

Most URGENT
Date Bound

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
CHIEF SECRETARY OFFICE
No. 42/ 09 /2019-4GSI

To

1. All the Administrative Secretaries to Government Haryana.
2. All Heads of the Departments of Haryana.
3. Commissioners Ambala/Hisar/Rohtak/Gurugram/Karnal/Faridabad Divisions.
4. All the Deputy Commissioners of Haryana.
5. All MDs/Chief Administrators of Boards/Corporations in Haryana State.

Dated Chandigarh, the 17.09.2019.

Subject:- Regarding joining of Group D posts in ESP Quota-clarification thereof with respect to the Hon'ble High Court's order dated 10.09.2019 in LPAs-1332 of 2019 (O&M) in CWPs No. 23249 & other connected (O&M)- State of Haryana and another Vs Shankar and others.

Sir/Madam,

I am directed to invite your kind attention to the Government instructions of even number, dated 24.07.2019 vide which all the Departments/ Boards/ Corporations were directed that a last opportunity were granted up to 31st August, 2019 to the candidates who have not submitted Sports Gradation Certificate as per Notification dated 25.05.2018 issued by Sports & Youth Affairs Department. If they failed to submit the requisite Sports Gradation Certificate by 31st August, 2019, the concerned authority may proceed to withdraw the offer of appointments or terminate the services in respect of such candidates.

2. Now, the Hon'ble High Court in LPAs-1332 of 2019 (O&M) in CWPs No. 23249 & other connected (O&M) - State of Haryana and another Vs Shankar and others, passed the following direction on 10.09.2019:-

"Mr. B.R. Mahajan, learned Advocate General, Haryana, on the basis of instructions, made a statement that the services of all those employees, who got employment on the basis of their sports achievement, shall not be terminated on the ground of their failure to have produced the Sports Gradation Certificate under the new policy till 31.10.2019. He further made it clear that this statement shall be made applicable to all such employees whether they are petitioner or appellants before this Court or not.

The issue regarding requirement of the Sports Gradation Certificate under the old/new policy shall be considered and adjudicated upon on final hearing of the dispute.

List on 03.10.2019"

3. Accordingly, the matter has been re-considered by the State Government and it has been directed that the services of all those employees, who got employment on the basis of their sports achievement, shall not be terminated on the ground of their failure to have produced the Sports Gradation Certificate under the new policy till 31.10.2019.
4. Further, it is also clarified that this order shall be made applicable to all such employees whether they are petitioners or appellants before Hon'ble Court or not.

5. It has also been noticed by the Government that some departments/boards/Corporations have terminated the services of such Group D candidates in respect to Govt. Instructions dated 24.07.2019 referred to above. Therefore, it is also directed that their order of service termination may be withdrawn from the date of issuance by the concerned authorities.
6. It is also directed that the salary of such candidates should also be released in case it has been withheld.
7. You are, therefore, directed to ensure compliance of these instructions in letter and spirit.
8. The instructions dated 24.07.2019 deemed to be superseded to this extent.

Yours faithfully,


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

Endst No. 42/ 09 /2019-4GSI

Dated: 17.09.2019

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

- (i) Director General, Sports & Youth Affairs Department.
- (j) Secretary, Haryana Staff Selection Commission, Panchkula.


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