th April, 1989.

A copy is forwarded to the Accountant General (Accounts), Haryana for information.

Sd/-

(Brij Bhushan Lal)

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Govt., Haryana, for information.

Sd/-

(Brij Bhushan Lal)

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All Financial Commissioners

Administrative Secretaries to Govt., Haryana.

U.O. No. 13/36/87-SII

Dated Chandigarh, the 26th April, 1989.

A copy is forwarded to the Principal Secretary/Deputy Principal Secretary/Officer on Special Duty/ Secretaries/Private Secretaries to the Chief Minister/Deputy Chief Minister/Ministers/State Ministers/ Chief Parliamentary Secretary for information of the Chief Minister/ Deputy Chief Ministers/Ministers/ State Ministers/Chief Parliamentary Secretary.

Sd/-

(Brij Bhushan Lal)

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Dy. Principal Secretary /O.S.D./Secretaries/Private Secretaries to the Chief Ministers/Deputy Chief Ministers/Ministers/State Ministers/Chief Parliamentary Secretary.

U.O. No. 13/36/87-SII

Dated Chandigarh, the 26th April, 1989.

L.T.C.

No. 13/8/84-SII

From

The Chief Secretary to Government, Haryana

To

- (i) All Heads of Departments, Commissioners, Ambala and Hissar Division, All Deputy Commissioners and Sub Divisional Officers (C) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and All District & Sessions Judges in Haryana.

Dated Chandigarh, the 28th April, 1989.

Subject :— Determining of admissibility of LTC for a family member who is a pensioner.

Sir,

I am directed to refer to Haryana Govt. circular letter No. 13/8/84-SII dated the 31st Dec., 1984 and to say that it was provided in para 2 (viii) of this letter that the definition of family for purposes of the LTC under the Scheme will be the same as has been accepted for purposes of travelling allowance for journeys on transfer. The question regarding the dependence of such family members, who are pensioners, had also been engaging the attention of the State Govt. for some time past and it has now been decided that the following shall be added after sub para (viii) of para 2 of the instructions dated 31st Dec., 1984 :—

“A member of a family, whose income from all sources including pension (inclusive of temporary increase in pension and pension equivalent of DCRG benefits) or stipend, etc. does not exceeds Rs.500/-P.M.shall be deemed to be wholly dependent upon the Govt., employee”.

2. These instructions shall take effect from the date of issue of this letter and all journeys for LTC undertaken on or after the date of issue of these instructions may be regulated in accordance with these clarifications. The cases already decided need not be reopened.

3. This issue with the concurrence of the F.D. conveyed *vide* U.O. No. 4/1/2PR(FD)-84 dated the 7th March, 1989.

Yours faithfully

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

Dated Chandigarh, the 28th April, 1989.

No. 13/8/84-SII

A copy is forwarded to the Accountant General (Accounts) Haryana for information.

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

A copy each is forwarded to all Financial Commissioners and Administrative Secretaries to Govt., Haryana, for information.

Sd/-
Deputy Secretary Administration,
for Chief Secretary to Govt., Haryana.

To

All the Financial Commissioners and Administrative
Secretaries to Government, Haryana.

U.O.No. 13/8/84-SII

Dated Chandigarh, the 28th April, 1989.

A copy is forwarded to the Principal Secretary/Addl. Principal Secretary Officers on Special Duty/Secretaries/Private Secretaries to the Chief Ministers/Ministers/State Ministers/Chief Parliamentary Secretary for the information of the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary.

Sd/-
Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Addl. Principal Secretary/Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary.

U.O.No. 13/8/84-SII

Dated Chandigarh, the 28th April, 1989.

L.T.C.

No. 13/8/88-SII

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of Departments, Commissioners, Ambala and Hisar Divisions, All Deputy Commissioners, Sub Divisional Officers (C) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and all District & Sessions Judges in Haryana.

Dated Chandigarh, the 9th May, 1989.

Subject :— Grant of LTC for visiting any place in India/Home Town to the State Government employees.

Sir,

I am directed to refer to Haryana Govt. circular letter No. 13/8/84-SII dated the 31st Dec., 1984 and to say that it was provided in para 2(v) of this letter that prior permission of the Head of Department of Administrative Department, as the case may be, shall be obtained before undertaking journey for availing LTC. The matter has been further considered and it has been decided that the following authorities shall sanction the LTC for visiting any place in India/home-town in respect of different categories of employees :—

Sr. No.	Sanctioning Authority	Category of Employee
1.	Administrative Secretary	Class I & II employees.
2.	Heads of Department	Class III & IV employees.

Note :— The employee concerned shall however have to obtain prior permission of the sanctioning authority while availing LTC.

2. These instructions shall take effect from the date of issue of this letter. The case already decided need not be reopened .

3. This issue with the concurrence of the F. D. conveyed vide their U. O. No. 4/1/2PR(FD)84 dt. 7-3-89 .

U.O.No. 4/1/2PR(FD) 84

d t. 7-3-89.

Yours faithfully

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Govt., Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

No. 13/8/88-SII

Dated Chandigarh, the 9th May, 1989.

A copy is forwarded to the Accountant General (Accounts), Haryana for information.

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

A copy each with a copy enclosures, is forwarded to all Financial Commissioners and Administrative Secretaries to Govt., Haryana for information.

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners and Administrative
Secretaries to Government, Haryana.

U.O.No. 13/8/88-SII

Dated Chandigarh, the 9th May, 1989.

A copy is forwarded to the Principal Secretary/Deputy Principal Secretary/Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary for the information of the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary.

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Deputy Principal Secretary/Officer on Special Duty/Secretaries/
Private Secretaries to the Chief Ministers/Ministers/State Ministers/Chief Parliamentary
Secretary.

U.O.No. 13/8/88-SII

Dated Chandigarh, the 9th May, 1989.

L.T.C.

No. 31011/1/91-Estt. (A)

Government of India
MINISTRY OF PERSONNEL PUBLIC GRIEVANCES & PENSIONS
(Department of Personnel and Training)

New Delhi 20-6-1991

OFFICE MEMORANDUM

Subject :— Leave Travel Concession-further extension of four years block 1986-89

The undersigned is directed to say that some Ministries/Departments and the Staff side in the National Council, JCM have brought to the notice of this Department that a large number of Government Servants were not able to avail the leave concession for the four years block 1986-89 during its extended period i.e. period ending 30th June, 1991 due to various reasons and further, it was requested that the grace period for availing of the L.T.C. for the four years block 1986-89 may be extended beyond 30th June, 1991.

2. The matter has been considered and it has been decided that Government Servants, who were eligible for the leave travel concession to visit any place in India for the four years block 1986-89 and who could not avail it within the extended grace period upto 30th June, 1991, may be allowed to avail this facility upto 30th September, 1991.

3. Ministry of finance etc. are requested to give the above decision wide publicity and to bring it to the notice of all Government servants serving under their control .

Sd/-
(M.S.BALI)

Deputy Secretary to the Government of India.

To

All Ministries/Departments of the Government of India with usual number of spare copies.

O.M.No. 31011/4/91-Estt.(A), dated 9-7-1991

Subject :— LTC facility for an escort accompanying single handicapped Government servant.

The undersigned is directed to say that the Staff Side in National Council (JCM) had proposed that additional reimbursement may be allowed to the single handicapped Government servants for an escort accompanying them on the journeys under the LTC scheme. The matter has been carefully considered and it has been decided that LTC facility could be allowed for an escort who accompanies a handicapped Government servant on the journey subject to the following conditions :—

- (1) Prior approval of the Head of the Department concerned is obtained on each occasion.
 - (2) The nature of physical disability of the Government servant is such as to necessitate an escort for the journey. In case of doubt, the decision of the Head of the Department will be final.
 - (3) The physically handicapped Government servant does not have an adult family member.
 - (4) The Government servant and the escort avail of the concession if any, in the rail bus fare as might be extended by Railways/State Roadways authorities in such cases.
 - (5) Any other person who is entitled to LTC does not accompany the handicapped Government servant on the journey.
2. Ministries and Departments are requested to bring the above decision to the notice of the all concerned.
- _____

L.T.C.

**HARYANA GOVERNMENT
SERVICES DEPARTMENT**

No.13/2/91-SII

Dated Chandigarh, the 6th August, 1991.

A copy each, alongwith a copy of letter No. 11022/3/91-Estt-(A) dated 20-6-91 is forwarded for information and guidance to the :—

1. All Heads of Departments in Haryana.
2. Commissioners, Ambala, Gurgaon, Hissar and Rohtak Division.
3. All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
4. Secretary to Governor, Haryana.
5. Commissioner & Special Representative to Govt., Haryana, Haryana Bhawan, New Delhi.
6. All Managing Directors of Corporations/Boards in Haryana. (IAS Officers only)
7. Accountant General (Accounts Wing), Haryana, Chandigarh.
8. All the IAS officers in Haryana.

Sd/-

Superintendent Services-II
for Chief Secretary to Govt., Haryana.

A copy each is forwarded for information to all the Financial Commissioners and Administrative Secretaries to Govt. Haryana.

For Home and Forests Departments

Above mentioned instructions may please be brought to the notice of All IPS and IFS officers.

Sd/-

Superintendent Services-II
for Chief Secretary to Govt., Haryana.

To

All the Financial Commissioners and
Administrative Secretaries to Govt., Haryana

U.O. No. 13/2/91-SII

Dated Chandigarh, the 6th August, 1991.

No. 13/10/85-SII

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of Departments, Commissioners, Ambala/Hissar and Rohtak Divisions. All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and all District and Sessions Judges in Haryana.

Dated Chandigarh, the 28th February, 1992.

Subject :— Grant of L.T.C. for visiting Home Town and any place in India for the State Government employees.

Sir,

I am directed to refer to Haryana Government circular letter NO. 13/10/85-SII, dated the 16th November, 1987 on the subject noted above and to say that the State Government while liberalising the policy relating to grant of leave travel concession had decided that the re-imbursement of the expenditure incurred on availing LTC may also be made if the journeys are performed by buses, vans or other vehicles, on charter where these vehicles are operated by Tourism Corporations in the Public Sector, State Government Transport Corporations and Transport services run by other State Governments or Local Bodies. This decision was taken with a view to solve the difficulties being experienced by Haryana Government employees while availing LTC as rail/buses run by Transport Department/Tourism Corporation, Haryana are not available for many places in the Country.

2. It has now come to the notice of State Government that liberalised concession is being misuse by Government employees as certain Tourism Corporation in Public Sector or their Agents are issuing take bills/vouchers thus enabling the employees to make false LTC claims. This tendency has to be curbed and the employees misusing the LTC facilities are required to be meted out deterrent punishment. I am, therefore, desired to request you that the LTC claims made by the employees should be checked very carefully and it should be ensured that the claims are processed keeping in view the objective that no body is allowed to misuse the facility. I am further desired to say that any officer/official found guilty for mis-using the LTC facility should be dealt with sternly and sever disciplinary action may be taken against him under the rules.

The receipt of this letter may please be acknowledged.

Yours faithfully ,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

L.T.C.

No. 13/10/85-SII,

Dated Chandigarh, the 28th Feb., 1992.

A copy is forwarded to the Accountant General (Accounts), Haryana for information .

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all Financial Commissioners and Administrative Secretaries to Govt. Haryana for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All Financial Commissioners
Administrative Secretaries to Govt. Haryana.

U.O.No. 13/10/85-SII,

Dated Chandigarh, the 28th Feb., 1992.

A copy is forwarded to the Principal Secretary/Addl. Principal Secretary/Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/Chief Parliamentary Secretary/Parliamentary Secretary for information of the Chief Minister/Ministers/State Ministers/ Chief Parliamentary Secretary/Parliamentary Secretary.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Addl. Principal Secretary/Officer on Special Duty/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary Parliamentary Secretary.

U.O.No. 13/10/85-SII,

Dated Chandigarh, the 28th Feb., 1992.

No. 13/4/94-SII

From

Chief Secretary to Government, Haryana,
Chandigarh.

To

- (i) All Heads of Departments.
- (ii) Commissioners Ambala/Gurgaon/Hisar/Rohtak Divisions
- (iii) All Deputy Commissioners in Haryana,
- (iv) All Sub-Divisional Officers (Civil) in Haryana.
- (v) Registrar, Punjab & Haryana High Court, Chandigarh.
- (vi) All District & Sessions Judges in Haryana.

Dated Chandigarh, the 18th October, 1995.

Subject :— Grant of LTC for visiting any place in India/home town to State Government employees.

Sir/Madam,

I am directed to refer to Haryana Government circular letter No. 13/8/84-SII, dated 31st December, 1984 and subsequent letter of even number dated 9th May, 1989 on the above subject an to say that State Government has been consideration for some time past to further simplify the procedure laid down for the sanctioning of Leave Travel Concession to the State Government employees and accordingly in has been decided that the following authorities shall be competent to sanction Leave Travel Concession within the parameters of Govt. guidelines for visiting any place in India/home town in respect of the different categories of employees :—

Sr. No.	Sanctioning Authority	Category
I.	Administrative Secretary	Class-I officers
II.	Head of Department	Class-II & III officers/employees
III.	Head of office	Class-IV employees

Note :— The employees concerned shall, however, have to obtain prior permission of the sanctioning authority while availing LTC.

2. These instructions shall take effect from the date of issue of this letter.

3. This issues with the concurrence of Finance Department conveyed vide their U.O. No. 11/78/94/FR II/3464, dated 17-11-94.

Yours faithfully,

Sd/-

(M.N. MEHRA)

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

L.T.C.

No. 13/4/94-SII,

Dated, Chandigarh the 18th October, 1995.

