

PART III

HARYANA GOVERNMENT

ADMINISTRATION OF JUSTICE DEPARTMENT

Notification

The 19th March, 1979

No. G. S. R. 27/Const./Art. 309/79—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 of persons appointed, to the Haryana State Prosecution (Group A) Service, namely :—

PART I : GENERAL

1. (1) These rules may be called the Haryana State Prosecution Legal Service (Group A) Rules, 1979.

Short title and commencement.

(2) They shall come into force at once.

2 In these rules, unless the context otherwise requires :—

Definitions.

(a) "Commission" means the Haryana Public Service Commission ;

(b) "direct appointment" means an appointment made otherwise than by promotion ;

(c) "Director" means the Director of Prosecution, Haryana ;

(d) "Government" means the Haryana Government in the Administrative Department ;

(e) "recognised university" means—

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

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

(f) "Service" means the Haryana Prosecution (Group A) Service.

PART II : RECRUITMENT TO SERVICE

Number and
character of
posts

3. The Service shall comprise the posts shown in Appendix 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 designation and scales of pay, either permanently or temporarily.

Nationality,
desirable and
character of
candidates
appointed to
Service.

4. (1) 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; or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, any of the East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire or Ethiopia with the intention of permanently settling in India;

Provided that a person belonging to category (b), (c), (d) or (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or any other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

(3) No person shall be appointed to any post in the Service by direct recruitment, unless he produces a certificate of character from the principal academic officer of the university, college, school or institution last attended, if any, and similar 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.

Age.

5. No person shall be appointed to any post in the Service by direct recruitment who is less than thirty years or more than forty years of age on the last date fixed for the submission of applications to the Commission or any other recruiting authority.

Appointing
authority.

6. Appointments to the posts in the Service shall be made by the Government.

7. No person shall be appointed to any post in the Service, unless he is in possession of qualifications specified in Appendix B to these rules.

Qualification
and
experience.

8. (1) No persons,—

- (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,

Disquali-
fications.

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. (1) Recruitment to the Service shall be made,—

- (i) by promotion from amongst Deputy District Attorneys and Additional Public Prosecutors, in accordance with the slab mentioned in Appendix C to these rules; or
- (ii) by direct recruitment.

Method of
recruitment.

Note:—When there are no Additional Public Prosecutors, promotion shall be made from amongst Deputy District Attorneys.

(2) Of the total number of posts, three-fourths shall be manned by promoted officers and one-fourth by direct recruits:

Provided that nothing in this sub-rule shall prevent the officiating appointment of a member of the Haryana Prosecution Group B Service on any post which is to be filled up by direct recruitment, till a direct recruit is appointed.

10. (1) Persons appointed to any post in the Service shall remain on probation for a period of two years, if appointed by direct recruitment and one year, if appointed otherwise:

Probation.

Provided that—

- (a) any period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation;
- (b) any period of work in equivalent or higher rank, prior to appointment to the Service, may, at the discretion of the appointing authority, be allowed to count towards the period of probation fixed under this rule; and
- (c) any period of officiating appointment shall be reckoned as period spent on probation but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may,—

- (a) if such person is appointed by direct recruitment, dispense with his services, and
- (b) if such person is appointed otherwise than by direct recruitment,—
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may,—

- (a) if his work or conduct has, in its opinion, been satisfactory,—
 - (i) confirm such person from the date of his appointment, if appointed against a permanent vacancy ; or
 - (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or
 - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy ; or
- (b) If his work or conduct has, in its opinion, been not satisfactory,—
 - (i) dispense with his services, if appointed by direct recruitment, and if appointed otherwise, revert him to his former post or deal with him in such other manner as the terms and conditions of his previous appointment permit ; or
 - (ii) extend his period of probation and thereafter pass such 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

Seniority of members of Service-

11. The seniority *inter-se* of members of the Service shall be determined by the length of their continuous service on any post in the Service :

Provided that in the case of members appointed by direct recruitment, the order of merit determined by the Commission 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 ;
- (b) in the case of members appointed by promotion seniority shall be determined according to the seniority of such members in the appointments from which they were promoted.

12. (1) A member of the Service shall be liable to serve under the Government at any place whether within or outside the State of Haryana.

Liability to
Serve.

(2) A member of the Service may also be deputed to serve under—

- (i) a company, an association or a body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Government, a municipal corporation or a local authority within the State of Haryana; or
- (ii) the Central Government, or a company, an association or a body of individuals whether incorporated or not which is wholly or substantially owned or controlled by the Central Government; or
- (iii) any other State Government, an international organisation, an autonomous body not controlled by the Government or a private body;

13. (1) In respect of pay, leave, pension and all other matters not expressly provided for in these rules, the members of the Service shall be governed by such rules and regulations as may have been, or may hereafter be, adopted or made by the competent authority under the Constitution of India or under any law for the time being in force made by the State Legislature.

Leave,
pension and
other
matters.

(2) No members of the Service shall have the right of private practice.

14. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as amended from time to time:

Discipline
penalties and
appeals

Provided that the nature of penalties which may be imposed and the authority empowered to impose such penalties shall, subject to the provisions of any law or rules made under articles 309 of the Constitution of India, be such as are specified in Appendix D to these rules.

(2) The authority competent to pass an order under clause (c) or clause (d) of sub-rule (1) of rule 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as amended from time to time, shall be as specified in Appendix E to these rules.

15. Every member of the Service shall get himself vaccinated and re-vaccinated if and when the Government so directs by a special or general order.

Vaccination.

Oath of
allegiance

16. Every member of the Service, unless he has already done so, shall be required to take the oath of allegiance to India and to the Constitution of India as by law established.

Power of
relaxation

17. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

Special pro-
vision.

