

HARYANA AFFILIATED COLLEGES (SECURITY OF SERVICE) RULES, 2006

HARYANA GOVT. GAZ. (EXTRA.), JUNE 13, 2006 (JYST. 23, 1928 SAKA) 315 (Authorised English Translation] HARYANA-GOVERNMENT EDUCATION DEPARTMENT Notification The 13th June, 2006 No. S.Os57/H.A.15/1979/S.16/2006.— In exercise of the powers conferred by sub-section(1) read,with sub-section(2) of section 16 read with sections 4 and of the Haryana Affiliated Colleges (Security of Service) Act, 1979 (15 of 1979), the Governor of Haryana hereby makes the following rules regulating the recruitment, and conditions of service and conduct of the employees appointed to the Haryana Affiliated Colleges (Security of Services), namely:—

PART-I Short title. These rules may be called the Haryana Affiliated Colleges (Security of Service) Rules, 2006.

Definitions. In these rules unless the context otherwise requires,—

(a) "the Haryana Affiliated Colleges (Security of Service) Act" means the Haryana Affiliated Colleges (Security of Service) Act, 1979; (b) "Director" means the Director of Higher Education, Haryana or the Higher Education Commissioner, Haryana who is in the whole time in Haryana Affiliated Colleges; (d) "Haryana Government" means the Government of Haryana; (e) "Administrative Department" means a section of the Act; and (f) "Service" means the Haryana Affiliated Colleges Service.

Part II of Service Rules shall be in force.

Chapter I

Recruitment

Section 1. Any of the categories of posts shown in the Appendix A shall be filled by direct recruitment who Age is less than 18 years of age and more than 35 years of age on the last date of submission of application to the Selection Committee. The age of superannuation will be as determined by the Government of India.

Section 2. Appointment to any post in the Service shall be made by the Managing Committee.

Section 3. Employees shall be appointed on the basis of the following conditions:—

(i) Recruitment to the Service shall be made by direct recruitment through a Selection Committee comprising the following:—

(1) Chairperson of the Governing Body or a member of the Governing Body to be nominated by the Chairperson;

(2) Two Vice-Chancellors' nominees out of whom one should be a subject expert. Three experts consisting of a representative of a college, a Professor of an affiliated educationist not below the rank of Assistant Professor (to be nominated by the Governing Body) and of experts approved by the Vice-Chancellor. Quorum At least three including two experts, should constitute the Selection Committee.

(3) The Vice-Chancellor's nominee and the Director's nominee shall be essential. The process of selection should involve the following:—

(a) Assessment of aptitude or teaching and research; (b) Ability to communicate clearly and effectively; (c) Analyse and discuss, communicate may be, assessed by him to participate in a group discussion or by exposure to wherever possible; (ii) If the nominee is unable to attend, the nominee shall be the Chairman of the Selection Committee. (iii) The Selection Committee shall be constituted of Vice-Chancellor and Director. (iv) In the meeting of Selection Committee for the selection of Lecturers, Librarians and Principals and also if any one of the nominees of the Vice-Chancellor or the Director gives a dissenting note, the proceedings of the Selection Committee shall not be approved by the University/Director and the post shall be re-advertised. In the case of lecturer, including lecturer in Physical Education and Librarian by direct recruitment through a Committee comprising the following:—

(1) Chairperson of the Governing Body of the College or his/her nominee to be the Chairperson of the Selection Committee. The Principal of the concerned college. One senior teacher/Head of the Department (of the concerned subject), preferably having not less than 10 years of service as a teacher. Two nominees of the Vice-Chancellor of the affiliating university of whom one should be a subject expert Director's nominee. Two subject experts not connected with the college to be nominated by the chairperson of the Governing Body out of a panel of names approved by the Vice-Chancellor. Note: Recommendations of Selection Committee in respect of Private Colleges to be got approved from the Vice-Chancellor and Director. Quorum (c) (d) meeting shall be five of which at least two should be for the subject experts. If the Chairman of the Selection Committee or his nominee is unable to attend, the Chairman of the Selection Committee in the case of Head Clerk/Deputy Superintendent— (i) ; by affect; or (ii) 'By proportionate from the post of