A copy is forwarded to the Accountant General (Accounts) Haryana for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all Financial Commissioners and Administrative Secretaries to Government, Haryana for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All Financial Commissioners &
Administrative Secretaries to Govt., Haryana,

U.O. No. 13/4/94-SII,

Dated, Chandigarh the 18th October, 1995.

A copy is forwarded to the Principal Secretary/Special Principal Secretary/Dy. Principal Secretaries/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretary for the information of Chief Minister/Ministers/State Ministers/Chief Parliamentary Secy.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

No. 13/19/95-SII

From

The Chief Secretary to Government, Haryana.

To

- (i) All Heads of departments, Commissioners, Ambala, Hisar, Gurgaon and Rohtak Division. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
- (ii) Registrar, Punjab and Haryana High Court and All District and Sessions Judges Haryana.

Dated Chandigarh, the 11th October, 1995.

Subject :— Grant of Leave Travel Concession for visiting Home Town and any place in India to the State Government employees-Entitlements for Journeys for the purpose of L.T.C.

Sir/Madam,

I am directed to refer to Haryana Government circular letter No. 13/8/94-SIII, dated 31st December, 1984, 13/10/85-SII, dated 16th November, 1987 and No. 13/36/87-SII, dated 26-4-89 on the subject cited above and to say that the Indian Railways have recently introduced A.C. III Tier in Mail/ Express Trains including Rajdhani Express. Government have, therefore, decided that the Officers who are in the pay range of Rs. 2800/- P.M. and above shall also be entitled to travel in A.C. III Tier while performing journey on L.T.C.

2. These instructions may please be brought to the notice of all Government employees for their information.

3. This issues with the concurrence of Finance Department conveyed vide their U.O. No. 11/ 78/94-1FR-II/1503 dated 28-8-95

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all Financial Commissioners and Administrative Secretaries to Govt., Haryana for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All Financial Commissioners &
Administrative Secretaries to Govt., Haryana.

L.T.C.

U.O.No. 13/19/95-SII,

Dated, Chandigarh, the 11th October, 1995.

A copy is forwarded to the Principal Secretary/Special Principal Secretary/Dy. Principal Secretaries/Secretaries/Private Secretaries to the Chief Ministers/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretary for the information on the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Special Principal Secy./Dy. Principal Secretaries/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary.

U.O. No. 13/19/95-III

Dated Chandigarh, the 11th October, 1995.

To

1. All the Financial Commissioners and Administrative Secretaries to Government, Haryana.
2. All Heads of Departments in Haryana.
3. All M.Ds./C. As. of all Boards/Corpns. in Haryana.
4. All the Deputy Commissioners in Haryana.

Dated, Chandigarh, the 29th May, 1997.

Subject :— Posting/transfers orders of IAS/HCS officers-Compliance report regarding.

Sir,

It has been observed that IAS/HCS officers who have been transferred from one assignment to another do not get relieved, and, at times, try for readjustment. Many a time, the Controlling Officers do not relieve the officer who has been transferred. These are clear violations of Government orders, which should be complied with promptly in letter and spirit.

2. Government takes a serious view of such lapses not only against the officer transferred but also against the Controlling Officer and strict action will be taken in future.
3. If there is some emergent need to retain a particular officer, the Controlling Officer should take prior permission of the Chief Secretary to Government, Haryana before temporarily retaining the services of the officer transferred.
4. You are directed to ensure strict compliance of these instructions.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

L.T.C.

No. 31011/7/97-Estt. (A)

Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, the 20th October, 97

OFFICE MEMORANDUM

Subject :— Fifth Central Pay Commission-Recommendations relating to LTC-Acceptance of.

The undersigned is directed to say that the Fifth Central Pay Commission in its report has inter alia recommendation that :—

- (i) Senior Executives of the level of Joint Secretaries and above be permitted to travel by air or AC First Class at their option on LTC and all other employees be permitted to travel by train by the class of accommodation to which they are entitled for journey on tour. (para 108.6).
- (ii) Such Govt. employees as are posted outside their Home Town can be given an option to avail of the concession of travel to the Home Town on three occasions in a block of four years by surrendering their claim to All India LTC which would otherwise be admissible (Para 108.8)
- (iii) Government should undertake a review of remote area like North : Eastern region. Andaman & Nicobar Islands etc. and extend concession for LTC journey by air to the area in respect of travel during LTC (para 108.10)
- (iv) The income limit for defining dependent family members of LTC be increased from Rs. 500/-per month to Rs. 1500/-per month (para 108.11)
- (v) No change in the existing scheme of free Railway passes for Railway employees. (Railway employees are not eligible for LTC available to the other civilian employees of the Central Government as they are in receipt of free passes for used any where in India) (para 108.13).

2. The recommendation of the Fifth Central Pay Commission have been considered by the Government and it has been decided that :—

- (a) The existing monetary limit of Rs. 500/- from all sources prescribed for determining the dependency prescribed in Rule 4(d) of the Central Civil Service (LTC) Rules, 1988 read with Supplementary Rule 2(8) of the Supplementary Rules and Government of India Decision 3 below S.R. R. 2 shall be raised to Rs. 1500/-p.m.
- (b) At present the LTC facility is available for the children of a Government servant irrespective of their number. With a view of encourage the small family norm, it has been decided that the facility of LTC shall be restricted to two surviving children only. The restriction of two surviving children shall not apply in respect of the existing children of the Government servant and a child born within one year from the date of issue of this O.M. and also in case of multiple births after one child.
- (c) At present an LTC journey by air is not permissible to any class or group of Government servants. It has been decided that henceforth officers of the level of Joint Secretary

and equivalent (pre-revised) scale of Rs. 5900-6700) and above shall be eligible to travel by air by National Carriers or AC Ist Class, at their option. Journey by Private airlines shall not be permitted.

All other officers and employees below the rank of Joint Secretary and equivalent shall be entitled to travel by the entitled class of accomodation as on tour.

- (d) Though LTC journey by air is admissible in certain remote area yet their are sectors which are not covered by the existing orders on the subject. A committee is being constituted separately to identify the remote areas to which the facility of journey by air on LTC could be extended to the employees posted to such remote areas.
- (e) Those Government servants and their spouses who are working in Indian Railways are not entitled for the facility of LTC as the facility of “Free Pass” is available to them. In future also, the employees and the spouses of the employees of India Railways and national airlines shall continue to be debarred for LTC facility as they are entitled for “Free Pass” facility.
- (f) In regard to the number of occasion on which the leave travel concession can be availed in a block of four years. It has been decided that the status quo my be maintained.

3. The LTC claims pertaining to the period prior to Ist October, 1997 shall be regulated as per rules applicable on the date of journey.

4. In so far as persons working in the Indian Audit & Accounts Department are concerned these orders, are being issued in consultation with C. & A.G. of India.

5. The CCS (LTC) Rules, 1988 have been amended vide Notification No. 31011/7/97-Estt. (A) published in Extra-ordinary Gazette of Indian Part II section 3 sub-section (i) (G.S.R.No. 602 (E) dated 20-10-1997) (Copy enclosed).

Hindi version will follow.

Sd/-
(S.NANDKEOLYAR)
Director

To

- 1. All Ministries/Departments of Government of India.
- 2. Comptroller and Auditor General of India, New Delhi.
- 3. U.P.S.C., New Delhi.
- 4. Central Vigilance Commission, New Delhi.
- 5. Central Bureau of Investigation.
- 6. All Union Territory Administrations.
- 7. Lok Sabha/Rajya Sabha Secretariat
- 8. All attached and subordinate offices of the MHA and Ministry of Personnel, Public Grievances and Pensions.
- 9. All Officers and Sections of the Ministry of Personnel, Public Grievances & Pensions and MHA.

TO BE PUBLISHED IN PART II SECTION 3 SUB-SECTION (I)
OF THE EXTRA-ORDINARY GAZETTE OF INDIA

No.31011/7/97-Estt. (A)

Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, dated the 20th October, 1997.

NOTIFICATION

G.S.R.No. 602 (E).—In exercise of the powers conferred by the proviso to Article 309 and Clause (5) of Article 148 of the Constitution and in consultation with the Comptroller and Auditor General of India in regard to persons serving the Indian Audit and Accounts Department. The President hereby makes the following rules namely :—

- (1) The rules may be called the Central Civil Services (Leave Travel Concession) First Amendment Rules 1977.
- (2) They shall come into force from 1st October, 1997.
- (3) In Rule 4 at (d) the following shall be substituted as the definition of “Family” :—

“(d)” “family” means a Government servant’s wife or husband. As the case may be residing with the Government servant and two surviving children or step children residing with and wholly dependent upon the Government servant, whose income from all sources does not exceed Rs. 1500/-p.m. It includes in addition, parents, step mother unmarried sisters, brothers and married daughters who have been divorced, abandoned or separated from their husbands, if residing with and wholly depending upon the Government servant, Widows sisters are also included, if residing with wholly dependent upon the Government servant (Provided their father is either not alive or is himself dependent on the Government servant).

Note :— 1. The restriction of two surviving children as indicated above shall not apply in respect of existing children of a Government servant and a child born within one year of the restrictions coming into force and also in case of multiple births after one children.

Note :—2. Not more than one wife is included in the term “family” for the purpose of rules.”.

- (4) In Rule 12 for existing sub-rule 1, the following shall be substituted :—
“(a) For travel under the Scheme of Leave Travel Concession, the entitlement

Compendium of Instructions — Miscellaneous Matters—Vol. IX

shall be as under :—

Officer in the pay scales the Minimum of which is as under	Entitlements
Rs. 18,400/- and above	Air Economy (Y) Class by National Carrier or AC-I class by train at their option.
Rs. 12,000/-and above but less than Rs. 18,400/-	AC-I Class by train option
Rs. 6,500/-and above but less than Rs. 12,000/-	AC-II Tier Sleeper
Rs. 3050/- and above but less than Rs. 6,500/-	First Class/AC-III Tier
Below Rs. 3050/-	Sleeper Class.

Sd/-
(HARINDER SINGH)
Joint Secretary to Government of India,
Tele : 3011276

To

The Manager,
Government of India Press
Mayapuri
New Delhi.

Note :— Principal Rules published vide S.O. No. 1525 dated 3-5-1988.

L.T.C.

No. 13/20/97-SII

From

The Chief Secretary to Govt. Haryana

To

1. All the Financial Commissioners and Administrative Secretaries/Special Secretaries to Govt. Haryana.
2. All the Heads of Departments in Haryana (only IAS/IPS/IFS officers).
3. Commissioners, Ambala, Hisar, Rohtak and Gurgaon Division.
4. All the Deputy Commissioners and Sub Divisional Officer (Civil), in Haryana.
5. M.Ds/C.As. of all the Boards/Corporations in Haryana (only IAS/IPS/IFS officers).

Dated, Chandigarh, the 15th December, 1997.

Subject :— Fifth Central Pay Commission-Recommendations relating to LTC in respect of All India Service Officers.

Sir,

I am directed to refer to the subject noted above and to say that the Govt. of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training vide their letter No. 31011/7/97-Estt. (A), dated 20th October, 1997 (copy enclosed) have decided to adopt the recommendations of the Fifth Central Pay Commission with certain modifications.

2. The State Government have decided to adopt the provisions of LTC as contained in the Govt. of India letters dated 20th October, 1997 w.e.f. 1.10.1997, in respect of All India officers serving in connection with the affairs of Haryana till the LTC rules applicable to the officers of the State Civil Services, Class-I, continuous to be inferior to the rules as notified by the Govt. of India for the employees of the Union.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to the :—

1. Financial Commissioner and Secretaries to Govt. Haryana, Home Department.
2. Financial Commissioner and Secretary to Govt. Haryana, Financial Deptt.
3. Commissioner and Secretary to Govt. Haryana, Forests Department.

Compendium of Instructions — Miscellaneous Matters—Vol. IX

for information & necessary action.

Sd/-
Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

1. Financial Commissioner and Secretaries to Govt.
Haryana, Home Department.
2. Financial Commissioner and Secretary to Govt.,
Haryana. Finance Deptt. w.r.t.his U.O.No. 10/33/97-3PR(F.D.)dated nil.
3. Commissioner and Secretary to Govt. Haryana, Forests Department.

U.O.No. 13/20/97-SII,

Dated, Chandigarh, the 16th December, 1997.

L.T.C.

THROUGH RA

USA

No. 34/17/98-7 SII

From

The Chief Secretary of Govt., Haryana.

To

All the Financial Commissioners and Administrative Secretaries to
Government, Haryana.

Dated, Chandigarh, the 2nd July, 1998.

**Subject :— Tour Programme of the Administrative Secretaries-sending of information to the
Minister-Incharge-Regarding.**

Sir

I am directed to refer to the subject noted above and to say that it has been observed by the Government that Administrative Secretaries do not send a copy of their tour programme to their Minister for information while submitting the tour programme to Chief Secretary/Chief Minister for approval. This causes inconvenience to the Ministers as they are not aware of the whereabouts of their Administrative Secretaries.

2. In future, all Administrative Secretaries should send a copy of their proposed tour programmes to their Minister-Incharge will in advance before proceeding on tour.
3. The above instructions may kindly be complied with meticulously.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

No. 6/3/98-SII

From

The Chief Secretary to Govt. Haryana.

To

All Deputy Commissioners in Haryana.

Dated Chandigarh, the 4th February, 1998.

Subject :— Compliance of the directions issued by the State Election Commission, Haryana.

