

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
No. 17/18/2018-3GSII

To

1. All the Administrative Secretaries to Government, Haryana.
2. All the Heads of Departments, Haryana.
3. The Divisional Commissioners, Ambala/ Hisar/ Rohtak /Gurgaon/Karnal and Faridabad.
4. All the Managing Directors/Chief Administrators of Boards/Corporations/Public Undertakings in Haryana.
5. All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
6. All the Registrars of Universities in Haryana State.

Dated Chandigarh the 17-11-2018

Subject: - Regarding SETC (State Eligibility Test in Computer Appreciation and Applications) - compulsory for all who are working as Clerks and those want to work as Clerk on promotion or by direct recruitment.

Sir/Madam,

I am directed to refer to this Department's Instruction issued vide number 42/164/2008-3GSII dated 7/11/2013 and 22/9/2017 and convey that the Government has already made SETC compulsory for persons who are promoted to the post of Clerk and a mandatory eligibility condition for recruitment to Group C posts of clerks.

In recent judgement dated 4/9/2018, Hon'ble High Court in Uma Kant &Ors. Vs State of Haryana (CWP- 7630-2016, CWP-4053-2017, CWP- 18084-2016 and CWP- 17278-2018) has held that:-

"This court is of the firm opinion that promotion to the post of Clerk necessarily involves skill required for the post of Clerk at least knowing about the typing and the computer application in order to perform the duties of Clerk in the Government offices. Nay it would be a fundamental requirement for a Clerk to have skilled knowledge about the computer application and the typing (English/Hindi) for discharging the functions as such. There can not be a Clerk without the knowledge of computer application and typing etc. There is no question of prospective application of notification dated 09-11-2013. It must apply to all who are working as Clerks and taking salary of Clerk. However, the note shown to us by the learned state counsel that type test would be necessarily prospective as per notification dated 09-11-2013 is absurd. By saying so, the result would be that there would be one set of Clerks in the exempted category having no knowledge of typing (English/Hindi) or computer application and or SETC qualification. Another set would be of Clerks having SETC qualification working in the same Government office. The Clerks in the exempted category would chuckle at the others having SETC. The present petitioners have claimed that there is discrimination and they should also be granted exemption. Thus if all the Clerks are granted exemption from passing SETC the working in the offices of the Government is bound to be severely affected apart from increase in favouritism and nepotism.

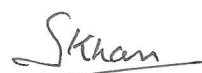
The State of Haryana is a progressive State and the step in question to continue to grant exemptions to the favourites on such excuses including the alleged prospective

application, is bound to result in a retrograde step. We cannot countenance such a thought and move on the part of the high ranking officer like Additional Chief Secretary to reduce the standard in such a manner that too when huge salary with 7th recommendation is being paid without accountability. We, therefore, find that passing of SETC type test (English/Hindi) ought to be made compulsory for one and all who want to work as a Clerk on promotion or by direct recruitment. It is a different matter that Government may give chances and chances to them to appear in the said test.

We hope, trust and request the Chief Secretary of the State of Haryana to look into the matter personally and take decision in the interest of public and the State rather than granting exemptions which obviously has given rise to the present litigation."

Therefore, considering the ratio suggested by Hon'ble High Court in the above judgement, the Government has taken the following decisions:

1. Qualifying both the Part I (Knowledge test) and Part II (typing test) of the SETC (State Eligibility Test in Computer Applications) shall be compulsory for all the currently working Clerks and all those who want to work as clerk on promotion or by direct recruitment.
2. The definition of Clerk includes Clerk-cum-Computer Operator, Office Associate, Clerk-cum-Data Entry Operator, Steno-typist, Data Entry Operator and Clerk-cum-Typist.
3. Condition of passing the SETC shall apply to all clerks (whether regular or contractual) appointed by any mode of recruitment i.e. whether appointed on regular basis or transfer basis or promotion basis or deputation or under Part II of Outsourcing Policy, etc.
4. It shall be mandatory for all Clerks (as defined in para 1 above) to qualify SETC within a period of 6 months i.e. by 31st of May, 2019.
5. In case, any clerk wishes to be exempted from SETC Part I (computer knowledge test), they may acquire necessary computer knowledge certification (mentioned in Govt. instruction no. dated 7/11/2013 and 22/9/2017) from the approved sources/authorized agencies i.e. HARTRON, HKCL, NIELIT, etc.
6. It may be brought to notice of the concerned, that expenditure incurred by the Clerks in acquiring SETC part I certification from authorized agencies/approved sources shall be reimbursed by their parent department upon successfully acquiring the said certification. The reimbursement shall be on actuals or maximum Rs. 3500/- only.
7. SETC Part II i.e. typing test shall be mandatory for all clerks. The typing test is being regularly conducted by HARTRON. The typing test is conducted both in English and Hindi. Employees must clear the typing test in any one language.
8. No further increment or promotion (where applicable) will be allowed to the clerks without passing both the components of SETC i.e. Part I (Knowledge test) and Part II (typing test).
9. To provide legal framework for implementation of these instructions, the SETC Rules, 2018 are being framed and shall be issued shortly.



