

PART IV

HARYANA GOVERNMENT

GENERAL ADMINISTRATION (SERVICES) DEPARTMENT

Notification

The 2nd February, 1973

No. GSR. 20/Const./Art. 309/73.—The following rules, as amended upto 31st December, 1972, are re-published below for general information:—

"1. RULES FOR THE DEPARTMENTAL EXAMINATION OF ASSISTANT COMMISSIONERS, EXTRA ASSISTANT COMMISSIONERS AND CANDIDATES FOR THE POST OF EXTRA ASSISTANT COMMISSIONER IN PUNJAB.

²[1. A Departmental Examination of Assistant Commissioners, Extra Assistant Commissioners and the candidates for the post of Extra Assistant Commissioners shall be held about the 3rd week of February, June and October each year, the exact dates being notified before hand in the Haryana Government Gazette].

2. The question papers shall be set, answers examined and marks awarded by Examiners appointed by the Government, from time to time.

3. The Examiners shall submit their awards of marks to the Secretary to the Central Committee of Examinations consisting of—

- (i) the Chief Justice of the ³[Punjab and Haryana High Court];
- (ii) the Senior Financial Commissioner; and
- (iii) the Chief Secretary to Government ;

with whom shall rest the final decision as to the passing of candidates.

4. (1) The Secretary to the Central Committee shall be appointed by the Government.

(2) Under the orders of the Central Committee, the Secretary shall—

(i) receive the question papers from the Examiners and cause them to be printed;

(ii) superintend the examination;

¹These rules were framed under proviso to Article 309 of the Constitution of India and were published with Punjab Government Home Department Gazette Notification No. 3781-ASII-61/17988, dated 23rd May, 1961 in supersession of previous rules on the subject.

²Substituted,—vide Haryana Government Notification No. GSR. 114/Const./Art. 309/Amd./70, dated 30th October, 1970.

³Substituted for the words "Punjab High Court" by the Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.

- (iii) transmit the answer papers to the Examiners concerned;
- (iv) receive and compile the marks awarded;
- (v) report the result to the Central Committee; and
- (vi) generally conduct the whole correspondence and business of the examination not expressly allotted to any other authority.

(3) The Examiners shall send their awards of marks to the Secretary to the Central Committee within two weeks from the date on which the examination closes and the Secretary shall submit his report on the examination to the Chief Secretary to Government within one week from the date of receipt of the last award statement.

¹[5. There shall be six subjects of examination classified in groups as follows:—

- (i) Criminal Law (including Jails) ... Group A-I
- (ii) Civil Law ... Group A-II
- (iii) Revenue Law ... Group B
- (iv) Financial Rules ... Group C-I
- (v) Local Government Law ... Group C-II
- (vi) Language (Hindi) in Devnagri Script ... Group D]

6. (1) Question papers shall be set and marks assigned in each subject as follows:—

Subject	Maximum marks
Criminal Law, 1st paper	... 120
Criminal Law, 2nd paper	... 120
Criminal Law, 3rd paper—	
Jails	... 30
Rest of paper	... 120
Civil Law	... 120

¹Substituted,—vide Haryana Government Notification No. GSR. 32/Const./Art. 309/Amd. (I)/67, dated 4th July, 1967.

Subject	Maximum Marks
Revenue Law, 1st paper	120
Revenue Law, 2nd paper	120
Financial Rules	80
Local Government Law	80

¹[Hindi (in Devnagri Script)]

(1) Written—

(a) Translating into Hindi a passage in English	40
(b) Rendering into simple Hindi of a passage in Hindi	30
(c) An essay or letter in Hindi	40
(d) (i) Translation in Hindi of some administrative terms and their use in sentences	20
(ii) Use of simple idioms and proverbs in Hindi	20

(2) Oral—

(a) Reading a passage printed of cyclostyled in Hindi	30
(b) Conversation in polished Hindi with the Examiner	20]

²[* * * (* *)]

(2) The books from which questions shall be set in each subject are enumerated in the Schedule which may be modified and republished in Part I of Haryana Government Gazette, from time to time.