Sir/Madam,

I am directed to invite your attention to the subject cited above and to say that the State Election Commission, Haryana has brought to the notice of Government that directions issued by the State Election Commission to the Deputy Commissioner-Cum-District Election Officer (Panchayat) from time to time to ensure free and fair elections to the Panchayati Raj Institutions in the State are not being complied with meticulously, Non-compliance of the direction issued by the State Election Commission results in commission of irregularities at various levels and prove fatal to the free and fair elections to the Panchayati Raj Institution in the State.

2. In this connection it is also brought to your notice that non-compliance of the directions issued by State Election Commission attracts criminal liability within the meaning of Section 185 of the Haryana Panchayati Raj Act, 1994 and criminal prosecution can be initiated under Sections 188 of the Act.

3. It is, therefore, requested that the directions issued by the State Election Commission from time to time to ensure free and fair elections to the Panchayati Raj Institutions be complied with meticulously in future.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

L.T.C.

No. 13/1/98-SI

From

The Chief Secretary to Govt. Haryana.

To

- (i) All Heads of Departments in Haryana.
- (ii) All Divisional Commissioners in Haryana.
- (iii) All Deputy Commissioners and Sub-Divisional Officers (Civil) in Haryana.
- (iv) Registrar, Punjab and Haryana High Court, Chandigarh.

All District & Sessions Judges in Haryana.

Dated, Chandigarh, the 29th May, 1998.

Subject :— Grant of leave Travel Concession for visiting any place in India/Home to the State Government employee-Liberalisation of.

Sir/Madam,

I am directed to refer to Haryana Government circular letter No. 13/8/84-SII, dated 31st December, 1984 and subsequent instructions issued on the subject from time to time on the subject noted above and to say that the Central Govt. has further liberalised the existing policy of Leave Travel Concession. After consideration of the matter, the State Govt. has decided to make applicable the same concessions to the employees of Haryana Government, namely :—

The State Government employees may be sanctioned encashment of ten days of earned leave out of the total earned leave at his/her credit while availing of leave travel concession, subject the conditions that :—

- (i) the total leave so encashed under this concession during the entire service career does not exceed 60 days in the aggregate ;
- (ii) earned leave of of-least and equivalent duration is also availed of simultaneously by the employees concerned ;
- (iii) a balance of at least 30 days of earned leave is still available to the credit of the employee after taking into account the period of encashment as well as leave ; and
- (iv) the period of leave encashed shall be deducted from the quantum of leave that can be normally encashed by him/her at the time of superannuation.

2. This issues with the concurrence of Finance Department conveyed vide their U.O. No.8/10/98-3PR(FD), dated 30-03-98.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

No. 13/1/98-SIII

Dated, Chandigarh, the 29th May, 1998.

A copy is forwarded to the Accountant General (Accounts) Haryana, Chandigarh, for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to the Financial Commissioner and Secretary to Govt., Haryana, Finance Deptt. with reference to his U.O. No.8/1098-3PR(FD), dated 30-3-98, for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Financial Commissioner & Secretary to Govt.
Haryana, Finance Deptt.

U.O.No. 13/1/98-SII

Dated, Chandigarh, the 29th May, 1998

A copy each is forwarded to all the Financial Commissioner and Administrative Secretaries to Govt., Haryana for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioner and Administrative
Secretaries to Govt., Haryana.

U.O.No. 13/1/98-SII

Dated, Chandigarh, the 29th May, 1998.

A copy each is forwarded to the Principal Secy./Addl. Principal Secretary/Dy. Principal Secy./Senior Secretaries/Secretaries/Private Secretaries to Chief Minister/Ministers/State Ministers/Deputy Chairman, Planning Board Haryana, for the information of Chief Minister/Ministers/State Ministers/Deputy Chairman, Planning Board, Haryana.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secy./Addl. Principal Secretary/Dy. Principal Secy./Senior Secretaries/
Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Deputy
Chairman, Planning Board, Haryana.

U.O.No. 13/1/98-SII

Dated, Chandigarh, the 29th May, 1998.

L.T.C.

No. 13/6/98-SII

From

The Chief Secretary to Govt., Haryana.

To

- (i) All Heads of Deptts.
All Divisional Commissioners,
All Deputy Commissioners, and
All SDO (C) in Haryana.
- (ii) The Registrar, Punjab and Haryana
High Court and all district and
Sessions Judges in Haryana.

Dated, Chandigarh, the 22nd, June, 1998.

Subject :— Grant of LTC to state Govt. employees for visiting any place in India.

Sir,

I am directed to refer to Haryana circular letter No. 13/8/84-SII, dated 31-12-1984 and 13/10/85-SII, dated 16-11-87 on the subject noted above and to say that as per existing instructions of the State Govt. reimbursement of the expenditure is made only if the journeys to avail of leave Travel concession are performed by rail or by buses of Haryana Transport Department, Haryana Tourism Department or of Haryana Tourism Corporation and as a result of this, the State Government employees availing if leave Travel Concession can not get reimbursement of such expenditure where rail journey is not available and the buses of the Haryana Government/Tourism Department/Tourism Corporation do not go to such places. In addition to above, reimbursement of the expenditure if also made if the journeys are performed by buses, vans or other vehicles on charter, where these vehicles are operated by Tourism Corporations and Transport Services run by other State Government or local Bodies.

2. After consideration of the matter, the State Government have decided that the reimbursement of the fare will also be made if the journeys are performed by the buses run by the Registered Cooperative Societies under the permits issued by the Transport Department.

3. These orders will take effect from the date of issue. All journeys under LTC commencing on or after the date of issue of this letter may, therefore, be regulated in accordance with these instructions.

4. This issues with the concurrence of the Finance Department conveyed vide their U.O. No. 8/12/98-IPR(FD), dated 21-5-1998.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

No. 13/6/98-SII,

Dated, Chandigarh, the 22nd, June, 1998.

A copy is forwarded to the Accountant General (Accounts/Audit). Haryana, for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

A copy each is forwarded to all the Financial Commissioner and Administrative Secretaries to Govt.. Haryana, for information.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

All the Financial Commissioners and
Administrative Secretaries to Govt., Haryana.

U.O.No. 13/6/98-SII,

Dated, Chandigarh. the 22nd, June, 1998.

A copy each, with a copy of enclosures, is forwarded to the Principal Secretary/Addl. Principal Secretary/Deputy Principal Secretary/Secretaries/Private Secretaries to the Chief Minister/Ministers/State Ministers/Deputy Chairman, Planning Board, Chairman Haryana Bureau of Public Enterprises Haryana for information of the Chief Minister/Ministers/State Ministers/Deputy Chairman, Planning Board, Haryana and Chairman, Haryana Bureau of Public Enterprises, Haryana.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Addl. Principal Secretary/Deputy Principal Secretary/Secretaries/
Private Secretaries to the Chief Minister/Ministers/State Ministers/Deputy Chairman,
Planning Board, Haryana and Chairman, Haryana Bureau of Public Enterprises, Haryana.

U.O.No. 13/6/98-SII

Dated, Chandigarh, the 22nd June, 1998.

—————

L.T.C.

No. 51/3/98-7SII

From

The Chief Secretary to Government, Haryana.

To

All the Financial Commissioners and Administrative Secretaries to Government, Haryana.

Dated, Chandigarh, the 23rd June, 1998.

Subject :— Attendance of meetings of Public Accounts Committee by the Administrative Secretaries

Sir,

I am directed to refer to the subject noted above and to say that it has been observed by the Public Accounts Committee that it has become the tendency of the officers of different departments, as usual, to avoid meetings to the Public Accounts Committee time and again, due to which the work of Committee suffers very badly. The Government has taken a very serious note of this. In future, the meetings of the Public Accounts Committee may please be attended positively as per fixed programme so that the pending business of this Committee can be cleared during current financial year.

2. In additions, it may also be ensured that requisite replies and progress reports of paras of C.A.G./P.A.C. reports are sent to the quarter concerned within the stipulated period so as to avoid unnecessary postponements of meetings and criticism by the P.A.C. time and again.

3. The above instructions may kindly be complied with meticulously.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

A copy is forwarded to the Financial Commissioner and Secretary

No. 1/93/98-1 SII

From

The Chief Secretary to Govt., Haryana.

To

1. All the Deputy Commissioners-cum-CEO, D.R.D.A. in Haryana.

Dated, Chandigarh, the 18th December, 1998.

Subject :— Charge of Deputy Commissioners and Addl. Deputy Commissioners-cum-CEO, DRDA, during their absence on leave/training.

Sir,

I am directed to refer to the subject cited above and to say that the State Government has decided that henceforth during the absence on leave/training of the Deputy Commissioners, the Additional Deputy Commissioner-cum-CEO, DRDA of the respective district will look after the work of Deputy Commissioner, in addition to his/her own duties. Like-wise, during the absence on training of Additional Deputy Commissioners-cum-CEO, DRDA, the Deputy Commissioner of the respective district will look after the work of Additional Deputy Commissioner-cum-CEO, DRDA, in addition to his/her own duties. However in a particular cases, where charges is to be given to some other, specific order will be issued.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

No.1/193/98-1 SII,

Dated Chandigarh, the 18th December, 1998.

A Copy each is forwarded to the following for information :—

1. Financial Commissioner and Secretary to Govt. Haryana, Revenue Department.
2. All the Divisional Commissioners of Haryana .

Sd/-

Under Secretary Administration,
for Chief Secretary to Govt., Haryana.

L.T.C.

No. 13/16/2001-2SII

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments in Haryana.
2. Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. All Deputy Commissioners in Haryana.
4. Sub Divisional Officers (C) in Haryana.
5. Registrar Punjab and Haryana High Court, Chandigarh.
6. All District & Sessions Judges in Haryana.

Dated Chandigarh, the 14th June, 2001

Subject: Grant of LTC for visiting Home Town and any place in India to the State Govt. employees-entitlement for journeys for the purpose of LTC.

Sir,

I am directed to refer to Haryana Govt. circular letter No. 13/8/84-SII, dated the 31st December, 1984, No. 13/10/85-SII, dated the 16th November, 1987 and No. 13//36/87 -SII, dated 26.4.1989 on the subject mentioned above and to say that the State Government has decided that on the pattern of Central Government, the facility of Home Town-LTC and All India LTC to State Government employees as well as the member of All India Services who are serving with State Government, may be suspended for a period of two years with immediate effect . Employees who have less than two years service before retirement as on 1st July, 2001 will be exempted from the operation of this decision regarding LTC suspension provided they have not availed the facility in the current block.

2. The above orders shall also apply to AIS officers/State Government employees on deputation.
3. These orders shall also be applicable to even those employees who have got the sanctions issued before 14.6.2001 and they shall not undertake the journey in pursuance of such sanctions. In case of Govt. servants who have already booked the tickets, the cancellation charges will be reimbursed by the respective Departments/ Offices. The LTC advances already drawn, if any, may be refunded immediately without penal interest.
4. The Govt. servants, who have commenced their outward journey on LTC prior to date of issue of these instructions, have to complete their inward journey as provided in the rules for availing LTC facility.
5. These orders shall apply to all Boards/Corporations/Cooperative Institutions/ Autonomous/ Statutory Bodies partially or fully funded by the State Government.
6. These instructions may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

Endst. No. 13/16/2001-2SII

Dated Chandigarh, the 14th June, 2001

A copy is forwarded to the Accountant General (Accounts), Haryana, Chandigarh for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners and Administrative Secretaries to Government Haryana.

U.O. No. 13/16/2001-2SII

Dated Chandigarh, the 14th June, 2001

A copy each is forwarded to the Principal Secretary/Additional Principal Secretary/OSD/ Senior Secretaries/Secretaries/Private Secretary to Chief Minister/Ministers/ State Ministers/Chief Parliamentary Secretary/Chairman, HBPE/ Deputy Chairman Planning Board/Dy. Chairman, High Powered Committee, 20 Point Programme for the information of Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Chairman, HBPE/Deputy Chairman, Planning Board and Deputy Chairman, High Powered Committee, 20 Point Programme for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

To

The Principal Secretary/Additional Principal Secretary/OSD/Senior Secretaries/Secretaries/ Private Secretary to Chief Minister/Ministers/ State Ministers/Chief Parliamentary Secretary/ Chairman, HBPE/ Deputy Chairman, Planning Board and Deputy Chairman, High Powered Committee, 20 Point Programme.

U.O. No. 13/16/2001-2SII

Dated, Chandigarh, the 14th June, 2001.

Endst. No. 13/16/2001-2SII

Dated, Chandigarh, the 14h June, 2001.

A copy is forwarded to the All Chairmen/Managing Directors of various Boards/Corporations in Haryana, for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

L.T.C.

(To be substituted to the letter bearing the same number and date)

No. 13/16/2001-2SII

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments in Haryana.
2. Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions .
3. All Deputy Commissioners in Haryana.
4. Sub Divisional Officers (C) in Haryana.
5. Registrar Punjab and Haryana High Court, Chandigarh.
6. All District & Sessions Judges in Haryana.

Dated Chandigarh, the 14th June, 2001

Subject: Grant of LTC for visiting Home Town and any place in India to the State Govt. employees-entitlement for journeys for the purpose of LTC.

Sir,

I am directed to refer to Haryana Govt. circular letter No. 13/8/84-SII dated the 31st December, 1984, No. 13/10/85-SII, dated the 16th November, 1987 and No. 13/36/87-SII dated 26-4-1989 on the subject mentioned above and to say that the State Government has decided that on the pattern of Central Government, the facility of Home Town LTC and All India LTC to State Government employees as well as the member of All India Services who are serving with State Government may be suspended for a period of two years with immediate effect. Employees who have less than two years service before retirement as on 13th June, 2001 will be exempted from the operation of this decision regarding LTC suspension provided they have not availed the facility in the current block.