18. Notwithstanding anything contained in these rules, the appointing authority may impose special terms and conditions in the order of appointment if it is deemed expedient to do so.

Promotion
of Assistant
District
Attorneys
Grade-I and
Additional
Public Pro-
secutors.

19. (i) Notwithstanding anything contained in these rules or the Punjab District Attorneys Service, Rules 1960, the persons who have held the posts of Assistant District Attorneys Grade-I or Additional Public Prosecutors, for a period of at least two years shall be eligible for appointment by promotion to any post of District Attorney immediately before coming into force of these rules, in accordance with the following slab :—

First two posts	Assistant District Attorneys Grade-I;
Third post	Additional Public Prosecutor ;
Fourth post	Assistant District Attorney ; Grade I;
Fifth post	Additional Public Prosecutor ;
Sixth and Seventh posts	Assistant District Attorneys Grade-I and Deputy District Attorney ;
Eight post	Additional Public Prosecutor ;
Ninth post	Deputy District Attorney ;
Tenth post	Deputy District Attorney ;
Eleventh post	Additional Public Prosecutor;
Twelfth post	Deputy District Attorney;

(2) This rule shall be deemed to have come into force on the 1st day of April, 1974.

Repeal and
savings.

20. The Punjab District Attorneys Service, Rules, 1960, are hereby repealed :

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

APPENDIX A

(See rule 3)

Designation of post	Number of posts			Scale of Pay
	Permanent	Temporary	Total	
District Attorney	10	7	17	Time Scale Rs. 700—50— 1,000—50— 1,250 with special pay of Rs. 150 p.m. or such amount as may be fixed by the Government from time to time Selection grade Rs. 1,300—50— 1500 with special pay of Rs. 150/- p.m. or such amount as may be fixed by the Govern- ment from time to time

Note.—Promotion to the selection grade shall be made strictly by selection on seniority-cum-merit basis and no member of the Service shall be entitled as of right to claim such promotion.

APPENDIX B

(See rule 7)

Designation of post	Qualifications for direct recruitment	Qualifications for appointment by promotion
1	2	3
District Attorney	Should have practised as an Advocate for a period of not less than Seven years.	Should have worked at least for three years as Deputy District Attorney or Additional Public Prosecutor.

APPENDIX C

(See rule 9)

Slab showing the manner and ratio in which the promotion to the posts of District Attorney is to be made.

First post	Deputy District Attorney
Second post	Additional Public Prosecutor
Third post	Deputy District Attorney
Fourth post	Deputy District Attorney
Fifth post	Deputy District Attorney
Sixth post	Additional Public Prosecutor
Seventh post and so on.	Deputy District Attorney

APPENDIX D

[See rule 14 (1)]

Designation of post	Appointing authority	Nature of penalty	Authority empowered to impose penalty
1	2	3	4
District Attorney	Government	(a) Censure, (b) warning with a copy on the personal file, (c) withholding of increments, promotion including stoppage at an efficiency bar, (d) recovery from pay of the whole or part of any pecuniary loss caused to the Government by negligence or by breach of orders, (e) reduction to a lower post or time scale or to a lower stage in a time scale, (f) removal from Service which does not disqualify from future employment, (g) dismissal from Service which does ordinarily disqualify from future employment.	Government

APPENDIX E

[(See rule 14 (2))]

Designation of post	Nature of order	Authority empowered to make order
District Attorney	(i) Reducing or withholding the amount of ordinary/ additional pension admissible under the rules governing pension, (ii) terminating the appointment of a member of the Service otherwise than on his attaining the age fixed for superannuation.	Government

A. BANERJEE,

Commissioner and Secretary to Government,
Haryana

भाग-III

हरियाणा सरकार

न्याय प्रशासन विभाग

अधिसूचना

दिनांक 25 अक्टूबर, 2013

संख्या सांका०नि० 28/सवि०/अनु० 309/2013.—भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा राज्य अभियोजन विभाग विधिक सेवा (वर्ग क) सेवा में नियुक्त व्यक्तियों की भर्ती तथा सेवा की शर्तों को विनियमित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

भाग I सामान्य

1. (1) ये नियम हरियाणा राज्य अभियोजन विभाग विधिक सेवा (वर्ग क) नियम, 2013 कहें जा सकते हैं। सक्षिप्त नाम, प्रारम्भ तथा विस्तार।
- (2) ये तुरन्त प्रभाव से लागू होंगे।
2. इन नियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो,— परिभाषाएं।
- (क) 'आयोग' से अभिप्राय है, हरियाणा लोक सेवा आयोग;
- (ख) 'सीधी भर्ती' से अभिप्राय है, कोई भी नियुक्ति जो पदोन्नति से अन्यथा की गई हो;
- (ग) 'सरकार' से अभिप्राय है, प्रशासकीय विभाग में हरियाणा सरकार।
- (घ) 'संस्था' से अभिप्राय है—
- (i) हरियाणा राज्य में लागू विधि द्वारा स्थापित कोई संस्था, या
- (ii) इन नियमों के प्रयोजन के लिए सरकार द्वारा मान्यता प्राप्त कोई अन्य संस्था;
- (ङ) 'मान्यता प्राप्त विश्वविद्यालय' से अभिप्राय है—
- (i) भारत में विधि द्वारा निर्गमित कोई विश्वविद्यालय, या
- (ii) कोई अन्य विश्वविद्यालय जो इन नियमों के प्रयोजन के लिए सरकार द्वारा मान्यता प्राप्त विश्वविद्यालय घोषित किया गया हो; तथा
- (च) सेवा से अभिप्राय है, हरियाणा अभियोजन विभाग (गुप क) विधिक सेवा।

भाग II सेवा में भर्ती

पदों की संख्या तथा उनके स्वसंपत्त

3. सेवा में इन नियमों के परिशिष्ट क में दर्शाए गए पद समाविष्ट होंगे :