stenographer; Clerk; Si ri 'éâs@öffypewritingilh\$tructor (i); : .by direct recruitment', or (ii) by éromotion from the pbst of junior scale stenographe?; (e) in the case of Steno-Typist— (i) by direct (ii) .. by promotion from the post of Clerk; 31b HAN •I ANA GOVT. OHL. J 1 J, ZUUU (JYST. 23, 1928 SAKA) (f) in the case of Clerk (h) (i) (j) (l) (i) by. direct recruitment; or (ii) by promotion from the post of Peon and other class IV employees; (i)' by diiéCctr.eCmiitment;or (ii) by promotif)ti fromcthe I .aboratory Assistant; in the case of Laboratory Assistant— (i) by direc!recruirntent; or (ii) by promotion from the post of Laboratory Attendant; in *the gase ofRgstor— (i) by 01 (iii •by bfömotion froâii the Library Attendant; in the case of junior Librarian— (i) by direct récluiiâ&nt; (i.ilv fföfn} the post-of Restorer; P.layer. Gasman, Peon and other class I.V employees, Laboratory Atgendânt, Library Attendant by direct recru itgnent' in case of Laboratory AttendântfCiGary Attendant— (i) by direct recruitment; or (ii)! fro!ll thé'post of peon. u-v:i. • -post mentioned at (c) to (l), a -oncommigee (the. f9lj(jf'ilig'inembers shali be constituted . • *Selecü RÉP(éSélitntiOe ofithø•M'anaging Committee (Chairman) ot his fro (iii) University; (3) it*' Except;otherwise prpvded, whenever any vacancy oecurs or is :abotit to; qommittee shall determine tKe manner in which the• vacancy is to be filled in. Ifihel'acancy is to be filled in by direct recruitment, the Managing vdcâncy-at least in two leading dailies, one EngliSh and-One Hindi,out of which one shall be of National Level. However, -in case of non7teaching staff the vacancy can also be filled in through Employment Exchange. HARYANA GOVT. GAZ. (EXTRA.), JUNE 13, 2006 (JYYL 23. 1928 SAKA) 319 (4) Appointment orders to the posts iu the Service shali be issued by the Managing Committee or the Principal, as (he case. may be, in the form specified in Appendix B to these rule.s- (1) 'The person.s appointed to any post in the Service Shail remain Probation 8. on probation for a period of two years in the filSt instance, if appointed by direct recruitment and one year if appointed otherwise- (2) C.)n the completion of the period of probation of a person the appointing authority may_ , - (a) (b) if his work or conduct: has, in -its opinion, been satisfactory, confirm such person from the date ofcompletion of his probation penod Sor if a permanentpost is not avaiJab)e:, declare that he has CdmpTeted his probation satisfactorily; or. if *the work or conduct of a person in its opinion has not been satisfactory — dispense: Sl/ith his services, if appointed by direct recruitment, or revert him to his former post if appointed otherwise or deal with him in such other manner as the terms and cohditions ofhis previous appointment permit; (ii) extend his period of probation and thereafter pass such if -'have passed on the expiry of the first period of+röbatioti . Prov.ided that the total peyddæ of probat)Oil,• iii#âding extension, if any, sh+il not exceed threc years : Provided further that if it is proposed to take action under sub-clause (i) or (ii) then the case of the official shall be referred to a committee consisting of the followiâSg cm bers (1) *resident OF his.nomi@ee ; (2) Dean of Colleges of the Universitföpiisnominees; (3) Nominee of Government in the Managing Committee; _(4) Principal of the Collegpconcerneds Principal of another College novunderfthe same Managing (5) . , Committee shall takea final.dggision in ,thp, matter.in accordance with the recommendation€.of this committee; if the Managing Committee does not agree with the report (iii) of the committee constituted uncit rule 8(2) (b), (ii) or the committee is unable to cometo a decision by the majority then the matter will be éeferred to by the Principal to the Director whose decision shall be final. However, an employee against whom an order of termination of 320 HARYANA GOVT. GAZ. (EXTRA.)- JUNE 13, 2006 (JYST. 23, 1928 SAKA) services has been passed without complying with (he provision of these rules, may, within a period of thirty days of the date of communication of orders make. an application to the Director whose decision shall be final in the matter. -Seniority Scale of pay, dearness allowanCe paymenL.qf salary. Leave. Mdintéhaliceyof service book. 9. (I) The seniority of the employees shall be determined by the length of continuous service on a post in the college, If there are different cadres in the service. the seniority shall be determined separately for each cadre: Provided that. in the case of aryemployee appointed directly the order of merit determined.by the Selectiqncommigtee sh#l.l not be disturbed in fixing their different subjects/categories join on thesame:date senior;itywilLbedetermine4 agcording to their seniority in age; and the •eld?t; employee. shallbe S?nior thtyoynger employee: Provided futther.:thatin 2the case appointed on the same date, their seniority shall be determined asfollows : an"enWloyee appointed .by direct recruitment shall be senior to iii#emplöYæäPPOinted otherwise; in thf gasq egpemployees who are appointed by promotion their -ihter se seniority shall •not be disturbed. (2). .Tâe seniopity -Ij\$ts oc the employees shall be prepared by thc Managing form prescribed in Appendix D' to these rules and circulated to the employees. This list will be finalized after,inviting objections ifrio!- m ttâe• empl6yééÂ the Iii the Case of any dispute regarding fixation of seniority, the matter shâif be

