

[Authorised English Translation]

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 22nd July, 2014

No. G.S.R./Const./Art. 309/2014:-- 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 further to amend the Haryana Labour Department (Group B) Service Rules, 1987, namely:--

1. These rules may be called the Haryana Labour Department (Group B) Service (Amendment) Rules, 2014.

2. In the Haryana Labour Department (Group B) Service Rules, 1987 (hereinafter called the said rules), in rule 2, in clause (f), in item (ii), for the figure "1847", the figure "1947" shall be substituted.

3. In the said rules, for rule 9, the following rule shall be substituted, namely:--

"9. (1) Recruitment to the Service shall be made,-

(a) in case of Assistant Director, Industrial Safety and Health,-

(i) by direct recruitment; or

(ii) by transfer or deputation of any officer already in the service of any State Government or the Government of India.

(b) in case of Assistant Director, Industrial Safety and Health (Chemical),-

(i) by direct recruitment; or

(ii) by transfer or deputation of any officer already in the service of any State Government or the Government of India.

(c) in case of Assistant Director, Industrial Health-cum-Certifying Surgeon,-

(i) by direct recruitment; or

(ii) by transfer or deputation of any officer already in the service of any State Government or the Government of India.

(d) in case of Assistant Labour Commissioner,-

(i) 50% by direct recruitment; and

- (ii) 40% by promotion from amongst the Labour Inspectors, who has passed the departmental examination provided in the Haryana Labour Department (Group-C) Service Rules, 1982.
 - (iii) 10% by promotion from amongst the Superintendent, Deputy Superintendents, Legal Assistants.
- (e) in case of Statistical Officer;-
- (i) by promotion from Head Statistical Assistant;
 - (ii) by transfer or deputation of any officer already in the service of any State Government or the Government of India.
- (f) in case of Welfare Officer (Woman);-
- (i) 50% by direct recruitment; and
 - (ii) 50% by promotion from amongst women working as Labour Inspectors; or
 - (iii) by transfer or deputation of an officer/official already in the service of any State Government or the Government of India.
- (g) in case of Labour Welfare Officer;-
- (i) by promotion from amongst Superintendents or Deputy Superintendent or Legal Assistants, or Labour Inspectors; or
 - (ii) by transfer or deputation of an officer/official already in the service of any State Government or the Government of India.
- (h) in the case of Editor,-
- (i) by direct recruitment; or
 - (ii) by transfer or deputation of any officer already in the service of any State Government or the Government of India.
- (i) in case of Superintendent,-
- (i) by promotion from amongst Deputy Superintendent/Legal Assistant/Judgment Writer;
 - (ii) by transfer or deputation of any officer/official already in the service of any State Government or the Government of India.
- (j) in case of Private Secretary,-
- (i) by promotion from amongst Judgment Writers/Senior Scale Stenographer; or
 - (ii) by transfer or deputation of any officer/official already in the service of any State Government or the Government of India.

(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.

4. In the said rules, in rule 11.-

(i) for sub-rule (1), the following sub rule shall be substituted, namely:-

“(1) All Persons except Superintendent and Private Secretary appointed to the Service under rule 9 shall have to qualify the departmental examination as per the conditions and syllabus specified in Appendix E within a period of one year of appointment, failing which, increments falling due after expiry of one year or any period thereafter, shall not be granted:

Provided that if a person promoted to the Service has already qualified the departmental examination specified in the Haryana Labour Department (Group-C) Service Rules, 1982, he shall not be required to pass this examination. The increment shall be granted from the date of qualifying/passing the examination, but he shall not be entitled to get arrears of increments for the period, the increments remained withheld”.

(ii) for sub-rule (6), the following sub-rule shall be substituted, namely:-

“(6) In the case of Assistant Director, Industrial Health-cum-Certifying Surgeon, as and when required by the Government, he shall have to qualify in the short/long term course on Industrial Safety and Health, on industrial hygiene and occupational industrial diseases from the approved institution within specified period. Failure to qualify the said course within specified period shall entail withholding of his annual increments it. The increment shall be granted from the date of qualifying/passing the examination, but he shall not be entitled to get arrears of increments for the period the increments remained withheld.”.

(iii) after sub-rule (6), the following sub-rule shall be added, namely:-

“(7) He shall have to qualify the departmental examination within two years in four chances, failing which he shall be discharged from Service, if appointed by direct recruitment and reverted, if appointed otherwise than by direct recruitment, irrespective of the completion of probation period provided in rule 10.”.

5. In the said rules, in rule 15, for sub-rule (2), the following sub-rule shall be substituted, namely:-

“(2). The authority competent to pass an order under clause (c) or clause (d) of sub-rule (1) of rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987 and the appellate authority shall also be as specified in Appendix D to these rules.”.