7. The first paper in Criminal Law and Revenue Law, those parts of the second paper in Criminal Law and the paper in Civil Law which relate to questions set from the Code of Criminal Procedure, the Civil Procedure Code, the Indian Evidence Act, the Indian Court Fees Act, the Indian Stamp Act and the Constitution of India and the papers in Groups C I and II may be answered with the aid of books which will be provided by Government in the Examination Hall for use by the candidates. The questions in these papers shall not be such as can be answered by copying a passage from a book but shall be designed to test the practical knowledge of the candidates, and shall be confined as much as possible to cases arising in ordinary practice, facts of probable occurrence being stated and the candidate being required to find and apply the law or rules bearing

¹Substituted,—vide Punjab Government Notification No. 494-AS(II)-63/34983, dated the 18th September, 1963 and No. 7361-ASII-6540, dated the 2nd February, 1966.

²The words "Punjabi in Gurmukhi Script" etc. deleted vide Haryana Government Notification No. GSR, 32 Const./Art-309/Amd.(1)/67, dated the 4th July, 1967.

on them. The remaining portion of the second paper in Criminal Law, the entire third paper in Criminal Law and the entire second paper in Revenue Law shall be answered without reference to books but copies of the Punjab Excise Manual (Volume II) shall be supplied to the candidates for use in the Examination for answering the second paper in Revenue Law.

8. All Assistant Commissioners, Extra Assistant Commissioners and candidates for the post of Extra Assistant Commissioner are required to pass in Groups A to D.¹

9. ²[No candidate shall be declared to have passed in Hindi in Devnagri Script unless he obtains at least half marks in the examination. A candidate obtaining three-fourth marks shall be declared to have passed with credit]. In the other groups of subjects there shall be two standards of examination—Higher and Lower with one set of papers. A candidate shall be declared to have passed in a group by the Higher Standard if he obtains two-thirds of the maximum marks allotted to that group and by the Lower Standard if he obtains one-half. A candidate who passes at an examination by the Lower Standard only shall have to go up at each succeeding examination till he shall have passed by the Higher Standard in all subjects which he is required to take up. A candidate shall have to appear in all the papers in a Group in one and the same examination and shall obtain at least one-third of the maximum marks in each paper individually, besides the requisite marks in aggregate for passing the Group by the Lower or Higher standard as the case may be.

³Explanation.—For the purposes of these rules, the part of criminal law, 3rd paper relating to the subject of Jails shall also be treated as an independent paper.]

⁴[9-A. A candidate who uses or attempts to use any unfair means in the departmental examination will render himself liable to any of the punishments specified in rule 3 of the All-India Services (Discipline and Appeal) Rules, 1955 or in rule 4 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as the case may be.]

10. After each examination the names of those candidates who have passed by either standard shall be published in the official Gazette. Candidates shall be notified as having passed "with credit" in—

Groups A-I and A-II,

Groups B and C,

Group D,

[* * * *].

¹Substituted for "E",—vide Haryana Government Notification No. GSR. 32/Const./Art. 309/Amd. (1)/67, dated the 4th July, 1967.

²Substituted vide Haryana Government Notification No. GSR. 32/Const./Art. 309/Amd. (1)/67, dated the 4th July, 1967.

³Added vide Haryana Government Notification No. GSR. 34/Const./Art. 309/Amd. (2)/67, dated the 3rd August, 1967.

⁴Added by Punjab Government Notification No. GSR. 202/Const./Art. 309/65, dated the 45th May, 1965.

⁵The word and letter "Group E" deleted,—vide Haryana Government Notification No. GSR. 32/Const./Art. 309/Amd. (1)/67, dated the 4th July, 1967.

if they obtain three-quarters of the maximum number of marks allotted to the group or groups taken together at one examination.

11. In making the calculation under rules 9 and 10 the marks allotted to any question which a candidate is not required to answer, or to any paper or subject in which he is not required to be examined shall first be deducted from the maximum allotted to the paper, subject or group, as the case may be.

12. No Assistant Commissioner, or Extra Assistant Commissioner shall be invested with the powers of a Magistrate of the Second Class until he has served for six months and has passed or has been exempted from passing the departmental examination in ¹[Group D] and by the Lower Standard in Group A-I, and no Magistrate of the Second Class shall be invested with powers of a Magistrate of the 1st Class until he has exercised the powers of Magistrate II Class for six months and has passed or has been exempted from passing in ¹[Group D] and by the Higher Standard in Group A-I:

Provided that the Government may relax either of the conditions of this rule in individual cases until the officer shall have passed or has been exempted from passing the departmental examination in the aforesaid groups".

SAROOP KRISHEN

Chief Secretary to Government,
Haryana.

[No. 8205-S-72]

¹Substituted for the words and letters "Groups D and E", —vide Haryana Government Notification No. G.S.R. 32/Const./Art. 309/Amd. (1)/67, dated the 4th July, 1967.