परन्तु इन नियमों की कोई भी बात ऐसे पदों की संख्या में वृद्धि या कमी करने या विभिन्न पदनामों और वेतनमानों वाले नये पद रखाई अथवा अस्थाई रूप से बनाने के सरकार के अन्तर्निहित अधिकार पर प्रभाव नहीं डालेगी।

सेवा में नियुक्त किए गए उम्मीदवारों की राष्ट्रीयता, अधिवास तथा चरित्र।

4. (1) कोई भी व्यक्ति, सेवा में किसी भी पद पर तब तक नियुक्त नहीं किया जायेगा, जब तक वह निम्नलिखित न हो,—

(क) भारत का नागरिक; या

(ख) नेपाल की प्रजा; या

(ग) भूटान की प्रजा; या

(घ) तिब्बत का शरणार्थी, जो प्रथम जनवरी, 1962, से पहले भारत में स्थायी रूप से बसने के आशय से आया हो; या

(ङ) भारतीय मूल का व्यक्ति, जो पाकिस्तान, बर्मा, श्रीलंका या जीनिवा, युगांडा तथा तंजानिया के संयुक्त गणराज्य (भूतपूर्व टोंगानीका और जंजीबार), जांबिया, मलावी, जाम्बिया और इथोपिया के किसी पूर्वी अफ्रीकी देश से प्रवासित होकर भारत में स्थाई रूप से बसने के आशय से आया हो।

परन्तु प्रथम (ख), (ग), (घ) या (ङ) से सम्बन्धित किसी प्रथम का व्यक्ति, ऐसा व्यक्ति होगा जिसके पास में भारत सरकार द्वारा पात्रता का प्रमाण-पत्र जारी किया गया हो।

(2) कोई भी व्यक्ति, जिसकी दशा में पात्रता का प्रमाण-पत्र आवश्यक हो, उसे आयोग या किसी अन्य भर्ती प्राधिकरण द्वारा संचालित परीक्षा या साक्षात्कार के लिए प्रविष्ट किया जा सकता है किन्तु नियुक्ति का प्रस्ताव उसे सरकार द्वारा पात्रता का आवश्यक प्रमाण-पत्र जारी किये जाने के बाद ही दिया जा सकता है।

(3) कोई भी व्यक्ति, सेवा में किसी पद पर सीधी भर्ती द्वारा तब तक नियुक्त नहीं किया जायेगा जब तक वह अपने अन्तिम संपत्ति के विश्वविद्यालय, महाविद्यालय, विद्यालय या संस्था, यदि कोई हो, के प्रधान शैक्षणिक अधिकारी से चरित्र प्रमाण-पत्र और दो ऐसे अन्य जिम्मेवार व्यक्तियों से जो उसके सम्बन्धी न हों, किन्तु उसके व्यक्तिगत जीवन में उससे भली-भांति परिचित हों, और जो उसके विश्वविद्यालय, महाविद्यालय, विद्यालय या संस्था, से सम्बन्धित न हों, उसी प्रकार के प्रमाण-पत्र प्रस्तुत न करें।

अनु।

5. कोई भी व्यक्ति, सेवा में किसी भी पद पर सीधी भर्ती द्वारा नियुक्त नहीं किया जायेगा, जो आयोग या किसी अन्य भर्ती प्राधिकरण को आवेदन पत्र प्रस्तुत करने के लिए नियत अन्तिम तिथि को तीस वर्ष से कम या चालीस वर्ष की आयु से अधिक का हो।

6. सेवा में बर्तों पर नियुक्तियाँ सरकार द्वारा की जाएँगी।

नियुक्ति प्राधिकारी।

7. कोई भी व्यक्ति सेवा में किसी भी पद पर तब तक नियुक्त नहीं किया जाएगा, जब तक योग्यताएँ। वह सीधी भर्ती की दशा में, इन नियमों के परिशिष्ट ख के खाना 3 में तथा सीधी भर्ती से अन्यथा नियुक्ति की दशा में, पूर्वोक्त परिशिष्ट के खाना 4 में विनिर्दिष्ट योग्यताएँ तथा अनुभव न रखता हो।

परन्तु सीधी भर्ती द्वारा नियुक्ति की दशा में, यदि अपेक्षित अनुभव रखने वाले अनुसूचित जातियों, पिछड़े वर्गों, भूतपूर्व सैनिकों और शारीरिक रूप से विकलांग व्यक्तियों से सम्बन्ध रखने वाले उम्मीदवारों की पर्याप्त संख्या उनके लिए आरक्षित पदों को भरण के लिए उपलब्ध न हो तो सरकार के विवेक पर अनुभव सम्बन्धी योग्यताओं में पचास प्रतिशत की सीमा तक ढील दी जा सकती है, ऐसा करने के लिए लिखित रूप में कारण दिये जावेंगे।

8. कोई भी व्यक्ति,

अयोग्यताएँ।

(क) जिसने जीवित पति/पत्नी वाले व्यक्ति से विवाह कर लिया है या विवाह की सविदा कर ली है; या

(ख) जिसने पति/पत्नी के जीवित होते हुए किसी अन्य व्यक्ति से विवाह कर लिया है या विवाह की सविदा कर ली है,

सेवा में किसी भी पद पर नियुक्ति का पात्र नहीं होगा।

परन्तु यदि सरकार की संतुष्टि हो जाए कि ऐसे व्यक्ति तथा विवाह के दूसरे पक्ष पर लागू स्वीय विधि के अधीन ऐसा विवाह अनुज्ञेय है तो वह किसी व्यक्ति के इस नियम के लागू होने से छूट दे सकती है।