deceased* b" • iKébiréctor. PART—III Pay, Allowances and Service Record IO. The scale of pay and allowances of the employees shall be specified by the Government from time to time, by the Managing Committee or Principal for the: shall be entitled to get travelling and daily allowance in accordance with the rules as applicable from time to time to him. (1) Every employee shall maintain in such prescribed form Government employee, and personal file containing annual confidential reports and other important documents in relation thereto. HARYANA GOVT. GAZ. (EXTRA). JUNE 13, 2006 (JYST. 23, 1928 SAKA) 321 (2) The service book and the personal file shall be maintained and kept in the safe custody by the Principal who shall be responsible to produce the same before the Director or any other officer authorized by him if so required by him for inspection. PART—IV Conduct 14. No employee shall engage directly or indirectly in any trade or business privately or undertake any other employment except . — (i) Notwithstanding the permission of the Principal for not exceeding five hours a day; (ii) non-regular work purely of social charitable nature or occasional work of an artistic or scientific character subject to the condition official duties do not thereby suffer. He shall not, without the sanction of the Principal, shall discontinue such work if so directed by the Principal; and in the case of the Principal, so directed by the Managing Committee: Provided that no permission shall be necessary for examination work of the University where the total emoluments accruing therefrom do not exceed Rs- 2400 per annum. Examination work for which additional emoluments of the Principal shall be necessary for his private affairs as to avoid habitual insolvency and indebtedness or insolvency. Any such employee against whom any legal habitual indebtedness proceedings are instituted for the recovery of any debt due from him or for adjudging him as insolvent shall forthwith report the full facts of the legal proceedings to the Managing Committee through the Principal

16. No employee shall, except with the permission of the Principal of the Appearance in Court and in the case of the Principal, the Managing Committee, appear in any examination.

17. No employee shall take part in subversive activities or assist in any Participation in any way, 'and in any way Whichever of the feelings of disaffection, hatred or activities- enmity between different classes or 'subject of India or disturb public peace

18. No employee shall Criticism of. No employee shall criticize in a derogatory manner in Committee etc. or public, or any action of the Government and the Managing Committee; in the process of performance of his duties except in accordance with any general order of the Managing Committee communicated directly or indirectly any official document or information to any other employee or person to whom he is not such documents or information. 322 on HARYANA GOVT. GAZ. (EXTRA.), JUNE 13- 2006 (JYST 23. 1928 SAKA) To make provision for the formation of a Joint association by employees General