(Sube Khan)

Under Secretary, Protocol
for Chief Secretary to Government Haryana

प्रेषक

श्रम आयुक्त, हरियाणा,
चण्डीगढ़ ।

सेवा में

सभी डी0डी0ओ0,
श्रम विभाग, हरियाणा राज्य ।

क्रमांक: स्था/05/2019/21933-88 दिनांक: 25-7-19

विषय:-

Regarding SETC compulsory for all who are working as Clerks and those want to work as Clerk on promotion or by direct recruitment.

उपरोक्त विषय पर सामान्य प्रशासन विभाग, हरियाणा सरकार द्वारा जारी हिदायतें क्रमांक 17/28/2018-3जी0एस0A दिनांक 17.11.2018 व क्रमांक 17/17/2019-3जी0एस0A दिनांक 01.05.2019 के संदर्भ में ।

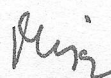
विषय सम्बंध में आपको सूचित किया जाता है कि सरकार द्वारा दिनांक 17.11.2018 को जारी हिदायतों के तहत वर्तमान में कार्यरत सभी कर्मचारी जोकि सीधी भर्ती के माध्यम से लिपिक/आशुलिपिक के रूप में कार्य कर रहे हैं के लिए कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा उत्तीर्ण करना अनिवार्य है, अन्यथा ये कर्मचारी दिनांक 31.05.2019 उपरांत आगामी पदोन्नित व वेतन वृद्धि के हकदार नहीं होंगे। विभाग में श्रेणी-घ से संबंधित कर्मचारी जिनकी पदोन्नित 07.11.2013 के उपरांत हुई है, उन कर्मचारियों को कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा उत्तीर्ण करना अनिवार्य है, जिनके लिए उनको 10 अवसर प्रदान किये गये हैं।

इसके अतिरिक्त यह बताना उचित होगा कि विभाग में श्रेणी-घ से संबंधित कर्मचारी जिनको विभाग द्वारा दिनांक 07.11.2013 से पूर्व लिपिक के पद पर पदोन्नित किया गया था उन कर्मचारियों पर कम्प्यूटर अप्रीशिएशन तथा ऐप्लिकेशन में राज्य पात्रता परीक्षा उत्तीर्ण करना की शर्तें लागू नहीं होती हैं।

अतः सभी डी0डी0ओ0 को निर्देश दिये जाते हैं कि वह उनके अधीन कार्यरत लिपिक/आशुलिपिकों को आगामी वार्षिक वेतन वृद्धि उक्त हिदायतों को ध्यान में रखते हुये ही प्रदान करना सुनिश्चित करें, अन्यथा मामले में वह स्वयं जिम्मेदार होंगे।

कृपया इसे अति आवश्यक समझे।

सलंगन/उपरोक्त


अतिरिक्त श्रम आयुक्त (प्रशा0)
कृते: श्रम आयुक्त, हरियाणा।

HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
No. 17/17/2019-3GSII

To

- i) All the Administrative Secretaries to Government, Haryana.
- ii) All the Heads of Departments, Haryana.
- iii) The Divisional Commissioners, Ambala/Hisar/Rohtak/Gurgaon/Karnal and Faridabad.
- iv) All the Managing Directors/Chief Administrators of Boards/Corporations/Public Undertakings in Haryana.
- v) All Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
- vi) All the Registrars of Universities in Haryana State.

Dated Chandigarh the 01-05-2019

Subject:- Regarding SETC (State Eligibility Test in Computer Appreciation and Application)- compulsory for all who are working as Clerks and those want to work as Clerk on promotion or by direct recruitment.

Sir/Madam,


I am directed to refer to this Department's Instruction issued vide letter number 17/28/2018-3GSII, dated 17-11-2018 wherein it was conveyed that the Government has made SETC compulsory for persons who are promoted to the post of Clerk and the SETC was prescribed as a mandatory eligibility condition for recruitment to Group C posts of clerks.

In a recent interim order, dated 21-02-2019, Hon'ble High Court in Uma Kant & Ors. Vs State of Haryana (CWP No.- 18143 of 2018, CWP No.- 7630 of 2016, CWP No.- 4053 of 2017) has held that:-

1. *Learned State counsel has relied upon the notification dated 07-11-2013 and has made a statement that, 07-11-2013 is the cut-off date which means those who have been promoted after the said date will have to compulsorily pass the test. Else the consequence will follow.*
2. *We accept the said cut-off date in order to avoid any chaotic condition. We, therefore, accept the said cut-off date and accordingly order that those who have been promoted after 07-11-2013 only shall have to pass the test.*
3. *It is made clear that the State shall now decide the number of chances to be given to those who are required to pass the said test. We also expect the State to give sufficient number of chances for passing the said test. We also clarify that those who have been reverted to Class-IV posts due to non-passing of the test, will be given chance to pass the test in question and accordingly, consequences would follow.*
4. *Post these matters on 08-05-2019.*

Therefore, considering the ratio suggested by Hon'ble High Court in the above interim order, the Government has taken the following decisions:

- a. That all those persons who have been **promoted to the post of Clerk** after 07-11-2013 shall have to clear SETC test.
- b. 10 (Ten) chances to qualify the SETC exam shall be provided to all those who have been promoted after 7/11/2013, during maximum duration of two years irrespective of the chances availed earlier. The ten chances (irrespective of any chances availed earlier) shall also be allowed to all the persons who have been reverted due to non passing of SETC.


Under Secretary, General Services-II
for Chief Secretary to Government Haryana