9. (1) सेवा में भर्ती निम्नलिखित ढंग से की जाएँगी।

भर्ती का ढंग।

(क) निदेशक की दशा में—

मुख्य न्यायाधीश पंजाब तथा हरियाणा उच्च न्यायालय की दण्ड की प्रक्रिया संहिता, 1973 (1974 का 2), की धारा 25-ए के निबन्धनों के अनुसार सहमति से अपर निदेशक तथा जिला न्यायादियों में से पदोन्नति द्वारा;

(ख) अपर निदेशक की दशा में,—

(i) जिला न्यायादियों में से पदोन्नति द्वारा,

(ii) स्थानान्तरण प्रतिनियुक्ति द्वारा;

(ग) जिला न्यायादियों की दशा में,—

(i) 25 प्रतिशत सीधी भर्ती द्वारा; तथा

(ii) 75 प्रतिशत उच्च जिला न्यायादियों में से पदोन्नति द्वारा।

(2) सभी पदोन्नतियां जब तक अन्यथा उपबन्धित न हों, ज्येष्ठता एवं योग्यता के आधार पर की जाएंगी और केवल ज्येष्ठता ऐसी पदोन्नतियों के लिए कोई अधिकार प्रदान नहीं करेगी।

परन्तु इस उप नियम की कोई भी बात किसी पद पर जो सीधी भर्ती द्वारा भरा जाना है, सीधी भर्ती द्वारा नियुक्त किए जाने तक हरियाणा अभियोजन विभाग विधिक सेवा (बर्न) के सदस्य की स्थानापन्न नियुक्ति को नहीं रोकेगी।

परिचीक्षा।

10. (1) सेवा में किसी भी पद पर नियुक्त व्यक्ति, यदि वह सीधी भर्ती द्वारा नियुक्त किया गया हो, तो दो वर्ष की अवधि के लिए और यदि अन्यथा नियुक्त किया हो, तो एक वर्ष की अवधि के लिए परिचीक्षा पर रहेगा।

परन्तु —

(क) ऐसी नियुक्ति के बाद किसी अनुरूप या उच्चतर पद पर प्रतिनियुक्ति पर व्यतीत की गई कोई अवधि परिचीक्षा की अवधि गिनी जावेगी।

(ख) स्थानान्तरण द्वारा नियुक्ति की दशा में सेवा में किसी पद पर नियुक्ति से पहले, किसी समकक्ष या उच्चतर पद पर किये कार्य की कोई अवधि, नियुक्ति प्राधिकारी के विवेक पर, इस नियम के अधीन, नियत परिचीक्षा अवधि की दशा में गिनने के लिए अनुज्ञात की जा सकती है, और

(ग) स्थानापन्न नियुक्ति की कोई अवधि परिचीक्षा पर व्यतीत की गई अवधि के रूप में गिनी जावेगी, किन्तु कोई भी व्यक्ति जिसने इस प्रकार स्थानापन्न रूप में कार्य किया है, परिचीक्षा की विहित अवधि के पूरा होने पर, यदि वह किसी स्थायी रिक्ति पद पर नियुक्त न किया हो, पुष्ट किए जाने का हकदार नहीं होगा।

(2) यदि, नियुक्ति प्राधिकारी की राय में परिचीक्षा की अवधि को दौरान किसी व्यक्ति का कार्य या आचरण संतोषजनक न रहा हो, तो वह—

(क) यदि ऐसा व्यक्ति सीधी भर्ती द्वारा नियुक्त किया गया हो, तो उसे उसकी सेवाओं से हटा सकता है, और

(ख) यदि ऐसा व्यक्ति सीधी भर्ती से अन्यथा नियुक्त किया गया हो, तो—

(i) उसे उसके पूर्व पद पर प्रतिवर्तित कर सकता है; या

(ii) उसके सम्बन्ध में किसी ऐसी अन्य रीति में कार्यवाही कर सकता है, जो उसकी पूर्व नियुक्ति के निबन्धन तथा शर्तें अनुज्ञात करें।

(3) किसी व्यक्ति की परिचीक्षा अवधि पूरी होने पर, नियुक्ति प्राधिकारी,—

(क) यदि उसकी राय में उसका कार्य या आचरण संतोषजनक रहा हो, तो—

- (i) ऐसे व्यक्ति को, यदि वह किसी स्थायी रिक्ति पर नियुक्त किया गया हो, तो उसे उसकी नियुक्ति की तिथि से पुष्ट कर सकता है; या
- (ii) ऐसे व्यक्ति को, यदि वह किसी अस्थायी रिक्ति पर नियुक्त किया गया हो, तो स्थायी रिक्ति होने की तिथि से पुष्ट कर सकता है; या
- (iii) यदि कोई स्थायी रिक्ति न हो, तो घोषित कर सकता है कि उसने अपनी परीक्षा अवधि संतोषजनक ढंग से पूरी कर ली है; या

(ख) यदि उसका कार्य या आचरण उसकी राय में संतोषजनक न रहा हो, तो—

- (i) यदि वह सीधी भर्ती द्वारा नियुक्त किया हो, तो उसे उसकी सेवा से हटा सकता है, यदि अन्वेषा नियुक्त किया गया हो, तो उसे उसके पूर्ण पद पर प्रतिवर्तित कर सकता है या उसके सम्बन्ध में ऐसी अन्वेषीति में कार्यवाही कर सकता है जो उसकी पूर्व नियुक्ति के निबन्धन तथा शर्त अनुज्ञात करे; या
- (ii) उसकी परीक्षा अवधि बढ़ा सकता है और उसके बाद ऐसे आदेश पारित कर सकता है जो वह परीक्षा की प्रथम अवधि की समाप्ति पर कर सकता था :