19. No employee shall stand for election to Parliament/State Legislature or any other local body.

20. (1) No employee shall join or continue to be a member of an association unless such association satisfies the following conditions, namely (i) its membership is confined to a distinct class of employees and is open to all, employees of that class; and it is, not in any way, connected, with any party or organization engaged in any political activity; (ii) its formation obtained the recognition of the Government or the Managing Committee. (2) No employee shall join or continue to be a member of an association (in the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or of public order or morality. 21. (1) (i) Every employee shall — maintain absolute integrity and devotion to duty, and maintain cordial relations and their parents, the Principal, of Employees, Managing University. and Officers concerned. NO employee shall — without sufficient grounds, refuse to undergo the prescribed training by the University from time to time whenever required to do so take part in any activity which in the opinion of the Principal is calculated to lead to indiscipline in college. (2) No employee shall, at any time (in college 'Kali' 'College in such capacity and at such places' as he may. from time to time, be directed by the Principal or the Managing Committee. (4) No employee shall absent himself from his duty without the prior permission of the Managing Committee. (5) No employee shall — his family or any other person acting on his behalf to accept any gift from a student, parent or person with whom he has come into contact by virtue of his position in the college. HARYANA GOVT. GAZ. (EXTRA.), JUNE 13, 2006

(JYST. 23, 1928 SAKA) 323 Explanation- The expression 'Gift' shall include free transport, boarding, lodging or other services. or any other pecuniary advantage when provided by a person other than a near relation or a personal friend not having any •Note.—A casual meal, gift or other social hospitality- of a casual nature shall not be a gift. Explanation- (2). On occasions such as wedding anniversaries, funerals or religious function when the making of a gift is in conformity with the prevailing religious or 'social practice,' an employee may 'accept •a gift of a nominal value; (ii) practice, or incite any student to practise casteism, communalism; (iii) incite any other person to cause any damage to the college property; and (iv) beguilty Ofqny_ conduct which involves 22.3 23. moral turpitude., An employee shall;-rj strictly abide by any law relating to drugs in force (a) in any area in which he may happen time being; (b) take due care that the performance of his duties is not affected in any way by the influence of •alcohol• intoxicating drinks or drugs; not consume intoxicating drinks or drugs' in public; (c) not appear in a state of intoxication in a public place; (d) not be present on duty in a state of intoxication; and (e) not habitually use any intoxicating drinks or drugs in excess. (D) No employee shall indulge in any act of sexual harassment of (1) Consumption of intoxicating drinks and drugs Prevention of sexual harassment of working woman. any woman at her work place. (2) Every employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place. Explanation :— For the purpose of this rule, "sexual harassment" includes such unwelcome sexually determined behaviour, whether directly or by implication (a) (b) (c) (d) (e) physical contact and advances; demand or request for sexual favours; making any sexually coloured remarks; showing any pornographic material; and any other unwelcome physical, verbal or non-verbal conduct of a sexual nature. 324 HARYANA GOVT. GAZ. (EXTRA-), JUNE 13, 2006 (JYST. 23, 1928 SAKA) PART—V Contributory Provident Fund Contributory Pension Scheme notified by the State Government. Penalties and appeals. Power Of relaxation. Repeal and Saving. The employees shall be governed by contributory provident fund regulation as laid down by the University concerned from time to time. However, any change in the rate of contribution would be introduced after the approval of the Government '5. employees' b? governed instructions issued by Government from time to time, in respect' of gratuity payable to them at the time of retirement. 16. in matters and appeals employees shall be governed by the Haryana Affiliated Colleges (Security of Service) Act, 1979; from amendment to these rules

27. When Government is of the Opinion that it is necessary or expedient by order in writing, relax any of the provisions of these rules with respect to any class or category of persons