2. The above orders shall also apply to AIS officers/ State Government employees on deputation.

3. These orders shall also be applicable to even those employees who have got the sanctions issued before 14-6-2001 and they shall not undertake the journey in pursuance of such sanctions. In case of Govt. servants who have already booked the tickets, the cancellation charges will be reimbursed by the respective Departments/ Offices. The LTC advances already drawn, if any, may be refunded immediately without penal interest.

4. The Govt. servants, who have commenced their outward journey on LTC prior to date of issue of these instructions, have to complete their inward journey as provided in the rules for availing LTC facility.

5. These orders shall apply to all Boards/Corporations/Cooperative Institutions/ Autonomous/ Statutory Bodies partially or fully funded by the State Government.

6. These instructions may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

Endst. No. 13/16/2001-2SII

Dated Chandigarh, the 14th June, 2001

A copy is forwarded to the Accountant General (Accounts), Haryana, Chandigarh for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

A copy is forwarded to all the Financial Commissioners and Administrative Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

To

All the Financial Commissioners and Administrative Secretaries to Government Haryana.

U.O. No. 13/16/2001-2SII

Dated Chandigarh, the 14th June, 2001

A copy each is forwarded to the Principal Secretary/Additional Principal Secretary/OSD/ Senior Secretaries/Secretaries/Private Secretary to Chief Minister/Ministers/ State Ministers/Chief Parliamentary Secretary/Chairman, HBPE/ Deputy Chairman Planning Board/Dy. Chairman, High Powered Committee, 20 Point Programme for the information of Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Chairman, HBPE/Deputy Chairman, Planning Board and Deputy Chairman, High Powered Committee, 20 Point Programme for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

L.T.C.

To

The Principal Secretary/Additional Principal Secretary/OSD/Senior Secretaries/Secretaries/
Private Secretary to Chief Minister/Ministers/ State Ministers/Chief Parliamentary Secretary/
Chairman, HBPE/ Deputy Chairman, Planning Board and Deputy Chairman, High Powered
Committee, 20 Point Programme.

U.O. No. 13/16/2001-2SII

Dated, Chandigarh, the 14th June, 2001.

Endst. No. 13/16/2001-2SII

Dated, Chandigarh, the 14h June, 2001.

A copy is forwarded to the All Chairmen/Managing Directors of various Boards/Corporations
in Haryana, for information and necessary action.

Sd/-

Under Secretary Administration,
for Chief Secretary to Government Haryana.

No. 13/16/2001-2S(II)

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Department in Haryana.
2. Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. Registrar, Punjab and Haryana High Court, Chandigarh
4. All the District & Sessions Judges in Haryana.
5. All the Deputy Commissioners in the Haryana.
6. All the Sub Divisional Officers(C) in Haryana.

Dated, Chandigarh the 20th November, 2003 .

Subject:- Grant of Leave Travel Concession to the officers of the All India Services as well as State Government employees.

Sir,

I am directed to refer to Haryana Government circular letter No. 13/16/2001-2S-II, dated 14th June, 2001 on the subject mentioned above and to say that the matter has been reconsidered by the State Government and it has been decided to restore the facility of L.T.C. to the members of All India Services serving under the State Government at par with Government of India with effect from the current block year i.e. 2002-2005 for any place in India and 2002-2003 for Home Town.

2. The State Government have also decided to restore the facility of L.T.C. (any place in India/ Home Town) for those State Government employees who are going to retire within two years from the date of issue of this letter. The current block year for L.T.C.(any place in India) purpose is 2000-2003 whereas for Home Town L.T.C, it is 2002-2003.

3. These orders shall also apply to officers of All India Services/State Government employees on deputation also.

4. These orders will take effect from the date of issue of this communication.

5. These instructions may be brought to the notice of all concerned for strict compliance.

6. This issues with the concurrence of Finance Department conveyed vide their U.O.No.10/33/97-3PR(FD), dated 17.11.2003.

Yours faithfully,

Sd/-

Special Secretary Political and Services
for Chief Secretary to Government, Haryana.

L.T.C.

Endst.No.13/16/2001-2S-II,

Dated Chandigarh the 20th November, 2003.

A copy is forwarded to the Accountant General (Accounts/Audits) Haryana, Chandigarh for information and necessary action.

Sd/-

Special Secretary Political and Services
for Chief Secretary to Government, Haryana.

Endst.No.13/16/2001-2S-II,

Dated Chandigarh the 20th November, 2003.

A copy is forwarded to all the Administrative Secretaries to Government Haryana, for information and necessary action.

Sd/-

Special Secretary Political and Services
for Chief Secretary to Government, Haryana.

To

All the Administrative Secretaries to Government, Haryana.

U.O.No.13/16/2001-2S-II,

Dated Chandigarh the 20th November, 2003.

A copy each is forwarded to the Principal Secretary/Deputy Principal Secretary-I/Deputy Principal Secretary-II/OSD/ Senior Secretaries/Secretaries/Private Secretary to Chief Minister/ Speaker/ Ministers/ State Ministers/Chief Parliamentary Secretary/Chairman, HBPE/Deputy Chairman, Planning Board/Dy. Chairman, High Powered Committee, 20 Point Programme for the information of Chief Minister/ Speaker/Ministers/State Ministers/Chief Parliamentary Secretary/Chairman, HBPE/Deputy Chairman, Planning Board and Deputy Chairman, High Powered Committee, 20 Point Programme for information and necessary action.

Sd/-

Special Secretary Political and Services
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Deputy Principal Secretary-I/Deputy Principal Secretary-II/OSD/ Senior Secretaries/ Secretaries/ Private Secretaries to Chief Minister/Speaker/Ministers/ State Ministers/Chief Parliamentary Secretary/ Chairman, HBPE/Dy. Chairman, Planning Board and Dy. Chairman. High Powered Committee, 20 Point Programme.

U.O.No.13/16/2001-2S-II,

Dated Chandigarh the 20th November, 2003.

Endst.No.13/16/2001-2S-II,

Dated Chandigarh the 20th November, 2003.

A copy is forwarded to All the Chairmen/Managing Directors of various Boards/Corporation in Haryana for information and necessary action .

Sd/-

Special Secretary Political and Services
for Chief Secretary to Government, Haryana.

No. 13/16/2001-2SII

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Department in Haryana.
2. Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the District & Sessions Judges in Haryana.
5. All the Deputy Commissioners in the Haryana.
6. All the Sub Divisional Officers (C) in Haryana.

Dated, Chandigarh the 7th February, 2006.

Subject :— Grant of Leave Travel Concession to the State Government employees.

Sir,

I am directed to refer to Haryana Government letter No. 13/16/2001-2SII dated 20.11.2003 on the subject mentioned above and to say that State Government have decided to allow LTC facility for those State Government employees who are going to retire, for a further period of two years with effect from 19-11-2005.

2. These instructions may be brought to the notice of all concerned for strict compliance.
3. These orders shall also apply to State Govt. employees on deputation also.
4. This issues with the concurrence of Finance Department conveyed vide their U.O.No. 10/33/93-3PR(FD) dated 6-2-2006.

Yours faithfully,

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

Dated Chandigarh, the 7th February, 2006

Endst. No. 13/16/2001-2SII

A copy is forwarded to the Accountant General (Accounts), Haryana, Chandigarh for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

L.T.C.

A copy is forwarded to all the Administrative Secretaries to Government, Haryana for information and necessary action.

Sd/-
Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

All the Administrative Secretaries to Government, Haryana.

U.O. No. 13/16/2001-2SII

Dated Chandigarh, the 7th February, 2006.

A copy each is forwarded to the Principal Secretary/Additional Principal Secretary-I/II/OSD-I/II/Senior Secretaries/Private Secretary/Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries/Chairman, HBPE/Deputy Chairman, Planning Board/Dy. Chairman, High Powered Committee, 20 Point Programme for the information of Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries/Chairman, HBPE/Deputy Chairman, Planning Board and Deputy Chairman, High Powered Committee, 20 Point Programme for information and necessary action.

Sd/-
Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Additional Principal Secretary-I/II/OSD-I/II/Senior Secretaries/Secretaries/Private Secretaries to Chief Minister/Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries/Chairman, HBPE/Dy. Chairman, Planning Board and Dy. Chairman, High Powered Committee, 20 Point Programme.

U.O.No. 13/16/2001-2SII

Dated Chandigarh, the 7th February, 2006.

Endst. No. 13/16/2001-2SII

Dated Chandigarh, the 7th February, 2006.

A copy is forwarded to the All Chairmen/Managing Directors of various Boards/Corporations in Haryana for information and necessary action.

Sd/-
Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

F. No. 19024/1/E.IV/2005

**Ministry of Finance
(Department of Expenditure)
E.IV Branch**

New Delhi, the 24th March, 2006.

OFFICEMEMORANDUM

Subject :— Air Travel by Government Servants within India.

The existing Instructions on travel by air by Government servants during official visits within India provide that air travel is permissible by the National Carriers viz. Indian Airlines and Air India in ordinary circumstances. Department of Expenditure OM No. 19036/8/95-E.IV dated 4th December, 1997 and OM No. 19036/8/95-99/E.IV dated 20th August, 1999 refer on the matter.

2. Department of Expenditure OM. No. 7(2) E.Cord/2005 dated November 23, 2005 regarding “Budget/Expenditure Management : Economy measures rationalization of expenditure and measures for augmentation of revenues”, Inter alia, provides that :—

“3. The air travel, both domestic and overseas, on official account would now be permissible on airlines other than Air India/Indian Airlines also, provided the criteria for selecting the alternative airline for official travel are based on better and more competitive prices being offered by the other airlines. Various Incentive schemes and concessional fares offered by Air India/Indian Airlines will also be fully utilized to ensure utmost economy in air travel.”

3. The following guidelines are being issued accordingly to take advantage of the increasing competitions and the air travel schemes of various airlines offering significant discounts on normal fares, in order to enable economy in undertaking air travel, without in any way taken away the existing entitlements :—

- (i) The basic criteria for selecting airlines other than Indian Airlines/Air India would be better and more competitive prices being offered by the other airlines.
- (ii) Various incentive schemes and concessional fares offered by India Airlines/Air India will also be fully utilized.
- (iii) Each officer who is undertaking domestic travel by air, within his entitled class, should endeavour to take advantage of the concessions being provided by the airlines, to effect possible savings vis-a-vis the normal fares.
- (iv) Officers should try to make their bookings in advance to the extent possible, so that benefits of discounted fares can be obtained. However, the official work should not be deferred because discounted fares are not available.
- (v) Under no circumstances, should the fare exceed the normal fare of the entitled class offered by Indian Airlines/Air India or their subsidiaries.
- (vi) Individual officers are encouraged to make bookings through the internet. It would require a credit card through which payments can be made. Reimbursement of service

L.T.C.

charge expenses on such credit card would be permissible.

- (vii) Schemes offered by airlines which are co-branded with the credit cards can also be availed. However, this would need one time prior approval of the concerned Financial Adviser/Competent Authority for obtaining and utilizing such credit card.
- (viii) Wherever the officer seeks to utilize the services of travel agents, it should be limited to M/S Balmer Lawrie & Company and M/S Ashok Travels and Tours. The above agencies would also ensure that procurement of tickets is made on best available bargain across all airlines.

4. These guidelines are issued in partial modification of any other existing orders on the subject and would apply to domestic air travel only. The guidelines for air travel abroad will be issued separately.

5. All Ministries/Departments of the Government of India are requested to strictly adhere to these instructions.

(Mahendra Kumar)

Deputy Secretary to the Government of
India.

To

All Ministries/Departments of Govt. of India

No.11022/3/2006-AIS-II

Government of India
Ministry of Personnel, P.G. & Pensions
Department of Personnel & Training.
New Delhi, dated 4th May, 2006.

To

The Chief Secretaries of all the States
and Union Territories.

Subject :— Extension of the facility of LTC by private airlines to All India Service Officers.

Sir,

I am directed to refer to the subject noted above and to say that the matter regarding allowing the journey by private airlines while availing LTC by All India Service officers has been considered in this Department and it is conveyed that the provisions of this Ministry's O.M. No. 31011/2/2006-Estt. (A) dated 24-4-2006 read with Ministry of Finance, Department of Expenditure's O.M. No. 19024/1E.IV/2005 dated 24-3-2006 (copies enclosed) may be extended to these officers.

Yours faithfully
(R.K. Gupta)
Desk Officer

Copy to :—

All Ministries/Departments of Government of India

L.T.C.

No. 31011/2/2006-Estt. (A)

Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

North Block, New Delhi, 24th April 2006

OFFICE MEMORANDUM

Subject :— Regulation of journeys by private airlines while availing Leave Travel Concession.

The undersigned is directed to refer to the Department of Expenditure OM. No. 7 (2)/E.Coord dated 23rd November, 2005 vide which certain measures to budget/expenditure management were issued. One of the measures was to avail the competitive prices and various schemes and concessional fares being offered by private airlines while undertaking official travel. The matter as to whether the journeys by private airlines could be allowed while availing LTC has been considered. It has been decided that the officers entitled to air travel by National Carrier under existing orders may be permitted to travel by private airlines also while availing LTC.

2. It has also been decided that while availing LTC, the air journeys by non-entitled officer (both by national and private airlines) between places connected by train may be allowed, provided the reimbursement of the fare would be restricted to the entitled class by rail other than Rajdhani/Shatabdi Express. They are also required to produce the air-ticket/boarding pass and a receipt from the concerned airlines showing the fare paid by the concerned officers, if the ticket does not indicate the airfare, while claiming reimbursement of LTC.