परन्तु परीक्षा की कुल अवधि, जिसमें सुदवाई गई अवधि भी, यदि कोई है शामिल है, तीन वर्ष से अधिक नहीं होगी।

11. सेवा के सदस्यों की परस्पर ज्येष्ठता सेवा में किसी भी पद पर उनके लगातार सेवाकाल के अनुसार निश्चित की जायेगी।

सेवा के सदस्यों की ज्येष्ठता।

परन्तु यह और कि सीधी भर्ती द्वारा नियुक्त सदस्यों की दशा में ज्येष्ठता निश्चित करने समय आयोग द्वारा निर्धारित योग्यता क्रम भंग नहीं किया जायेगा।

परन्तु यह और कि एक ही तिथि को नियुक्त दो या दो से अधिक सदस्यों की दशा में, उनकी ज्येष्ठता निम्नलिखित क्रम से निश्चित की जायेगी—

- (क) सीधी भर्ती द्वारा नियुक्त सदस्य पदोन्नति द्वारा नियुक्त सदस्य से ज्येष्ठ होगा;
- (ख) पदोन्नति द्वारा नियुक्त सदस्यों की दशा में, ज्येष्ठता ऐसी नियुक्तियों में ऐसे सदस्यों की ज्येष्ठता के अनुसार निश्चित की जायेगी, जिनसे वे पदोन्नत किये गए थे।

12. (1) सेवा का कोई भी सदस्य, नियुक्ति प्राधिकारी द्वारा, हरियाणा राज्य में अथवा उसके बाहर किसी भी स्थान पर, सेवा करने के लिए आदेश दिये जाने पर, ऐसा करने के लिए दायी होगा।

सेवा करने का दायित्व।

(2) सेवा के किसी सदस्य को निम्नलिखित के अधीन भी सेवा करने के लिए प्रतिनिवृत्त किया जा सकता है :

- (i) कोई कम्पनी, संगम या व्यक्ति निकाय चाहे वह निर्गमित हो या नहीं, जिसका पूर्ण या अधिकांश स्वामित्व का नियन्त्रण राज्य सरकार के पास हो, हरियाणा राज्य के भीतर नगर नियम या स्थानीय प्राधिकरण, या
- (ii) केन्द्रीय सरकार या ऐसी कम्पनी, संगम या व्यक्ति निकाय, चाहे वह निर्गमित हो या नहीं, जिसका पूर्ण या अधिकांश स्वामित्व या नियन्त्रण केन्द्रीय सरकार के पास हो; या
- (iii) किसी अन्य राज्य सरकार, अन्तर्राष्ट्रीय संगठन, स्वायत्त निकाय, जिसका नियन्त्रण सरकार द्वारा न हो, अथवा गैर-सरकारी निकाय :

परन्तु सेवा के किसी सदस्य को उसकी सहमति के बिना खण्ड (ii) या खण्ड (iii) में विनिर्दिष्ट केन्द्रीय सरकार या किसी अन्य राज्य सरकार या किसी संगठन या अन्य निकाय में सेवा करने के लिए प्रतिनिवृत्त नहीं किया जायेगा।

वेतन, छुट्टी, पेंशन तथा अन्य मामलों।

13. (1) वेतन, छुट्टी, पेंशन तथा सभी अन्य मामलों के सम्बन्ध में, जिनका इन नियमों में स्पष्ट रूप से उपबन्ध नहीं किया गया है, सेवा के सदस्य ऐसी नियमों तथा विनियमों द्वारा निर्धारित होंगे, जो सक्षम प्राधिकारी द्वारा भारत के संविधान के अधीन अथवा राज्य विधान मण्डल द्वारा बनाई गई तथा उस समय लागू किसी विधि के अधीन अपनाए जा बनाये गए हो अथवा इसके बाद अपनाए जा बनाये जायें।

(2) सेवा के किसी सदस्य को प्राइवेट प्रिक्टिस का अधिकार नहीं होगा।

(3) पंजाब सिविल सेवा नियम, बालूम-II के नियम 4.2 क के अधीन सूट उक्त नियमों में यथा परिष्कृत साधारण नियमनों तथा शर्तों पर अधिवर्षिता पर उनकी सेवानिवृत्ति की तिथि को भूतलक्षी प्रभाव सहित पेशानिक फायदों को प्रयोजन के लिए सेवा के सदस्यों को अनुज्ञेय होगी।

अनुशासन, शास्तियां तथा अपीलें।

14. अनुशासन, शास्तियों तथा अपीलों से सम्बन्धित मामलों में, सेवा के सदस्य समय-समय पर यथा संशोधित हरियाणा सिविल सेवा (दण्ड तथा अपील) नियम, 1987, द्वारा नियन्त्रित होंगे :

परन्तु ऐसी शास्तियों का स्वरूप जो लगाई जा सकती है, ऐसी शास्तियां लगाने के लिए सशक्त प्राधिकारी तथा अपील प्राधिकारी, भारत के संविधान के अनुच्छेद 309 के अधीन बनाई गई किसी विधि या नियमों के उपबन्धों के अधीन रहते हुए वे होंगे, जो इन नियमों के परिशिष्ट 'ग' में विनिर्दिष्ट हैं।

टीका लगावना।

15. सेवा का प्रत्येक सदस्य स्वयं को टीका लगवायेगा तथा जब सरकार किसी विशेष या साधारण आदेश द्वारा ऐसा निर्देश करे, पुनः टीका लगवायेगा।

राजनिष्ठता की शपथ।

16. सेवा के प्रत्येक सदस्य से, जब तक उसने पहले ही भारत के प्रति तथा विधि द्वारा यथा स्थापित भारत के संविधान के प्रति राजनिष्ठता की शपथ न ले ली हो, ऐसा करने की अपेक्षा की जायेगी।