28. The Haryana of Service) Rules, 1980 Service) Rules, 1993 are hereby repealed and all rules made under the rules so repealed shall stand repealed. 34 HARYANA GOVT. GAZ. (EXTRA.), JUNE 2006 (JYST. 23, 1928 SAKA) 325 1. 3. 4. 5. 6. 7. 8. 10. 13. 14. 15. 16. 17. APPENDIX—A (Sec rule 3) Principal Lecturer Lecturer Physical Education Librarian Head Clerk Clerk Steno Typist Junior Librarian Laboratory Assistant Type: writing Instructor: Table Player Restorer Laboratory Attendant Library: Attendant Gasman Peon and other class IV employees. Lecture: However, the existing post of Accounts Officer. Accountant, —Stenographer, Junior Scale Steno-grapher will be diminishing in character and these posts will stand abolished on the vacation of these posts by the present incumbent on retirement or otherwise. 326 HARYANA GOVT. GAZ. (EXTRA.), JUNE 13, 2006 (JYST. 23, 1928 SAKA) APPENDIX—B [See Dated the On the recommendations . Shri/Smt....-.,..... in.. appointed the date he/she joins duty, in the grade of Rs of the Selection Committee is hereby . with effect from . with usual allowances sanctioned by the Haryana Government from time to time on the following terms and conditions, namely. Terms and Conditions : 1.. (i) His/Her appointment is to a purely temporary post which is liable to be abolished at any time and there is no promise of subsequent permanent employment. No offer of permanent vacancy can be made to him/her at present (ii) He/She shall be on probation for a period of . year which can be extended for such further period as the competent authority under the rules may determine

2. In case of grounds other than abolition, of the post (except as a result of disciplinary action), one month's notice or one month's pay and allowance in lieu thereof Will be required to be paid on either side

3. No travelling allowance for joining the post

4. Before assuming be required to produce following certificates
(i) a certificate of fitness; (ii) a certified copies- of academic and professional qualification and matriculation certificate; and (iii) a certificate of good character from Gazetted Officer or Member of Legislative Assembly-- If he/she has not been vaccinated within the last twelve months, he/ she should have it done before reporting for duty

6. Before assuming the post he [she will have to—constitution of India; and (a) oath of allegiance to the C (b) affirm that he/she is not having more than one living spouse. HARYANA GOVT. GAZ. (EXTRA). JUNE 13, 2006 (JYST. 23- 1928 SAKA) 327 His/ Her seniority will be fixed in accordance with the rules and regulations on the subject. 8. He/She to produce the original educational and date of birth certificate. If the above terms and conditions are acceptable to him/her, he/she should join his/her duty immediately but not later than in case of failure to do so his/her candidature is likely to be cancelled and the post shall be offered to the next eligible candidate. Signature Appointment Authority with seal of office 328 HARYANA GOVT. GAZ. (EXTRA), 13, 2006 (JYST. 23, 1928 SAKA) APPENDIX C (See rule 26) Penalties. Procedure for imposing major penalties of dismissal/ removal from service or reduction in rank or withholding of annual increment of pay with cumulative effect