3. The above concession is further subject to the following conditions :—

- (i) Conditions laid down in Department of Expenditure OM.No. 19024/1/E.IV/2005 dated 24.03.2006 (copy enclosed) regarding air travel by Government servants within India during official visits would be applicable in case of LTC, mutatis-mutandis.
- (ii) In case the cost paid for an air ticket (in view of promotional schemes of private airlines) is less than the train fare by the entitled class, the reimbursement by the Government will be limited to the actual air fare or entitled train fare whichever is less.

4. In their application to the staff serving in the Indian Audit and Accounts Department, these orders issue after consultation with the Comptroller and Auditor General of India.

5. This issues in consultation with Ministry of Finance (Department of Expenditure) vide their ID No. 145/E.IV/05 dated 12.04.2006.

(C.A. Subramanian)
Deputy Secretary to the Government of India

To

All Ministries/Departments of the Government of India.

No. 13/20/97-2SII

From

The Chief Secretary to Government, Haryana.

To

1. All the Administrative Secretaries to Govt. Haryana.
2. All the Heads of Department in Haryana.
3. Commissioners, Ambala, Hisar, Rohtak and Gurgaon Divisions.
4. All the Deputy Commissioners and Sub Divisional Officers (Civil) Haryana.
5. MDs/C. As of All Boards/Corporations in Haryana.

Dated Chandigarh, the 7th July, 2006

Subject :— Extension of the facility of LTC by private airlines.

Sir,

I am directed to refer to the subject noted above and to say that Government of India. Ministry of Personnel, Public Grievances and Pension Department of Personnel and Training vide their letter No. 11022/3/2006-AIS-II, dated 4th May, 2006 (copy enclosed) has decided to adopt the extension of the LTC facility by private airlines to those All India Service Officers who are entitled to travel by National Carrier under existing order.

2. The State Government have decided to adopt the provisions of LTC as contained in the Govt. of India letters Ministry's OM No. 31011/22006-Estt. (A) dated 24-4-2006 read with Ministry of Finance Department of expenditure's OM No. 1924/1/EIV/2005, dated 24-4-2006 and to extend it to AIS officers serving in connection with the affairs of Haryana.

3. The State Government has also decided to extend this facility to State Government officers as per their entitlement to travel by private airlines at a cheaper rate.

4. This issues with the concurrence of Finance Department conveyed vide their U.O. No. 5/27/98-IFR, dated 5th June, 2006.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to the Financial Commissioner & Principal Secretary to Government, Haryana, Finance Department for information with reference to their letter U.O. No., 5/27/98-1FR, dated 5th June, 2006.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Financial Commissioner & Principal Secretary
to Government, Haryana, Finance Department

U.O.No. 13/20/97-2SII,

Dated Chandigarh, the 7th July, 2006.

L.T.C.

No. 13/16/2001-2SII

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Department in Haryana.
2. Commissioner, Amabala, Hisar, Rohtak and Gurgaon Division.
3. Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the District and Sessions Judges in Haryana.
5. All the Deputy Commissioners in the Haryana.
6. All the Sub Divisional Officer (Civil) in Haryana.

Dated Chandigarh, the 8th September, 2006

Subject :— Grant of LTC to the State Government Employees

Sir,

I am directed to refer to Haryana Government letter No. 13/16/2001-2SII, dated 7-2-2006 on the subject mentioned above and to say that State Government have decided to extend the LTC facility for Haryana Government Employees who are retiring before or on 30-11-2007.

These instructions may be brought to the notice of all concerned for strict compliance.

This issues with the concurrence of Finance Department conveyed vide their U.O. No. 10/33/93-3PR(FD), dated 24-8-2006.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

Endst. No. 13/16/2001-2SII

Dated Chandigarh the 8th September 2006

A copy is forwarded to the Accountant General (Accounts) Haryana Chandigarh for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to All the Administrative Secretaries to Government Haryana for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters — Vol. IX

To

All the Administrative Secretaries to Government, Haryana.

Endst. No. 13/16/2001-2SII

Dated Chandigarh the 8th September, 2006

A copy, each is forwarded to the Principal Secretary/Additional Principal Secretary-I/II/ OSD-I/II Senior Secretaries/Private Secretary/Chief Minister/ Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries/Chairman, HBPE/Deputy Chairman Planning Board/ Dy. Chairman, High Power Committee, 20 point programme for the information of Chief Minister/ Ministers/State Ministers/Chief Parliamentary Secretary/Parliamentary Secretaries/Chairman HBPE/ Deputy Chairman, Planning Board and Deputy Chairman, High Powered Committee, 20 Point Programme for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Additional Principal Secretary -I/II OSD-I/II Senior Secretaries/Private Secretary/Chief Minister/State Ministers/Chief Parliamentary Secretary/ Parliamentary Secretaries/Chairman, HBPE/Deputy Chairman Planning Board/Dy. Chairman, High Power Committee, 20 point programme.

U.O.No. No.13/16/01-2SII

Dated Chandigarh the 8th September, 2006.

Endst. No. No. 13/16/01-2SII

Dated Chandigarh the 8th September, 2006.

A copy is forwarded to the All Chairman/Managing Directors of various Boards/Corporations in Haryana for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

L.T.C.

No. 13/16/2001-2SII

From

The Chief Secretary to Government, Haryana.

To

1. Registrar, Punjab and Haryana High Court, Chandigarh.
2. All the District and Sessions Judges in Haryana.

Dated Chandigarh, the 31st October, 2006

Subject :— Grant of Leave Travel Concession for visiting any place in India to the Judicial Officers in Haryana.

Sir,

I am directed to refer to Haryana Government letter No. 13/16/2001-2SII, dated 8-9-2006 on the subject mentioned above and to say that State Government have decided to modify the existing instructions on the subject of grant of LTC/HTC applicable to Haryana Government employees for the Judicial Officers in the State as under :—

1. The LTC shall be provided to all Judicial Officers working in Haryana State.
 - a) Once in four years to any place in India ;
 - b) For entitlement of first LTC one must have put in not less then 5 years of continuous service ;
 - c) No LTC shall be allowed with in one year before retirement.
2. HTC : All Judicial Officers shall be provided HTC once in two years.
3. The entitlement for the journeys would be according to the Rules in the State.
4. The Judicial Officers will not be entitlement to cash payment in lieu of LTC.
5. LTC will not be carried forward beyond retirement.
6. The Block year for visiting any place in India is 2004-2005 (already elapsed) and 2006-2007.

This issues with the concurrence of Finance Department conveyed vide their U.O.No.8/11/06-3PR(FD), dated 9-10-2006.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

Endst. No.13/16/2001-2SII

Dated Chandigarh the 31st October, 2006.

A copy is forwarded to the Accountant General (Accounts) Haryana Chandigarh for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to the Chief Secretary to Government, Haryana, Personnel Department (In Services III Branch) with reference to his proposal/Note dated 24-8-2006 for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Chief Secretary to Government, Haryana,
Personnel Department (In Services III Branch)

U.O. No. 13/16/2001-2SII

Dated Chandigarh the 31st October, 2006.

A copy is forwarded to the Financial Commissioner & Principal Secretary to Government, Haryana, Administration of Justice Department for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Financial Commissioner & Principal Secretary to Government,
Haryana, Administration of Justice Department.

U.O.No.13/16/20012SIII

Dated Chandigarh the 31st October, 2006.

A copy is forwarded to the Financial Commissioner & Principal Secretary to Government, Haryana, Finance Department with reference to his U.O. No. 8/11/06-3PR (FD) dated 9-10-2006 for information.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Financial Commissioner & Principal Secretary to Government,
Haryana, Finance Department, (In Pay Revision Branch)

U.O.No. 13/16/20012SII,

Dated Chandigarh the 31st October,2006.

L.T.C.

No. 13/16/2001-2SIII

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Department in Haryana
2. Commissioner, Ambala, Hisar, Rohtak and Gurgaon Divisions.
3. Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the District and Sessions Judges in Haryana.
5. All the Deputy Commissioners in the Haryana
6. All the Sub Divisional Officer (Civil) in Haryana.

Dated Chandigarh, the 5th April 2007.

Subject :— **Grant of LTC to the State Government Employees.**

Sir,

I am directed to refer to Haryana Government letter No. 13/16/2001-2SII, dated 8-9-2006 on the subject mentioned above and to say that the matter has been reconsidered by the Government and it has been decided to restore the facility of L.T.C. to the all State Government employees from the current block year 2004-2007 any place in India and 2006-07 for Home Town on the usual terms and conditions contained in Haryana Government letter No. 13/8/84-SII, dated the 31st December, 1984 and instructions issued subsequently from time to time in this regard.

2. These orders will take effect from the date of issue of this communication.
3. These instructions may be brought to the notice of all concerned for strict compliance.
4. This issues with the concurrence of Finance Department conveyed vide their U.O. No. 10/33/97-3PR(FD), dated 2-4-2007

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

Endst.No. 13/16/2001-2SII

Dated Chandigarh the 5th April, 2007

A copy is forwarded to the Accountant General (Accounts) Haryana Chandigarh for information and necessary action.

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to all the Administrative Secretaries to Government, Haryana for information and necessary action.

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

All the Administrative Secretaries to Government, Haryana.

Endst. No. No. 13/16/20012SII

Dated Chandigarh the 5th April, 2007

A copy each is forwarded to the Principal Secretary/Additional Principal Secretary-I/ Additional Principal Secretary-II/OSD-I/OSD-II/ Senior Secretaries /Secretaries/ Private Secretaries to Chief Minister/Deputy Chief Minister/Speaker/Ministers for the information of Chief Minister/Deputy Chief Ministers/Speaker/Ministers.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/ Additional Principal Secretary-I/Additional Principal Secretary-II/ OSD-I/OSD-II/Senior Secretaries/Sekretaries/Private Secretaries to Chief Minister/Deputy Chief Minister/Speaker/Ministers.

U.O.No. No. 13/16/2001-2SII

Dated Chandigarh the 5th April, 2007

Endst. No. No. 13/16/2001-2SII

Dated Chandigarh the 5th April, 2007

A copy is forwarded to the All Chairman/Managing Directors of various Boards/Corporations in Haryana for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

L.T.C.

No. 13/07/2007-2SII

From

The Chief Secretary to Government, Haryana

To

1. All the Heads of Department in Haryana
2. Commissioner, Ambala, Hisar, Rohtak and Gurgaon Divisions.
3. Registrar, Punjab and Haryana High Court, Chandigarh.
4. All the District and Sessions Judges in Haryana.
5. All the Deputy Commissioners in the Haryana
6. All the Sub Divisional Officer (Civil) in Haryana.

Dated Chandigarh, the 17th January, 2008.

Subject :— Grant of Leave Travel Concession facility to the attendant of 100% disable person Government employee.

Sir,

I am directed to refer on the subject noted above and to say that State Government has adopted Leave Travel Concession policy on the pattern of the Government of India Policy of 1991 as per O.M. No. 31011/4/91-Estt. (A), dated 09-07-1991 (copy enclosed), where a single handicapped employee can be accompanied by one escort with the prior approval of the Head Department.

2. These instructions may be brought to the notice of all concerned for strict compliance.
3. This issues with the concurrence of Finance of Finance Department conveyed vide their U.O. No. 10/33/97-3PR(F.D.), dated 3-1-2008

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

Endst. No. 13/07/2007-2SII

Dated Chandigarh the 17th January, 2008.

A copy is forwarded to the Accountant General (Accounts) Haryana Chandigarh for information and necessary action.

Sd/-

Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

Compendium of Instructions — Miscellaneous Matters— Vol. IX

A copy is forwarded to all the Administrative Secretaries to Government, Haryana for information and necessary action.

Sd/-
Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

All the Administrative Secretaries to Government, Haryana.

Endst. No. 13/07/2007-2SII

Dated Chandigarh the 17th January, 2008.

A copy, each, is forwarded to the Principal Secretary/Additional Principal Secretary-I/Additional Principal Secretary/Additional Principal Secretary-II/OSD-I/OSD-II/Sr Secretaries/Secretaries/Private Secretaries to Chief Minister/Deputy Chief Minister/Speaker/Ministers for the information of Chief Minister/Deputy Chief Minister/Speaker/Ministers.

Sd/-
Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

To

The Principal Secretary/Additional Principal Secretary-I/Additional Principal Secretary/Additional Principal Secretary-II/OSD-I/OSD-II Sr. Secretaries / Secretaries/Private Secretaries to Chief Minister/Deputy Chief Minister/Speaker/Ministers.

U.O. No. 13/07/2007-2SII

Dated Chandigarh the 17th January, 2008.

Endst. No. 13/07/2007-2SII

Dated Chandigarh the 17th January, 2008.

A copy is forwarded to the all the Chairman/Managing Directors of Boards/Corporations in Haryana for information and necessary action.

Sd/-
Under Secretary, Administration,
for Chief Secretary to Government, Haryana.

L.T.C.

No.13/19/2008-2SII

From

The Chief Secretary to Government, Haryana.

To

1. All the Financial Commissioners & Principal Secretaries and Commissioners & Secretaries to Government, Haryana.
2. All the Heads of Departments in Haryana.
3. Commissioner, Ambala, Hisar, Rohtak and Gurgaon Division.
4. All the Deputy Commissioners/Sub Divisional Officers(C) in Haryana.

Dated Chandigarh, the 5th February, 2009

Subject:— New Scheme of leave travel concession for visiting Home Town and any place in India for the State Government employees.