17. जहाँ सरकार की राय में इन नियमों के किसी उपबन्ध में डील देना आवश्यक या बिल देना हीन हो, वहाँ वह कारण लिखकर, आदेश द्वारा, व्यक्तियों के किसी वर्ग या प्रवर्ग के बारे में ऐसा कर सकती है।

18. इन नियमों में किसी बात के होते हुए भी, नियुक्ति प्राधिकारी, यदि वह नियुक्ति आदेश विदेश-उपबन्ध में विशेष-निबन्धन तथा शर्तें लगाना उचित समझे, तो वह ऐसा कर सकता है।

19. इन नियमों में दी गई कोई बात राज्य सरकार द्वारा इस सम्बन्ध में समय-समय पर आरक्षण जारी किए गए आदेशों के अनुसार अनुसूचित जातियों, पिछड़े वर्गों या भूतपूर्व सैनिकों या शारीरिक रूप से विकलांग व्यक्तियों या व्यक्तियों के किसी अन्य वर्ग या प्रवर्ग को दिए जाने के लिए अपेक्षित आरक्षणों तथा अन्य शिवायतों को प्रभावित नहीं करेगी।

परन्तु इस प्रकार किए गए आरक्षण की कुल प्रतिशतता किसी भी समय पचास प्रतिशत से अधिक नहीं होगी।

20. हरियाणा राज्य अभियोजन-विधिक सेवा (युएच) सेवा नियम, 1979 इसके द्वारा निरस्त तथा लायूनि। निरसित किए जाते हैं।

परन्तु इस प्रकार निरसित नियमों के अधीन किया गया कोई आदेश या की गई या लम्बित कोई कार्यवाही इन नियमों के अनुरूप उपबन्धों के अधीन किया गया आदेश अथवा की गई कार्यवाही समझी जायेगी।

परिशिष्ट क

(देखिए नियम 3)

क्रम संख्या	पदनाम	घटो की संख्या			घे बैंड	वेतनमान	घेड पे
		रखाई	अरखाई	जोड़			
1	2	3	4	5	6		
1.	निदेशक	1	—	1	घे बैंड-4 ₹37400-67000+8800 घेड पे या समय-समय पर सरकार द्वारा यथा निर्धारित की गई राशि।		
2.	अपर निदेशक	2	—	2	घे बैंड-4 ₹37400-67000+8700 घेड पे या समय-समय पर सरकार द्वारा यथा निर्धारित की गई राशि।		
3.	जिला न्यायवादी	21	1	22	घे बैंड-3 ₹15600-39100+6400 घेड पे या समय-समय पर सरकार द्वारा यथा निर्धारित की गई राशि।		

परिशिष्ट ख

(देखिए नियम 7)

क्रम संख्या	पदनाम	सीधी भर्ती के लिए शैक्षणिक योग्यताएं तथा अनुभव यदि कोई हो	सीधी भर्ती से अन्यथा नियुक्ति के लिए शैक्षणिक योग्यताएं तथा अनुभव, यदि कोई हो
1	2	3	4
1.	निदेशक	—	अधिवक्ता के रूप में दस वर्ष का अनुभव रखने वाले अपर निदेशक/जिला न्यायवादियों में से पदोन्नति द्वारा।
2.	अपर निदेशक	—	अधिवक्ता के रूप में कम से कम दस वर्ष का अनुभव रखने वाले जिला न्यायवादियों में से पदोन्नति द्वारा।
3.	जिला न्यायवादी	(i) किसी मान्यता प्राप्त विश्वविद्यालय से विधि स्नातक की डिग्री, तथा (ii) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत का ज्ञान; या (iii) कम से कम सात वर्ष की अवधि के लिए अधिवक्ता के रूप में प्रैक्टिस की हो।	उप जिला न्यायवादी के रूप में तीन वर्ष का अनुभव।

परिशिष्ट ग

[देखिए नियम 14(1)]

क्रम संख्या	पदनाम	नियुक्ति प्राधिकारी	शासित का स्वरूप	शासित लगाने के लिए सशक्त प्राधिकारी	अपील प्राधिकारी
1	2	3	4	5	6
1.	निदेशक	सरकार	1. छोटी शासितवां (i) वैयक्तिक फार्मल (आचरण पंजी) (ii) व्यक्ति पर प्रति रखते हुए घोषणापत्र। (iii) परिनिन्दा। (iv) प्रदीनति रोकना।	सरकार	
2.	अपर निदेशक				
3.	जिला न्यायवादी		(iv) आदेशों की उद्देश्य या उत्पत्ति द्वारा केन्द्रीय सरकार या राज्य सरकार को या ऐसी कम्पनी संगम तथा व्यक्ति निकट, चाहे वह निर्गमित हो या नहीं, जिसका पूर्ण या अधिकांश स्वामित्व या नियन्त्रण सरकार के पास है, संसद या राज्य विधान मण्डल के अधिनियम द्वारा स्थापित किसी स्थानीय प्राधिकरण या विश्वविद्यालय को हुई घन सम्बन्धी पूरी हानि की या उसके भाग की वेतन से वसूली। (v) संघर्षी प्रभाव के बिना वेतनवृद्धि रोकना		

1	2	3	4	5	6
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2 बड़ी शक्तियाँ

सरकार

(vi) संघर्ष प्रभाव से वेतन वृद्धियाँ रोकना;

(vii) किसी विनिर्दिष्ट अवधि के लिए

समयमान में निम्नतर प्रकार पर

अवनति ऐसे अतिरिक्त निर्देशों सहित

कि क्या सरकारी कर्मचारी ऐसी अवनति

की अवधि के दौरान वेतनवृद्धियाँ

अर्जित करेगा या नहीं और क्या ऐसी

अवधि की समाप्ति पर, ऐसी अवनति

उसकी मागी वेतनवृद्धियाँ स्थगित

करने का प्रभाव रखेगी या नहीं;