1. The following penalties may, good and sufficient reasons, be imposed upon members to whom these rules are applicable, namely: (i) Warning on personal file (ii) Censure; (iii) Withholding of increments or promotion; (iv) Recovery from pay of the whole OT part of any pecuniary loss caused to the college by negligence or breach of orders; Major punishments: (v) Removal/Dismissal from service (vi) Reduction to a lower post or pay scale to a lower stage in a time scale; (vii) Withholding of annual increment of pay with cumulative effect. 2. (1) Whenever, the Managing Committee is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may, initially enquire into it itself or may appoint an authority to enquire into the truth thereof, and provisionally decide whether the delinquent official should be proceeded against for major punishment or minor punishment. (2) Where it is proposed to proceed against an employee for the award of major punishment the Managing Committee shall draw up— misconduct or misbehaviour (i) the substance of the imputation into definite and distinct articles of charges; is based on allegations on which each charge (ii) a statement of relevant facts including any including the statement by the employee. admission or confession made by (iii) a list of documents by which and a list of witnesses by whom proposed to be substantiated. the articles of charges are proposed (3) The Managing Committee shall deliver to the employee a copy of the articles of charges, the statement of allegations and a list of documents and HARYANA GOVT. GAZ. (EXTRA), JUNE 13, 2006 (JYST. 23, 1928 SAKA) 329 witnesses by which each article of charge is proposed to be substantiated and shall require the employee to submit, within such time, not being less than fifteen days, as may be specified, a written statement of his defence and to state whether he desired to be heard in (4) (a) On receipt of the written statement of defence, the Managing Committee may, itself inquire into such of the articles of charges as are not admitted or, if it considers it necessary, to do so or appoint under sub-rule (1), an inquiry officer for the purpose, and where all the articles of charges have been admitted by the employee in his written statement of defence, the Managing Committee shall record its decision on each charge after taking evidence as it may think fit and shall in the manner hereinafter laid down in these rules. (b); If a written statement of defence is submitted by the employee within the specified period, the Managing Committee may itself inquire into the articles of charges; if it considers it necessary to do so, appoint under sub-rule (i) an inquiry officer for the purpose. Where the Managing Committee itself inquires into the articles of charges or appoints an inquiry officer for holding an inquiry into such charges, it may, by order, appoint present, on its behalf, the case in support of the articles of charges. This is not itself the inquiring authority, (i) a copy of the articles of charges and the statement of allegation; (ii) a copy of the written statement of defence if any, submitted by the employee; (iii) a list of documents to be produced (iv) a list of witnesses (v) evidence documents required to be delivered to the inquiring authority; and (v) a copy of the order appointing the presenting officer. The employee shall appear, in person before the inquiring authority on such date as may be specified within ten working days of receipt by him, of the articles of charges and the statement of imputations of misconduct or misbehaviour. The inquiring authority may allow the assistance of any other employee to present the case on his behalf; but may not engage a legal practitioner for the presenting officer appointed by the Managing

Committee is a legal practitioner or the inquiring authority having regard to the circumstances of the case, so permits. 330 HARYANACGOVT. GAZ. (EXTRA), JUNE 13, 2006 (JYST. 23, 1928 SAKA) (8) If the employee who has not admitted any of the articles of charge in his written statement of defence, or has not submitted any written statement of defence, appears before the inquiring authority; such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charges, the inquiring authority shall record the plea, sign the record and obtain the signature of the employee thereon. (9) The inquiring authority shall record its findings of guilt in respect of those articles of charges to which the employee pleads guilty. (10) The inquiring authority shall, if to appear within the specified time (Y. émiG to presenting officer to prepare the evidence by which he proposes to prove the article of charge, and shall adjourn the case to a later date not exceeding thirty days, after recording an affidavit of his defence— inspect within five days of such further time not exceeding five as authority may allow, the documents specified in the list referred to in sub para (3) ; (ii.) submit a gist of witnesses examined on his behalf. for the supply of the copies of the statements of witnesses mentioned in the list referred to in sub para him such copies as early as possible find in any case not later than the examination of the witnesses of the managing committee. receipt of the notice for the discovery of the same of copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production to be specified in such requisition: for reasons to be recorded by it as to not relevant to the case. Under sub-para (11), every requisitioned documents shall produce the documentary evidence by produced by or on behalf of the Managing Committee. The witness shall be examined by or on behalf of the Committee, and may be examined by or on behalf to re-examine the witnesses on any point on which they did not on any new matter without the leave of the authority. The authority may also put witnesses examined by or on behalf to re-examine the witnesses on any point on which they did not on any new matter without the leave of the authority. HARYANA GOVT. GAZ. (EXTRA.), JUNE 13, 2006 (JYST- 2.3, 1928 SAKA) 331 (14) The inquiring authority may, in its discretion, if it appears necessary before the close of the case on behalf of the Managing Committee, allow the presenting officer to produce evidence not included in the list given to the employees or may itself for new or additional witnesses and in such case the employee shall be entitled to have; if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the date of adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the employee an opportunity of inspecting such documents before they are taken on the record. The inquiring authority may also allow the employee to produce new evidence if it is in his opinion that the production of such evidence is necessary in the interest of justice. Note:— New evidence shall not be produced or called for or any witnesses shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence which has been produced originally. (15) When the case on behalf of the Managing Committee is closed, the employee shall be required to state his defence orally or in writing as he may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case, a copy of the statement of defence shall be given to the presenting officer, if any appointed. (16) The evidence on behalf of the employee shall then be produced. The witness if he prefers. The witnesses produced employee may appear his employee shall then be examined and be liable to cross-examination, by the employee or the inquiring authority and the presenting officer and examining officer, according to the provision, applicable to the witnesses for the Managing Committee. (17) The inquiring authority may, after the employee loses his case, and shall if the employee has not examined himself ask him questions on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any such circumstances. (18) The inquiring authority may, after the completion of the evidence the presenting officer, appointed, and the employee hear and permit them to file written brief of the respective case, if they so desire. (19) (i) inquiring authority is of the opinion that the employee is if the delay in the production of evidence or fails to produce evidence on the specified date of hearing or fails to appear on the date of hearing, he may record his reasons in writing, and close the evidence on behalf of the employee and proceed with the case. The inquiring authority may, in its discretion, for reasons to be recorded in writing, set aside its own orders under clause (i) , if a petition is filed before it by the employee within fifteen days of the passing of such order: Provided that a copy of the petition is given to the presenting officer, if he heard before passing such order. (iii) No appeal shall lie against the