I am directed to refer to Haryana Government letter No. 13/16/2001-2SII, dated 5th April, 2007 on the subject mentioned above and to say that till now the facility of leave travel concession for visiting Home Town and any place in India is available to the State Government employees on the pattern laid down by the Government of India with the conditions mentioned- in the State Government letter No. 13/8/84-SII, dated 31-12-1984 and instructions issued subsequently from time to time in this regard.

2. Now the State Government has revised the pay scales of the State Government employees with effect from 1.1.2006. With a view to liberalise the policy of leave travel concession for visiting Home Town and any place in India, the matter has been further considered by the Government and it has been decided that one month's salary would be admissible to the State Government employees in a block of four years, in lieu of L TC/HTC facility. The first block of four years for this purpose shall be 2008-2011 (1.1.2008 to 31.12.2011) and the next blocks of four years for this purpose shall be 2012-2015, 2016-2019, 2020-2023 and so on.

3. The employees who have availed L TC/HTC facility during the current block of four years 2008-2011 shall not be entitled to one month's salary during this block year. These instructions may be brought to the notice of all concerned.

4. This issues with the concurrence of Finance Department conveyed vide their U.O.No. 10/33/97-3PR(FD), dated 5-2-2009.

Yours faithfully,

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

Endst. No. 13/19/2008-2SII

Dated, Chandigarh, the 5th February, 2009

A copy is forwarded to the Accountant General (A&E)/Audit) Haryana, Chandigarh for information.

Sd/-

Deputy Secretary Administration,
for Chief Secretary to Government, Haryana.

No. 13/19/2008-2SII

From

The Chief Secretary to Government, Haryana.

To

1. All the Administrative Secretaries to the Government of Haryana.
2. Registrar Punjab and Haryana High Court, Chandigarh.
3. All the Divisional Commissioners in Haryana.
4. All the Heads of Departments in Haryana.
5. All the Deputy Commissioner in Haryana.
6. All the Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh the 18th May, 2009.

Subject: New scheme regulating Leave Travel Concession (LTC) for visiting Home Town and any place in India for the State Government Employees.

Sir,

I am directed to invite a reference to the Haryana Government letter No. 13/19/2008-2SII, dated 5.2.2009 on the subject noted above and to say that certain clarifications have been sought regarding the meaning of salary, admissibility of the scheme to both wife and husband (if both of them are serving) etc. In this regard, it is clarified that:

- (i) In lieu of the part of expenditure shared by the Government on LTC facility availed by the eligible employee so far, now onward he/she shall be entitled to draw the 'entitled amount' as lump sum assistance once in the block of four years as declared by the Government of Haryana as the block regulating the LTC or, as the case may be, once in a block of four years as applicable on the claimant:

Provided that the employees, who have availed the benefit of LTC in the current block under the pre-existing scheme, shall not be entitled to the benefit of this scheme for the balance period of the current block.

Note: The current block as declared by the Government of Haryana happens to be 2008-2011 (1.1.2008 to 31.12.2011) and the subsequent blocks shall be 2012-2015; 2016-2019; 2020-2023; and so on.

- (ii) The entitled amount as on the date of its withdrawal and disbursement shall, with reference to the said eligible employee, be quantified in the following manner:

"When the concerned employee is drawing his emoluments in the 'revised pay structure' under Haryana Civil Services (Revised Pay) Rules, 2008 or, as the case may be, under Haryana Civil Services (Assured Career Progression) Rules, 2008 - [an amount equal to "the pay in the Pay Band + the applicable Grade Pay + admissible Dearness Allowance

(D.A.) thereupon"] and when the concerned employee is drawing his emoluments in the 'pre-revised pay structure' under Haryana Civil Services (Revised Pay) Rules, 1998 or, as the case may be, under Haryana Civil Services (Assured Career Progression) Rules, 1998 or when the employee is yet to be brought over to the revised pay structure - [an amount equal to 'the basic pay + the dearness pay, if any, in the respective pre-revised scale of Pay + admissible Dearness Allowance (D.A.) thereupon']".

- (iii) LTC being a family allowance, when both the spouses are working in organisations offering the facility of LTC, only one of the spouse shall be entitled to draw the benefit of LTC. Accordingly before the claim to draw the 'entitled amount' in terms of this instruction is made, the concerned government servant, claiming the benefit under the scheme, shall submit an undertaking that his/her entitled family members, including the spouse, when in service of Government of Haryana, shall not avail the benefit promised by the scheme separately or when in employment under the Central Government or any other State Government or under any other organization/institution/body, etc, wholly or substantially owned or controlled by the Central Government or any State Government shall not avail of the facilities of LTC from their employer in whatever form it is extended to him/her by their respective employer. Such an undertaking must be countersigned by the spouse of the concerned government employee. Alternatively, the concerned government servant shall submit an undertaking that the provisions of this para is not attracted in his/her case as none of his/her entitled family members, including the spouse, is either in service of Government of Haryana or in service under the Central Government or any other State Government or under any other organisation/institution/body, etc. wholly or substantially owned or controlled by the Central Government or any State Government.
 - (iv) For the purposes of this instruction, 'Family' would mean a lawfully acknowledged family and any voluntary or even otherwise acknowledged separation, etc, would not change the intent till such time as the marriage finally dissolves in terms of law.
 - (v) The authority competent to authorise withdrawal and-disbursal of Pay to the concerned employee shall also be competent to sanction withdrawal and disbursal of the 'entitled amount' in his/her case. An entry of such withdrawal and disbursal must be made in the service book of the concerned employee and must also be made in the Last Pay Drawn Certificate (LPC) issued on transfer.
 - (vi) The 'entitled amount' shall be debitible on the object head: '70 -Leave Travel Concession' under the scheme/sub scheme to which the Pay and Allowances of the concerned employee is debited.
 - (vii) This being an allowance, no arrears would be admissible even when the pay is revised from a retrospective date.
- 2. If any question/doubt arises as to the interpretation of these instructions, it shall be referred to the office of Chief Secretary, Haryana for decision/clarification.
 - 3. These clarifications will be effective with effect from 5.2.2009 in all the case
 - 4. These instructions should be brought to the notice of all concerned for strict compliance.

5. This issues with the concurrence of Finance Department conveyed vide their D.O. No. 4/8/2009-5FR, dated 8.5.2009.

Yours faithfully,

Sd/-

Deputy Secretary Administration,
for the Chief Secretary to the Government of Haryana.

Endst. No. 13/19/2008-2SII

Dated Chandigarh, the 18th May, 2009

A copy is forwarded to the Accountant General (A&E/ Audit), Haryana for information and necessary action.

Sd/-

Deputy Secretary Administration,
for the Chief Secretary to the Government of Haryana.

L.T.C.

UNDERTAKING

[under para I(iii) of instruction in memo No. 13/19/2008-2SII dated 18.5.2009]. It is hereby undertaken that:

- (a) I am eligible to draw the benefit promised by the scheme put in place vide memo: 13/19/2008-2SII dated 18.5.2009.
- (b) My entitled family members, including the spouse, who is in the employment of Government of Haryana, and who is also eligible to draw the benefit promised by the scheme put in place vide memo No. 13/19/2008-2SII dated 18.5.2009 shall not avail the benefit promised by the scheme put in place vide memo No. 13/19/2008-2SII dated 18.5.2009 separately for the current block of four years regulating the LTC.

or

My entitled family members, including the spouse, who is in the employment under the Central Government or any other State Government or under any other organisation/institution/body, etc. wholly or substantially owned or controlled by the Central Government or any State Government shall not avail of the facilities of LTC from their employer in whatever form it is extended to him/her by their such respective employer.

Name/designation/signature of the concerned employee

Countersigned

Name/designation/signature of the spouse of the concerned employee.

[Strike off whatever portion is not applicable]

UNDERTAKING

[under para 1(iii) of instruction in memo No. 13/19/2008-2SII dated 18.5.2009] .

It is hereby undertaken that :

1. I am eligible to draw the benefit promised by the scheme put in place vide memo: 13/19/2008-2SII dated 18.5.2009.
2. None amongst my entitled family members, including the spouse, is either in service of Government of Haryana or in service under the Central Government or any other State Government or under any other organization/institution/body, etc., wholly or substantially owned or controlled by the Central Government or any State Government.

Name/designation/signature of the concerned employee.

Countersigned

[Strike off whatever portion is not applicable]

L.T.C.

No. 13/7/2009-2SII

From

The Chief Secretary to Government of Haryana.

1. All the Administrative Secretaries to the Government of Haryana.
2. Registrar (General), the High Court of Punjab & Haryana.
3. All the Divisional Commissioners in Haryana.
4. All the Heads of Departments in Haryana.
5. All the Deputy Commissioners in Haryana.
6. All the Sub Divisional Officers (Civil) in Haryana.

Dated Chandigarh, the 19th June, 2009

Subject:— Regulating the facility of LTC to All India Services (AIS) officers working in connection with the affairs of the Government of State of Haryana - Instructions regarding.

Sir,

I am directed to refer to the subject noted above and to say that on a careful consideration it has now been decided to direct that the Leave Travel Concession (LTC) admissible to the eligible members of AIS (MoS) working in connection with the affairs of Government of Haryana shall henceforth be regulated in the manner as given below:

- (i) The facility of LTC for any MoS shall, in default, be regulated in the same manner, and subject to the same conditions, as are applicable to the officers of the State Civil Services notified separately vide letter No. 13/19/2008-2S11 dated 18th May, 2009 (Haryana Scheme);

Provided that the block as declared by the Government of India shall be the relevant block of four years for the purposes of the said scheme as well in so far as the applicability of the scheme on the MoS is concerned and the same happens to be 2006-2009 (1.1.2006 to 31.12.2009) and the subsequent blocks shall be 2010-2013; 2014-2017; 2018-2021; and so on

Provided further that the MoS, who have availed the benefit of LTC in the current block under either of the pre-existing schemes, shall not be entitled to the benefit of any scheme of LTC for the balance period of the current block.

- (ii) Alternatively a MoS can also avail the concession available to a member of the Service serving in connection with the affairs of the Union (GOI Scheme) should he find the Haryana Scheme to be inferior to the GOI Scheme. But to avail of the benefit under this para, the MoS shall have to make a positive by choice to be governed under GOI Scheme by furnishing option to this effect within one month of the respective block of four years coming into force for all subsequent blocks or, as the case may be, within one month from the date of issue of this order;

Providing that the option shall be exercised in Writing in the from append to this order so as to reach the respective cadre controlling authority within the State Government within the said one month;

Provided further that in case of MoS who is, on the date of issue of this order or, as the case may be, on the date the respective block coming into force, on leave or on deputation or on foreign service, the said one month shall count from the date of his taking charge of his post in the Government of Haryana or at the expiry of sanctioned leave, whichever is earlier;

Provided yet further that where the MoS is under suspension on the date of issue of this order or, as the case may be, on the date the respective block coming into force the said one month shall count from the date of return to his duty.

- (iii) If the intimation regarding option is received within the time frame and in the manner as specified in clause (ii) above, the MoS shall be deemed to have elected to be regulated under the Haryana Scheme.
- (iv) The option under clause (ii) once exercised or, as the case may be, deemed to have been exercised, shall be final.
- (v) In all such cases, where within the respective block of four years, a MoS has worked at places other than in connection with the affairs of Government of Haryana and has availed the benefit under any scheme(s) offered by the said 'other employer' in the nature of LTC, no benefit of LTC under the Government of Haryana shall be admissible to him for such of the respective block.
- (vi) Whenever a claim of LTC reimbursement/grant is made by a MoS, it must be accompanied with a self certified undertaking revealing the gist/implication of the undertaking furnished in terms of clause (ii) above and that the MoS is eligible to seek the benefit sought for in addition to all other undertakings that may be required in this regard otherwise.
- (vii) LTC being a family allowance, when both the spouses are working in organizations offering the facility of LTC, only one of the spouses shall be entitled to draw the benefit of LTC. Accordingly before the claim to draw the 'entitled amount' in terms of this instruction is made, the MoS, claiming the benefit, shall submit an undertaking that his/her entitled family members, including the spouse, when in service of Government of Haryana, shall not avail the benefit promised by the scheme separately or when in employment under the Central Government or any other State Government or under any other organization/institution/body, etc. wholly or substantially owned or controlled by the Central Government or any State Government shall not avail of the facilities of LTC from their employer in whatever form it is extended to him/her by their respective employer. Such an undertaking must be countersigned by the spouse of the concerned MoS. Alternatively, the concerned MoS shall submit an undertaking that the provisions of this para is not attracted in his/her case as none of his/her entitled family members, including the spouse, is either in service of Government of Haryana or in service under the Central Government or any other State Government or under any other organization institution/body, etc., wholly or substantially owned or controlled by the Central Government or any State Government.
- (viii) For the purpose of this instruction, 'Family' would mean a lawfully acknowledged family and any voluntary or even otherwise acknowledged separation, etc, would not change the intent till such time as the marriage finally dissolves in terms of law.

2. If any question/doubt arises as to the interpretation of these instructions, it shall be referred to the office of Chief Secretary, Haryana for decision/clarification.

L.T.C.

3. This issues with the concurrence of Finance Department conveyed vide their U.O. No 5/16/2009-4FR, dated 4.6.2009.
4. These instructions should be brought to the notice of all concerned for strict compliance.

Yours faithfully,
Sd/-
Deputy Secretary, Administration.
for chief Secretary to Government of Haryana.

Endst.13/7/2009-2SII

Dated Chandigarh, the 19th June, 2009

A copy is forwarded to the Accountant General (A&E/ Audit), Haryana for information and necessary action at their end.

Sd/-
Deputy Secretary, Administration
for Chief Secretary to Government of Haryana.