6. In the said rules, for Appendix A, the following Appendix shall be substituted, namely:-

"APPENDIX A (see rule 3)					
Serial Number	Designation of posts	Number of Posts			Scale of Pay
		Permanent	Temporary	Total	
1	2	3	4	5	6
1	Assistant Director Industrial Safety and Health	22	-	22	Pay Band-2 ₹9300-34800+Grade Pay ₹4600
2	Assistant Director Industrial Safety and Health (Chemical)	5	-	5	Pay Band-2 ₹9300-34800+Grade Pay ₹4600
3	Assistant Director Industrial Health-Certifying Surgeon	5	-	5	Pay Band-2 ₹9300-34800+Grade Pay ₹4600
4	Assistant Labour Commissioner	27	4	31	Pay Band-2 ₹9300-34800+Grade Pay ₹4200
5	Statistical Officer	1	..	1	Pay Band-2 ₹9300-34800+Grade Pay ₹4200
6	Welfare officer (Woman)	2	-	2	Pay Band-2 ₹9300-34800+Grade Pay ₹4200
7	Labour Welfare Officer	1	-	1	Pay Band-2 ₹9300-34800+Grade Pay ₹4200
8	Editor	1	..	1	Pay Band-2 ₹9300-34800+Grade Pay ₹4200
9	Superintendent	1	-	1	Pay Band-2 ₹9300-34800+Grade Pay ₹4200
10	Private Secretary	-	1	1	Pay Band-2 ₹9300-34800+Grade Pay ₹4200."

7. In the said rules, for Appendix B, the following Appendix, shall be substituted, namely:-

"APPENDIX B (see rule 7)			
Serial Number	Designation of posts	Academic qualifications and experience, if any for direct recruitment	Academic qualifications and experience, if any, for appointment other than direct recruitment
1	2	3	4
1.	Assistant Director Industrial Safety and Health	(i) Degree from a recognized university in any branch of Engineering or its equivalent. (ii) Two years practical experience in any factory of repute. (iii) Knowledge of Hindi/Sanskrit up to Matric standard or Higher education.	By transfer/ deputation,- (i) Degree of a recognized university in any branch of Engineering or its equivalent with five years experience in any State Government or Government of India on same or equivalent post. (ii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.
2.	Assistant Director, Industrial Safety and Health (Chemical)	(i) Degree in Chemical Engineering from a recognized university. (ii) Two years practical experience in the field of Chemical engineering in any factory of repute. (iii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.	By transfer/ deputation,- (i) Degree of a recognized university in Chemical Engineering with five years experience in any State Government or Government of India on same or equivalent post. (ii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.
3.	Assistant Director, Industrial Health-Certifying Surgeon	(i) M.B.B.S. or its equivalent qualification recognized by Medical Council of India; (ii) Diploma in Industrial Occupational diseases or Industrial hygiene from an institution. (iii) Five years practical experience in factory of repute. (iv) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.	By transfer/ deputation,- (i) M.B.B.S. or its equivalent qualification recognized by Medical Council of India. (ii) Diploma in Occupational diseases or Industrial hygiene from an institution. (iii) Five years experience in any State Government or Government of India on same or equivalent post. (iv) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.
4.	Assistant Labour Commissioner	(i) Law Graduate with Labour Laws as one of the subjects from any recognized university or Institution.	By Promotion,- (i) Graduate from a recognized university

		(ii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.	(ii) Degree or Diploma in Social Work or Labour Welfare or its equivalent from any recognized university or institution. (iii) In case of Superintendent three years combined experience as Superintendent or Deputy Superintendent or three years experience as Deputy Superintendent or Legal Assistant or Labour Inspector.
5.	Statistical Officer		By Promotion,- Three years experience as Head Statistical Assistant. By Transfer/deputation,- (i) Post Graduate in Statistics or Post Graduate Mathematics or Economics or Social Work with Statistics as one of the paper. (ii) Three years experience in labour statistics/ labour surveys. (iii) One year experience as Statistical Officer or equivalent in any State Government or Government of India. (iv) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.
6.	Welfare Officer (Women)	(i) Law Graduate from any recognized university/ institution with Labour Laws as one of the subjects. (ii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.	By Promotion,- (i) Graduate from a recognised university. (ii) Degree or Diploma in Social Work or Labour Welfare or its equivalent from a recognized university or institution. (iii) Three years experience as Labour Inspector. By Transfer/deputation,- (i) Law Graduate from any recognized University/ Institution with Labour Laws as one of the subjects. (ii) Knowledge of Hindi/Sanskrit upto Matric Standard or higher education.
7.	Labour Welfare Officer		By Promotion,- (i) Graduate from a recognised university. (ii) Degree or Diploma in Social Work or Labour Welfare or its equivalent from any recognised university or institution.