(Order. passed under-clause-(ii)-- (2)) If the employee to- whom a copy Of the article of ,charge has been delivered, does not submit the writ(eri statement of defg.nCe on or before the date ' 'Peéifiéd for the purpose or does riot appear iii person Béfoqe'the inquiring authority fails &refusée rio 'comply With thé@ovisions of these rules, the iiiääiiiiigâ authority may • th\$é ihâuio;tex-pâfte. (21 (i) Aâtéicth'ék-iöiâctdéiö h •öf*tKé in@üify a rport shall be prepared and Itkhatl CohtâiTi (a) the articles-of chayggs. th%\$.tatement: ofcthe imputation of misconduct or misbehaviour ; (b) defence in•respeccoteagharticle of charges; aridetic'éViâ'rcÅpeéf of each article of Cht•aifgeS3 (d) the findings of each article of charges and the reason thereof. ' ii.i'.i - the the proceedings c&aygedifiegent. articles or the Managing Committees shall forward to the 'Wt'âhâUing Commi,ttée, the \$ya)ll'inclueé— as submitted by.J the employees; (gy th\$or4 documentary e.yidencepyoduced during the c nqyyy,v;: , (d) yritten brief+, if filed the presenting officer or the employee or both, during the course of the -enquiry ; (e)t by the inquiring authority in regaid 'to: the; •flj TheManaging C6mini@teé, . if i ÂétioiT 06 the t is not it self inquiring author.ity, inquiry repprt. may, for reasons Io be réC(5rdéd by ii in writin g, remit the case to the inquiring .quthOritVfor fiirthGinGOirYfaildirepârt and the inquiring authority. as far as may HARYANA GOVT. GAZ, (EXTRA), JUNE. 13. 2006 (JYST. 23, 1928 SAKA) 333 be, shall thereupon proc.- ed IQ hold further inquiry, according to the provisions of para 6. (2) The Managing Committee, shali, if it disagrees with the findings of the inquiring authority on any articles of charge, record its reasons for each disagreementand record its Own findings on such charge, if the evidence. on record iS s affici ent for ;theLpupöse:. (3) If the ManâAing Committec having regard to its finding on QI Lor any of the articles of chargegtis of the opioion that any major punishment should be imposed On the employee', it shall — Ka), 'furnish io the employee a copy of the report of the inquiry held b} it and ifs findings on each article of charge or where the inquiry had been held by the inquiring authority appointed by it. a copy of thereport of:suchâüthffrity€and statement of its findings on each* article together - with brief reasons for its disagreements Witwthé fihdings öfrthe inquiring au thori ty: (b) gl+c the employee a notice stating the penalty proposed to be imposed on him and calling him to submit, within a period of •thirty-days;of such representation to : make agaihisttbe proposed penalty; (c) forward to the bJiector the cdmpléte record of inquiry mentioned éâfa 2, along with its findings .otveach%article of*Chârgé;,' •together Witkiibfiéf _reasons for .the V. thdfindings Oftrthe;inquiry authority ; qnd (d} evidence: of rccipt 01 notice by the employee. under, clâuéé (b)