UNDERTAKING

I, _____, hereby elect to avail the concession of LTC afforded to a member of the Service serving in connection with the affairs of the Union (GOI Scheme) finding the concession of LTC available to the officers of the State Civil Services, Class I in Haryana (Haryana Scheme) to be inferior to it.

Exercise of this option is confined to the current block of four as applicable on the Member of All India Service.

Signature

Name:

Designation:

Office to which employed:

Date:

Station:

UNDERTAKING

[under para 1(vii) of instruction in Memo No. 13/7/2009-2SII ,dated 19th June, 2009] It is hereby undertaken that:

- (a) I am eligible to draw the benefit promised by the scheme put in place vide Memo No. 1317/2009-2SII ,dated 19th June, 2009
- (b) My entitled family members, including the spouse, who is employed as with—— (Government/Public Sector Office/Organisation and who is also eligible to draw the benefit promised by the scheme put in place vide Memo No. 13/7/2009-2SII, dated 19th June, 2009 shall not avail the benefit promised by the scheme put in place vide Memo No. 13/7/2009-2SII ,dated 19th June, 2009 separately for the current block of four years regulating the LTC.

or

My entitled family members, including the spouse, who is in the employment under the Central Government or any other State Government or under any other organization/institution/body, etc. wholly or substantially owned or controlled by the Central Government or any State Government shall not avail of the facilities of LTC from their employer in whatever form it is extended to him/her by their such respective employer.

Name/designation/signature of the
concerned employee

Countersigned

Name /designation/Signature of the spouse of the concerned employee

(Strike off Whatever portion is not applicable)

VIII

CHANGE OF NAME

**Copy of office Memorandum No. 60-(274) 48-Ests, dated the 3rd November, 1948, from the
Ministry of Home Affairs, New Delhi to all Ministers of Government of India etc.**

Subject :—Procedure for a change of name by Government servants.

The undersigned is directed to say that the Minister of Home Affairs receive from time to time references from other Ministries and officers asking for advice as to the procedure to be followed in according recognition to a bonafide change of name by Government servants As the position in this respect is not too clear at present, the following procedure for the purpose has been decided upon in consultation with the Ministry of Law and may be noted for future guidance.

2. A Government servant wishing to adopt a new name or to affect any modification in his existing name should be asked to adopt the change formally by a deed changing his name. In order that the execution of the document may not be in doubt it is desirable that it should be attested by two witnesses preferably those known to the head of the Department in which the Government servant is serving. A sample deed form is enclosed herewith for reference. The execution of the deed should be followed by publication of the change in a prominent local newspaper as well as the Gazette of India publication being undertaken by the Government servant at his own expenses in both cases. For the publication of the advertisement in the Gazette of India, Government servant should be directed to approach Publication Branch, Civil Lines, Delhi.

3. It is only after the formalities described in the foregoing paragraph have been complied with and satisfactory evidence of identify and execution of the document adduced by the Government servant that the adoption of the new name or change in the existing name should be recognised officially and entries in Government records so far as may be necessary being extended accordingly. The copies of the relevant documents should be retained by the Head of the Office concerned.

Deed of changing a Surname

By this deed the undersigned A B. C. (new name) of etc. now lately called A C. (old name) employed as (designation of the post held at the time by the Government servant concerned).

(Place where employed) do hereby

1. For and behalf of myself and my wife and children and remoter issue wholly renounce, relinquish and abandon the use of my former surname of C. (only) and in place thereof do assume from the date thereof the surname of B. C. and so that I and my wife and Children and remoter issue may hereafter be called, known and distinguished not by my former surname of S. C. (only) but by assumed surname of B. C.

2. For the purpose of evidencing such my determination declare that I shall at all times hereafter in all records, deed and writings and in all proceedings dealings and transactions as well private as public and upon all occasions whatsoever use and sign the name of B and C. my surname in place of and substitution for my former surname of C (only).

3. Expressly authorise and request all persons at all times hereafter to designate and address me and my wife and children and remoter issue by such assumed surname of B. e. accordingly.

In witness where of I have hereto subscribed my former and adopted names of A. e. and AB.C. and affixed my seal this day _____ of _____ Signed sealed and delivered by the above A C. name AB.C. formerly AC. in the presence of B.C.

Copy of letter No. 12662-HM-52/34401, dated the 18th December, 1952, from the Home Secretary to Govt. Punjab to all Heads of Departments etc., etc.

Subject :—Procedure for a change of name by Government servant.

I am directed to address you on the subject noted above and to enclose a copy of Memorandum No. 60(274)-48 --Ests., dated the 3rd November, 1948, from the Government of India, Ministry of Home Affairs, together with a copy of its enclosures and to say that the procedure laid down therein should be followed for the change of names by Government servants. The execution of the deed referred to therein should be followed by publication of change in a prominent newspaper as well as the Punjab Government Gazette, such publication being undertaken by a Government servants at his own expense in both cases. As regards the publication in the official gazette, Government servants intending to change their names should be directed to approach the Controller of Printing and Stationery, Punjab who will arrange for necessary publication on payment.

Copy of letter No. 8971-H.R.-54/66421, dated 2nd November, 1954 from the Home Secretary to Government Punjab, to the Chief Conservator of Forests, Punjab, Simla.

Subject :—Procedure for a change of name by Government servant.

I am directed to invite a reference to your Memo No. 3442/199, dated the 19th October, 1954, on the subject noted above and to say that the official recognition to the change in name of a Government servant is to be given by the Government in the Administrative Department concerned after the formalities laid down in the Punjab Government letter No. 12662--HM-52/3440 1, dated the 16th December, 1952 have been complied with.

No. 6071-HM-54/66422, dated Simla-2, the 2nd November, 1954.

Copy forwarded to all Heads of Departments and High Court (except the Chief Conservator of Forests, Punjab) Commissioners of Divisions, Deputy Commissioners and District Sessions Judges in the Punjab for information and guidance in continuation of the Punjab Government letter No. 12662-HM-52/34401, dated the 18th December, 1952.

By order
(Sd).....
SUPERINTENDNT
for Chief Secretary Government, Punjab

Copy of Circular letter No. 14195-4 GS-61/42457, dated the 28th November, 1961 from the Chief Secretary to Government Punjab, to all Heads of Departments etc., etc.

Subject :—Deletion of religion, caste, etc. from all Government records.

I am directed to address you on the subject noted above and to inform you that the question of omitting from all Government records including application forms of Punjab Public Service Commission, Subordinate Services Selection Board and Employment Exchanges as also of Schools, Colleges and Institutions technical and non-technical gradation lists, etc. any mention about religion, namely Hindu, Sikh, Christian, Muslim etc. as also of caste/sub-caste has been considered by Government. In the interests of national integration it has been decided that all entries relating to religion caste or sub-caste should be omitted from all Government records with effect from 1st January, 1962. In Order, however, to ensure that no complications arise at a latter stage in the case of persons having the same name in the cadre of the same service, the practice of adding figures 1, 2, 3, and so on against their names should be introduced.

2. Exceptions (1) In the case of persons belonging to Scheduled Castes/Scheduled Tribes and other Backward Classes, it will however, be necessary to mention their castes in the application forms for the reason that they are entitled to certain specified privileges in matters of recruitment to Government service and for admission into schools and colleges. This practice will of course continue till such time as such reservation are allowed to members of these caste and classes.

3. Where a caste of sub-caste is part of the regular name of a person and he or his family calls himself by this, it may of course be included as his name or part of it.

4. As these instructions will come into operation with effect from 1st January, 1962, I am to request you to make arrangements to ensure that in gradation list to be published for the next year and in all other records, applications forms etc. the use of religion, caste and sub caste is omitted except where it is necessary in the case of scheduled castes etc.

5. The receipt of this letter should be acknowledged.

Copy of Circular letter No. 10839-4GS-62/26792, dated the 20th August, 1962 from Sardar Gyan Singh Kahlon, ICS, Chief Secretary to Government Punjab, to all Heads of Departments etc., etc.

Subject :—Deletion of religion, caste, etc., from all Government records.

I am directed to invite a reference to Punjab Government Circular letter No. 14195-4GS-61/42457, dated the 28th November, 1961, on the subject noted above and to say that in partial modification of the instructions contained therein it has been decided to delete Exception (1) appearing in para 2. In the case of persons belonging to Scheduled Castes/ Scheduled Tribes and other Backward Classes, where special reservations have been made according to the Constitution of India in matters of recruitment to Government service and for admission into Schools and Colleges, however, they may be asked to give special certificate along with applications.

Copy of Circular letter No. 16670-7GS-62/3024, dated the 25th January, 1963, from Sh. Saroop Krishan, I.C.S., Financial Commissioner Planning and, Additional Chief Secretary to Government, Punjab, to all Heads of Departments, etc., etc.

Subject :—Use of the term “Government Servant”-’instructions regarding.

I am directed to address you on the subject noted above and to say that the question regarding the desirability of the use of the term “Government Servant” in official correspondence has been considered by the Government and it has been decided that this term is not in consonance with a democratic social pattern and should, as far as practicable, be substituted by the term “Government employee” in all official correspondence.

2. It has also been decided to discourage the use of terms like “master” and “servant” which should as far as possible be replaced by the terms “employer” and “employee” in official correspondence, reports etc.
3. It is requested that the above instructions may be brought to the notice of all concerned for compliance.
4. The receipt of this letter may please be acknowledged.

No. 19016/1/87-Estt. (A)

Government of India
Ministry of Personnel, Public Grievances & Pensions.
Department of Personnel & Training

New Delhi-1, dated the 12th March, 1987

OFFICEMEMORANDUM

Subject :— Change of name by Government employees- Procedure for.

The Ministry of Home Affairs O.M. No. 60/274-48/Estts., dated 3rd November, 1948 as amended vide O.M.No. 87/52-Estt., dated 24th March, 1952 lays down the procedure for a change of name by Government employees. The Government recently had the occasion to review these instructions in the light of experience in certain cases. It was found that the instructions are incomplete in so far as they do not cover certain situations. It has, therefore, been decided to adopt the following procedure in supersession of all previous orders on the subject :—

I. All cases of addition/deletion or change in name/surname :

- (i) A Government employee wishing to adopt a new name or to effect any modification in his/her existing name may do so, formally by a deed changing his/her name. The sample deed form is enclosed.
- (ii) The execution of the deed should be followed by publication of the change in a prominent local newspaper as well as in the Gazette of India at the Government employee's own expense.

II. Addition/change in surname only, on account of marriage/remarriage of a female Government employee.

The following requirements may be meant for this purpose ;

- (i) If the Government employees desires a change she should give a formal intimation to her appointing authority of her marriage and request for a change in her surname.
- (ii) Particulars of the husband may be given for making necessary entries in the Service Book.

III. Deletion of surname or reversion to maiden name on divorce/separation or death of the husband of female Government employee.

Change may be permitted if a female Govt. employee gives :

- (i) an intimation to the appointing authority regarding change in marital status ;
and
- (ii) a normal request for reversion to her maiden name.

Note :— There is no prescribed form for item II & III.

Compendium of Instructions — Miscellaneous Matters—Vol. IX

2. Ministry of Agriculture etc. are requested to bring these instructions to the notice of all administrative authorities under their control for information and compliance.

Sd/-
(A. Jayaraman)
Director (E)

To

All Ministries/Departments of the Government of India with usual number of spare copies.

No. 19016/1/87-Estt. (A)

Dated the 12th March, 1987.

Copy forwarded for information and necessary action to :—

1. Comptroller & Auditor General of India, New Delhi.
2. U.P.S., New Delhi.
3. Central Vigilance Commission, New Delhi.
4. Central Bureau of Investigation, New Delhi.
5. Commissioner for Linguistic Minorities, Allahabad.
6. All Union Territory Administrations.
7. All Zonal Councils.
8. Lok Sabha/Rajya Sabha Secretariat, New Delhi.
9. All attached and Subordinate office of the Ministry of Personnel, Public Grievances and Pensions.
10. All Sections of the Ministry of Personnel, Public Grievances and Pensions and the Ministry of Home Affairs.

Sd/-
(A. Jayaraman)
Director (E)

DEED CHANGING NAME/SURNAME

BY THIS DEED I the undersigned

(new name)

lately called..... employed as.....

(former name)

4. Central Bureau of Investigation, New Delhi.
5. Commissioner for Linguistic Minorities, Allahabad.
6. All Union Territory Administrations.
7. All Zonal Councils.
8. Lok Sabha/Rajya Sabha Secretariat, New Delhi.
9. All attached and Subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
10. All Sections of the Ministry of Personnel, Public Grievances and Pensions and the Ministry of Home Affairs.

Sd/-

(A. Jayaraman)

Director (E)

DEED CHANGING NAME/SURNAME

BY THIS DEED I the undersigned

(new name)

lately called..... employed as.....

(former name)

No 12/3/91-2GSI

From

The Chief Secretary to Government, Haryana.

To

1. All Heads of Departments and Commissioners Ambala, Hisar, Rohtak & Gurgaon Divisions.
2. All Deputy Commissioners & Sub-Divisional Officers (Civil) in Haryana.
3. The Registrar,
Punjab & Haryana High Court, Chandigarh.

Dated Chandigarh, the 24th April, 1991.

Subject :— **Procedure for a change of name by Government Servants.**

Sir,

I am directed to invite your attention on the subject cited above and to enclose a copy of Memorandum No. 19016/1/87-Estt. (A), dated the 12th March, 1987, from the Government of India, Ministry of Personnel, Public Grievances & Pensions Department of Personnel & Training, together with its enclosure and to say that the procedure laid down therein should be followed for the change of names by Government servants.