(viii) निम्नतर वेतनमान ग्रेड, पद या सेवा पर;

ऐसी अवनति, जो सरकारी कर्मचारी के

समय वेतनमान, ग्रेड, पद या सेवा पर

जिससे वह अवनत किया गया था,

पदोन्नति के लिए साधारणतया रोक

होगी, सेवा जिस ग्रेड, पद अथवा सेवा

से सरकारी कर्मचारी अवनत किया

गया था, उस पर बहाली सम्बन्धी

और उसकी ज्योष्ठता तथा उस ग्रेड,

पद या सेवा पर वेतन के बारे में शर्तों

सम्बन्धी अतिरिक्त निर्देशों के साथ या

उनके बिना होगा;

1	2	3	4	5	6
			(ix) अनिवार्य सेवानियुक्ति:		
			(x) सेवा से हटाया जाना, जो सरकार के अधीन भावी नियोजन के लिए निरहता नहीं होगी,		
			(xi) सेवा से पदच्युति, जो सरकार के अधीन भावी नियोजन के लिए सम्मान्य निरहता होगी,		

समीर माथुर,

अपर मुख्य सचिव, हरियाणा सरकार,
न्याय प्रशासन विभाग।

[Authorised English Translation]

HARYANA GOVERNMENT
ADMINISTRATION OF JUSTICE DEPARTMENT

Notification

The 25th October, 2013

No. G.S.R. 26/Const./Art. 309/2013—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules regulating the recruitment and conditions of service of persons appointed to the Haryana State Prosecution Department (Group A) Legal Service, namely:-

PART 1 - GENERAL

1. (1) These rules may be called the Haryana State Prosecution Department Legal Service (Group A) Rules, 2013.

Short title and commencement.

(2) They shall come into force at once.

2. In these rules, unless the context otherwise requires :—

Definitions.

(a) "Commission" means the Haryana Public Service Commission;

(b) "direct appointment" means an appointment made otherwise than by promotion;

(c) "Government" means the Government of Haryana in the Administrative Department;

(d) "recognized university" means-

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

(ii) any other university which is declared by the Government to be recognized university for the purpose of these rules; and

(e) "Service" means the Haryana Prosecution Department (Group A) Legal Service;

(f) "Institution" means:—

(i) any institution established by law in force in the State of Haryana; or

(ii) any other institution recognized by the Government for the purpose of these rules;

PART II: RECRUITMENT TO SERVICE

Number and
character of
posts.

3. The Service shall comprise the posts shown in Appendix A to these rules:

Provided that nothing in these rules shall affect the inherent right of Government to make addition 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.

Nationality,
domestic and
character of
candidates
appointed to
Service.

4. (1) No person shall be appointed to any post in 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; or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, any of the East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia Malawi Zaire or Ethiopia with the intention of permanently settling in India.

Provided that a person belonging to category (b), (c), (d) or (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or any other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

(3) No person shall be appointed to any post in the Service by direct recruitments, 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.

Age.

5. No person shall be appointed to any post in the Service by direct recruitment who is less than thirty years or more than forty years of age on the last date fixed for the submission of applications to the Commission or any other recruiting authority.

Appointing
authority.

6. Appointments to the posts in the Service shall be made by the Government.

7. No person shall be appointed to any post in the Service unless he is in possession of qualifications and experience specified in column 3 of Appendix B to these rules in the case of direct recruitment and those specified in column 4 of the aforesaid Appendix in the case of appointment other than by direct recruitment:

Qualification
and
experience

Provided that in case of direct recruitment, the qualifications regarding experience shall be relaxable to the extent of fifty percent at the discretion of the Government in case sufficient number of candidates belonging to Scheduled Castes, Backward Classes, Ex-servicemen and Physically Handicapped categories possessing the requisite experience, are not available to fill up the vacancies reserved for, them, after recording reasons for so doing in writing.

8. (1) No person,—

Disqualifications.

- (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 exempt any person from the operation of this rule.

9. (1) Recruitment to the service shall be made—

Method of
recruitment.

(a) in the case of Director—

by promotion from amongst the Additional Directors and District Attorneys, with the concurrence of the Chief Justice, Punjab and Haryana High Court in terms of section 25 A of the Code of Criminal Procedure 1973 (2 of 1974):

(b) in the case of Additional Directors -

- (i) by promotion from amongst the District Attorneys;
- (ii) by transfer/deputation.

(c) in the case of District Attorneys-

- (i) 25% by direct recruitment; and
- (ii) 75% by promotion from amongst Deputy District Attorneys.

(2) All promotions unless otherwise provided shall be made on seniority-cum-merit basis and seniority alone shall not confer any right to such promotions:

Provided that nothing in this sub-rule shall prevent the officiating appointment of a member of the Haryana Prosecution Department Legal (Group B) Service on any post which is to be filled up by direct recruitment till a direct recruit is appointed.

Probation.

10. (1) Persons appointed to any post in the Service shall remain on probation for a period of two years, if appointed by direct recruitment and one year, if appointed otherwise :

Provided that—

- (a) any period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation;
- (b) any period of work in equivalent or higher rank, prior to appointment to any post in the Service, may, at the discretion of the appointing authority, be allowed to count towards the period of probation fixed under this rule; and
- (c) any period of officiating appointment shall be reckoned as period spent on probation but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may—

- (a) if such a 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 his previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may, —

- (a) if his work or conduct has, in its opinion, been satisfactory—
 - (i) confirm such person from the date of his appointment, if appointed against a permanent vacancy; or
 - (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or,
 - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy; or

(b) If his work or conduct has in its opinion, been not satisfactory—

(i) dispense with his services, if appointed by direct recruitment, and if appointed otherwise, revert him to his former post or deal with him in such other manner, as the terms and conditions of his previous appointment permit; or

(ii) extend his period of probation and thereafter pass such 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. The Seniority *Inter-se* of members of the Service shall be determined by the length of their continuous service on any post in the Service :

Seniority of
Members of
Service.