4. The Directöf\$oneéeiPt of Such proéosal •ând representation, if any, the of being heard; byanjorde'r •in.ŠjhitiiiÉ?; gtVé'hiSkipÉ)t'öValto• iinédstion of the proposed puhishmentß)r redUce it 'if the pioposal is found to be malafideorby Wâyof QiCtimiSaffori OrnOt+WairantedbY théfâcts and circumstances ofthecase

5. On receipt of•the approval of the Directoi, the Managing Committee shall pass an order in detail.6. (i) Where after examination of the enquiry g)ort, referred to in sub-para (I) of para 2, the Managing Committee is of the opinion that one of the minor penalties will meet the ends of justice, the Managing Committee shall cause to be deliv?red to the employee a statement of imputation OF misconduct or misbehavior on the basis of which it•is oposed to take action against him and the Actioo by Director. Order by Managino Committee. Procedure for imposino nuaor 334 HARYANA GOVT. GAZ. (EXTRA.), JUNE 13, 2006 (DI'ST. 23, 1928 SAKA) emp'oyee shall be required to submit his reply within a period of twenty onc days. (ii) After considering the reply, the Managing Committee may pass an order in detail inflicting any of the minov pepalttes, Manner Cif filling appe#1 to against the imposition of mmor pen'alty. 7. (I) An appeal against order passed under para-6 may be preferred in the form of a memorandum signed by the appellant or his pleader and presented to the Director within tilit•y days of the date of thc order. The memorandum shali bé accompanied by a copy of the order appeälcd âgainst (unless appeiate authority é.*elhipßyand cjt'th'&inquu-y /eport on which it is founded. (2) The memorandum shall se! forth grounds of objection to the order avepealed alÂißS•N/itbb1it' âny'âfâümeni of narrative, and such grounds shall be .nâmbéred conseQuti 'very. (3) bThe appellant shall_not, except by the leave of. the Director, urge to beheard in suppon of any ground of objection not set forth in the memorandum .pfcappeal, inldeciding• the.appeal, shali not be confined to the grpunds of objection set forth in the memorandum Of appeal or submitted with fêh'0e•'dfthe Ditecto-r: shall' not base his decision on any other ground ;unless thegpartywho maybetaffected• thereby has had a sufficient opportunity of contesting the case on that ground. Wheretheanemoraurnofappeal is not drawn.up _in the prescyjbed to;thesappellant

for the purpose of being .%:. c ! by the Director or be amended then and there. (5) The Director may, after hearing the parties, confirm, vary or reverse the, Older appealed from any such orders as he deems fit. While passing the orders, the Director Shall record its reasons. nrdqrs of Managing Committee of, the. Director passed under para 7 *halblie.tq thet Of communication of the application for revision shall be to be revised, and shall be submitted and disposed of mutatis mutandis in the same manner as •prescribed in para 7 above. 'ts. HARYANA GOVT. GBE(EXTRA.): JUNE 2006 (JYST. 63, 1928 SAKA) Append i). -5 rule 9 (2)) No Name with designation 2 Date of birth 3 Home address 4 per person officially 02 (c) of entry into Government service-, Date of attainment of the age of the. 55 years*. Date of retirement 5 Date from which promoted as such 6 (b) s value of pay at Present Scale (hl I ecr; nlrncru s R.S. GUERÆ., Financial Commission & . to work in net: i i *.11 , 41 89-L.R.-H.G.P.. Chd