2. The execution of deed about change of name referred to therein should be followed by publication in a prominent newspaper as well as in the Haryana Government Gazette and such publication is to be undertaken by the Government servant at his own expense in both cases. For publication in the official gazette, Government servants intending to change their names should approach the Controller of Printing & Stationery, Haryana, who will arrange for necessary publication on payment.
3. The official recognition to change in name of a Government servants is to be given by the Government in the Administrative Department concerned after the formalities have been complied with. The change in name of a Government servant will be allowed only once during his service period.
4. This issue in supersession of all previous instructions on the subject.

Yours faithfully,

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

Change of Name

A copy is forwarded for information and necessary action to the :—

The Financial Commissioner, Revenue, Haryana and All other Financial Commissioners
and All Administrative Secretaries, Haryana.

Sd/-

Under Secretary, General Administration,
for Chief Secretary to Government, Haryana.

To

The Financial Commissioner, Revenue, Haryana and All other Financial Commissioners, and
All Administrative Secretaries, Haryana.

U.O.No. 12/3/91-2GSI

Dated, Chandigarh the 24th April, 1991.

IX

MORAL TURPITUDE

**Copy of Punjab Government Circular letter No. 3674-3GSI-66/1944, dated the 5th August, 1966
from the Chief Secretary to Government, Punjab, to all Heads of the Departments, etc., etc.**

Subject :— Cases Involving Moral Turpitude.

According to rule 7.6 of the Punjab C.S.R., Volume I, Part I, a Government employee against whom a criminal charge or a proceeding for arrest for debt is pending should be placed under suspension by the issue of specific orders to this effect during periods when he is not actually detained in custody or imprisoned (e.g. while released on bail), if the charge made against him is connected with his position as a Government employee or is likely to embarrass him in the discharge of his duties as such or involves moral turpitude.

2. The term “moral turpitude” has not been defined anywhere. Some departments have approached this Organisation to elucidate as to which cases could possibly be considered as involving moral turpitude. The Legal Remembrance, Punjab who was consulted in the matter had given the following advice :—

The expression “moral turpitude” has not been defined in the rules or anywhere else but it generally implies an act of baseness, vileness or depravity in the private and social duties which a man owes to his fellow men or to society in general, contrary to the accepted and customary rule of right and duty between man and man (Bovier’s Law Dictionary).

In AIR, 1957 Punjab 97, it was observed by the Hon’ble Judge that the term “Moral turpitude” is a rather vague one and it may have different meaning in different contexts but it has generally been taken to mean a conduct contrary to justice, honesty, modesty or good morals. In view of this definition an offence under section 324 I.P.C. does involve “moral turpitude”.

—————

Copy of letter No. 6857/5-GSI-72/2756, dated the 2nd February, 1973 from the Chief Secretary to Government, Haryana, to all Heads of the Departments, etc., etc.

Subject :— Rehabilitation of ex-convicts released from Jail-question of making them eligible for appointment under Government.

I am directed to refer to the subject noted above and to say that the All India Seminar on Correctional Services held in New Delhi in March, 1969, considered the problem of rehabilitation of ex-convicts and emphasized the need for their employment under Government on release from Jails. Consequently, the Government of India suggested to all State Government that they should examine the possibility of taking steps whereby ex-convicts would not suffer from any disability in that regard and should be able to obtain employment on their merits after release from Jail.

The State Government have considered this matter accordingly and have taken the following decision :—

- (i) Persons who are detained under the Borstal Act or after conviction, are released under the Probation of Offenders Act instead of being confined to Jail, should not suffer any disability in respect of obtaining Government service.
- (ii) With regard to the employment of ex-convicts on release from jail, a uniform policy will not be possible and each case should be considered on its own merits. The appointing authority should, in such cases make detailed enquires and satisfy himself fully that the ex-convicts has reform himself after release from Jail and nothing adverse about his conduct has come to notice after his conviction and he is thus suitable for Government service. The enquires should invariably be made through the Police Department and, if the Police Department consider it necessary to obtain a report from any other Department, they should proceed to do so.
- (iii) Ex-convicts who were convicted of offences involving moral turpitude should not however be taken in Government Service.

(A list of offences which involve moral turpitude is enclosed for information and guidance in this connection) .

3. I am to request that these instructions may please be noted for strict compliance and the receipt of this letter may be acknowledged.

Enclosure of Haryana Government Letter No. 6857-GSI-72/2755, dated the 2nd February, 1973.

List of offences which constitute Moral turpitude Section of the T.P.C.

120—B

121—A to 124—A

161

302

325

326

359
362
363
365
366
366—A
367—69
370—73
375—376
378
380—82
390—92
395—97
404
406
409
420—21
497—98

Copy of letter No. 1449-5GSI-75/6324, dated the 17/26th March, 1975 from the Chief Secretary to Government, Haryana to all Heads of the Departments, etc., etc.

Subject :— Rehabilitation of ex-convicts released from Jails-question of making them eligible for appointment under Government.

I am directed to invite a reference to Haryana Government letter No. 6857-5GSI-I-72/2756, dated 2nd February, 1973, on the subject noted above, in which instructions were issued to the effect that ex-convicts should be able to obtain employment on their merits after release from Jail. It was further laid down in these instructions that ex-convicts who were convicted of offences involving moral turpitude should not be taken in Government service. A list of offences which involved moral turpitude was also circulated along with these instructions.

2. This matter has been further considered by the Government and it has been decided that instructions issued in para 2 of Haryana Government's letter dated the 2nd February, 1973 referred to above should be modified as follows :—

- (i) Persons who are detained under the Borstal Act or who, after conviction under the offences which do not involve moral turpitude, are released under the Probation of Offenders Act instead of being confined to Jail, should not suffer any disability in respect of obtaining Government service.
- (ii) With regard to the employment of ex-convicts on release from Jail, a uniform policy will not be possible and each case should be considered on its own merits. The appointing authority should, in such cases, make detailed enquires and satisfy himself fully that the ex-convicts has reformed himself after release from Jail and nothing adverse about his conduct has come to notice after his conviction and he is thus suitable for Government service. The enquires should invariably be made through the Police Department and, if the Police Department consider it necessary to obtain a report from any other Department, they should proceed to do so.
- (iii) Ex-convicts convicted of offences involving moral turpitude should neither be taken nor-retained in Government Service. The following tests should ordinarily be applied in judging whether a certain offence involves moral turpitude or not :—
 - (1) Whether the act leading to a conviction was such as could shock the moral conscience of society in general.
 - (2) Whether the motive which led to the act was base one.
 - (3) Whether on account of the act having been committed the perpetrator could be considered to be of depraved character or a person who was to be looked down upon by the society.

Decision in each case will, however, depend upon the circumstances of the case and the competent authority has to exercise its discretion while taking a decision in accordance with the above mentioned principle. A list of offences which involve moral turpitude is enclosed for your information

and guidance. This list, however, cannot be said to be exhaustive and there might be offences which are included in it but which in certain situations and circumstances may involve moral turpitude.

Yours faithfully,

Sd/-

-(VIRINDER NATH)

Deputy Secretary, Political and Services,
for Chief Secretary to Government, Haryana.

A copy is forwarded to following for information and necessary action —

The Financial Commissioner, Revenue, Haryana; All Administrative Secretaries to Government, Haryana.

Sections of the Indian Penal Code concerning serious offences involving moral turpitude.

- 120-A Punishment of criminal conspiracy.
- 121-A Conspiracy to commit offences punishable by section 121.
- 122. Collecting arms, etc., with intention of waging war against the Government of India.
- 123. Concealing with intent to facilitate design to wage war.
- 124. Assaulting President, Governor or Rajpramukh etc. With intent to compel or restrain the exercise of any lawful power.
- 160-A Sedition.
- 161. Public servant taking gratification other than legal remuneration in respect of an official act.
- 161-A Giving of bribe.
- 165. Public servant obtaining valuable thing, without consideration, from person concerned in proceeding of business transacted by such public servant.
- 167. Public servant framing an incorrect document with intent to cause injury.
- 181. False statement on oath or affirmation to public servant or person authorised to administer an oath or affirmation.
- 182. False information with intent to cause public servant to use his lawful power to the injury of another person.
- 193. Punishment for false evidence.
- 194. Giving or fabricating false evidence with intent procure conviction of capital offence innocent person be there by convicted and executed.
- 195. Giving or fabricating false evidence with intent procure conviction of offence punishable with imprisonment for life or imprisonment.

- 196. Using evidence known to be false.
- 197. Issuing of signing false certificate.
- 198. Using as true a certificate known to be false.
- 199. False statement made in declaration which is by law receivable as evidence.
- 200. Using as true such declaration knowing it to be false.
- 201. Causing disappearance of evidence of offence or giving false intonation, to screen offender— If a capital offence;

If punishable with imprisonment for life;

If punishable with less than ten years imprisonment; Giving false information respecting an offences committed; Destruction of document to prevent its production as evidence.
- 205. False personation for purpose of act or procedure in suit or prosecution.
- 209. Dishonestly making false claim in Court.
- 292. Sale, etc. of obscene books, etc.
- 293. Sale, etc. of obscene objects to young person.
- 302. Punishment for murder.
- 304. Punishment for culpable homicide to amounting to murder.
- 307. Attempt to murder.
- 354. Assault of criminal force to women with intent to outrage her modesty.
- 359. Kidnapping.
- 362. Abduction.
- 363. Punishment for kidnapping.
- 364. Kidnapping or abducting in order to murder.
- 365. Kidnapping, abducting with intent secretly and strong fully to confine person.
- 366. Kidnapping abducting or inducing woman to compel her marriage, etc.
- 366-A Prostration of minor girl.

- 366-B Importation of girl from foreign country.
- 367. Kidnapping or abducting in order to subject person to grievous hurt, slavery, etc.
- 368. Strongly concealing or keeping in confinement kidnapped or abducted person.
- 369. Kidnapping or abducting child under ten years with intent to steal from its person.
- 370. Buying or disposing any person as a slave.
- 371. Habitual dealing in slave.
- 372. Selling minor for purposes of prostitution, etc.
- 373. Buying minor for purposes of prostitutions, etc.
- 376. Punishment for rape.
- 377. In natural offences.
- 379. Punishment for theft.
- 380. Theft in dwelling house, etc.
- 391. Theft by clerk or servant of property in possession of master.
- 392. Theft after preparation made for causing death, hurt or restraint in order to the committing of the theft.
 - Punishment for robbery. Attempt to commit robbery.
 - Voluntarily causing hurt in committing robbery. Punishment for dacoity.
 - Dacoity with murder.
 - Robbery or dacoity, with attempt to cause death or grievous hurt.
- 398. Attempt to commit robbery or dacoity when armed with deadly weapon.
- 399. Making preparation to commit dacoity.
- 400. Punishment for belonging to gang of dacoity.
- 403. Dishonest misappropriation of property.
- 404. Dishonest misappropriation of property possessed by deceased person at the time of his death.
- 406. Punishment for criminal breach of trust.
- 407. Criminal breach of trust by carrier, etc.
- 408. Criminal breach of trust by clerk or servant.
- 409. Criminal breach of trust by public servant, or by banker, merchant or agent.
- 417. Punishment for cheating.
- 418. Cheating with knowledge that wrongful loss may ensue to person whose interest offender is bound to protect.

- 419. Punishment for cheating with personation.
- 420. Cheating and dishonestly inducing delivery of property.
- 421. Dishonest or fraudulent removal or concealment of property to prevent distribution among creditors.
- 449. House-trespass in order to commit offence punishable with death.
- 450. House-trespass in order to commit offence punishable with imprisonment for life.
- 453. Punishment for lurking house-trespass or house-breaking.
- 454. Lurking house-trespass or house-breaking in order to commit offence punishable with imprisonment.
- 455. Lurking house-trespass or house-breaking after preparation for hurt, assault or wrongful restraint.
- 456. Punishment for lurking house-trespass or house-breaking by night.
- 457. Lurking house-trespass or house-breaking by night in order to commit offence punishable with imprisonment.
- 458. Lurking house-trespass or house-breaking by night after preparation for hurt, assault or wrongful restraint.
- 465. Punishment of forgery.
- 466. Forgery of record or Court or of public register, etc.
- 467. Forgery of valuable security, will, etc.
- 468. Forgery for purpose of cheating.
- 471. Using as genuine a forged document.
- 472. Making or possessing counterfeit seal, etc. with intent to commit forgery punishable under section 467.
- 473. Making or possessing counterfeit seal, etc. with intent to commit forgery punishable otherwise.
- 474. Having possession of document described in section 466 to 467, knowing it to be forged and intending to use as genuine.
- 475. Counterfeiting device or mark used for authenticating documents described in section 467, or possessing counterfeit marked material.
- 476. Counterfeiting device or mark used for authenticating documents other than those described in section 467, or possessing counterfeit marked material.
- 477–A Falsification of accounts.
- 489-A Counterfeiting currency notes or bank-notes.
- 489-B Using as genuine, forged or counterfeit currency notes or bank-notes.

Moral Turpitude

- 489-C Possession of forged or counterfeit currency notes or bank-notes.
 - 489-D Making or possessing instruments or materials for forging or counterfeiting currency notes or bank-notes.
 - 489-E Making or using documents resembling currency-notes or bank-notes.
 - 493. Cohabitation caused by a man deceitfully inducing a belief of lawful marriage.
 - 494. Marrying again during life: time of husband or wife.
 - 495. Same offence with concealment of former marriage from person with whom subsequent marriage is contracted.
 - 496. Marriage ceremony fraudulently gone through without lawful marriage.
 - 497. Adultery.
 - 498. Enticing or taking away or detaining with criminal intent a married women.
-