Provided that in the case of members appointed by direct recruitment, the order of merit determined by the Commission 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;

(b) in the case of members appointed by promotion, seniority shall be determined according to the seniority of such members, in the appointments from which they were promoted.

12. (1) A member of the Service shall be liable to serve at any place whether within or outside the State of Haryana on being ordered so to do by the appointing authority.

Liability to
serve.

(2) A member of the Service may also be deputed to serve under,—

(i) a company, an association or a body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Government, a municipal corporation or a local authority within the State of Haryana; or

(ii) the Central Government, or a company, an association or a body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Central Government; or

(iii) any other State Government, an international organization, an autonomous body not controlled by the Government or a private body.

Provided that no member of the Service shall be deputed to serve the Central or any other State Government or any organization or body referred to in clause (ii) or clause (iii) except with his consent.

Pay, leave,
pension and
other matters.

13. (1) In respect of pay, leave, pension and all other matters not expressly provided for in these rules, the member of the Service shall be governed by such rules and regulations as may have been or may hereafter be, adopted or made by the competent authority under the Constitution of India or under any law for the time being in force made by the State Legislature.

(2) No members of the Service shall have the right of private practice.

(3) The concession under Rule 4.2-A of Punjab Civil Services Rules, Volume-II shall be admissible to the members of the service for the purposes of pensionary benefits, with retrospective effect on the date of their retirement on superannuation on usual terms and conditions as envisaged under the said Rules.

Discipline,
penalties and
appeals.

14. In matters relating to discipline, penalties and appeals, members of the service shall be governed by the Haryana Civil Services (Punishment and Appeal) Rules 1987, as amended from time to time:

Provided that the nature of penalties which may be imposed and the authority empowered to impose such penalties shall subject to the provision of any law or rules made under article 309 of the Constitution of India, be such as specified in Appendix C to these rules.

Vaccination.

15. Every member of the Service shall get himself vaccinated and re-vaccinated if and when the Government so directs by a special or general order.

Oath of
allegiance.

16. Every member of the Service, unless he has already done so, shall be required to take the oath of allegiance to India and to the Constitution of India as by law established.

Power of
relaxation.

17. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

Special
provision.

18. Notwithstanding anything contained in these rules, the appointing authority may impose special terms and conditions in the order of appointment, if it is deemed expedient to do so.

Reservations.

19. Nothing contained in these rules shall affect reservations and other concessions required to be provided for Scheduled Castes, Backward Classes or Ex-serviceman. Physically Handicapped persons or any other class or category of persons, in accordance with the orders issued by the State Government in this regard from time to time:

Provided that the total percentage of reservation so made in respect of all reserved categories shall not exceed fifty percent at any time.

20. The Haryana State Prosecution Legal (Group A) Service Rules, 1979, are hereby repealed:

Repeal and savings.

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

APPENDIX A
(See rule 3)

Sr. No.	Designation of post	Number of posts			Scale of pay
		Perma- nent	Tempo- rary	Total	
1	Director	1	-	1	Pay Band-4 Rs. 37400-67000+ Rs. 8800 Grade Pay or such amount as may be fixed by the Govt. from time to time.
2	Additional Director	2	-	2	Pay Band-4 Rs. 37400-67000+ Rs. 8700 Grade Pay or such amount as may be fixed by the Govt. from time to time.
3	District Attorney	21	1	22	Pay Band-3 Rs. 15600-39100+ Rs. 6400 Grade Pay or such amount as may be fixed by the Govt. from time to time.

APPENDIX B
(See rule 7)

Sr. No.	Designation of post	Educational Qualification for direct recruitment and experience, if any	Educational Qualification for appointment other than direct recruitment and experience, if any
1	2	3	4
1	Director		By promotion from amongst Additional Directors/District Attorneys having ten years experience as an Advocate.
2	Additional Director		By promotion from amongst District Attorneys having atleast ten years experience as an Advocate.
3	District Attorney	<ol style="list-style-type: none"> 1. Degree of Bachelor of Law from a recognized University; 2. Knowledge of Hindi/Sanskrit upto Matric standard or higher education; 3. Should have practised as an advocate for a period not less then seven years. 	Three years experience as Deputy District Attorney.

APPENDIX C
(See rule 14 (1))

Sr. No.	Designation of post	Appointing Authority	Nature of Penalty	Authority empowered to impose Penalty	Appellate Authority
1	2	3	4	5	6
1	Director	Government	(1) MINOR PENALTIES		
			(i) warning with a copy in the personal file (Character roll);	Government	
			(ii) censure;		
			(iii) withholding of promotion;		
	Additional Director		(iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to the Central Government or a State Government or to a Company and Association or a body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the Government or to a local authority or University set up by an Act of Parliament or of the Legislature of a State; and		
	District Attorney		(v) withholding of increments of pay without cumulative effect.		
			(2) MAJOR PENALTIES		
			(vi) withholding of increment Government with cumulative effect;	Government	
			(vii) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the Government employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay.		

1	2	3	4	5	6
			(viii) reduction to a lower scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the time scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions or restoration to the grade or post or service from which the Government employee was reduced and his seniority and pay on such restoration to that grade, post or service.		
			(ix) compulsory retirement.		
			(x) removal from service which shall not be a disqualification for future employment under the Government.		
			(xi) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.		

SAMIR MATHUR,
Additional Chief Secretary to
Government Haryana,
Administration of Justice Department.