			<p>(iii) Three years experience as Deputy Superintendent or Legal Assistant or Labour Inspector.</p> <p>By Transfer/deputation,-</p> <p>(i) Law Graduate from a recognized university/ institution with Labour Laws as one of the subjects.</p> <p>(ii) One year experience on the same or equivalent post.</p> <p>(iii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.</p>
8.	Editor	<p>(i) Graduate with Economics or Public Administration or Sociology or Commerce or three years professional LL.B. Degree with Labour Laws as one of the subjects.</p> <p>(ii) Degree in Journalism from any recognized university;</p> <p>(iii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.</p>	<p>By transfer/ deputation,-</p> <p>(i) Graduate with Economics or Public Administration or Sociology or Commerce or three years professional LL.B. Degree with Labour Laws as one of the subjects.</p> <p>(ii) Degree in Journalism from any recognized university.</p> <p>(iii) One year experience on the same or equivalent post:</p> <p>(iv) Knowledge of Hindi/ Sanskrit up to Matric standard or higher education.</p>
9.	Superintendent		<p>By Promotion,-</p> <p>(i) Three years experience as Deputy Superintendent or Legal Assistant or Judgment Writer.</p> <p>By transfer/Deputation.-</p> <p>(i) Six years experience as Superintendent.</p> <p>(ii) Knowledge of Hindi/Sanskrit up to Matric standard or higher education.</p>
10.	Private Secretary		<p>By Promotion,-</p> <p>(i) One year experience as Judgment Writer or three years as Senior Scale Stenographer.</p> <p>By transfer/Deputation.-</p> <p>(i) Eight years experience as Private Secretary."</p>

8. In the said rules, for Appendices C and D, the following Appendices, shall be substituted, namely:-

“APPENDIX C (see rule 15 (1))						
Serial Number	Designation of posts	Appointing authority	Name of Penalty	Authority empowered to impose penalty	Appellate Authority	
1	2	3	4	5	6	
1.	Assistant Director, Industrial Safety and Health	Government	<p>Minor Penalties</p> <p>(a) warning with a copy in the personal file (character roll);</p> <p>(b) censure;</p> <p>(c) withholding of promotion;</p> <p>(d) 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</p> <p>(e) Withholding of increments of pay without cumulative effect;</p> <p>Major penalties</p> <p>(f) withholding of increments of pay with cumulative effect;</p> <p>(g) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to</p>	Government	Government	
2.	Assistant Director Industrial Safety and Health (Chemical)					
3.	Assistant Director, Industrial Health-cum-Certifying Surgeon					
4.	Assistant Labour Commissioner					
5.	Statistical Officer					
6.	Welfare Officer (Women)					
7.	Labour Welfare Officer					
8.	Editor					
9.	Superintendent					
10.	Private Secretary					

			<p>whether or not the Government employee shall earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction shall or shall not have the effect postponing the future increment of his pay;</p> <p>(h) reduction to 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, posts 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;</p> <p>(i) compulsory retirement;</p> <p>(j) removal from service which shall not be a disqualification for future employment under the Government;</p> <p>(k) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.”</p>		
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9. In the said rules, for Appendix D, the following Appendix, shall be substituted, namely:-

“APPENDIX - D

Sr. No.	Designation of Posts	Nature of order	Authority empowers to make the order
1	2	3	4
1.	Assistant Director, Industrial Safety and Health.	(i) Reducing or with-holding the amount or ordinary/additional pension admissible under rules governing pension.	Government
2.	Assistant Director, Industrial Safety and Health (Chemical)		
3.	Assistant Director, Industrial Health-cum Certifying Surgeon.	(ii) Terminating the appointment of a member of the Service otherwise than on his attaining the age fixed for superannuation.”.	
4.	Assistant Labour Commissioner		
5.	Statistical Officer		
6.	Welfare Officer (Women)		
7.	Labour Welfare Officer		
8.	Editor		
9.	Superintendent		
10.	Private Secretary		

10. In the said rules, for Appendix E, the following Appendix shall be substituted, namely:-

“APPENDIX - E
(See rule 11)

- (1) A departmental examination shall be held half-yearly about the fourth week of April and second week of November every year.
- (2) The Labour Commissioner, Haryana shall conduct the departmental examination.
- (3) The exact date, time and place of the examination shall be fixed by the Labour Commissioner at least one month before the commencement of the examination.
- (4) The question papers shall be set, answer books examined and marks awarded by the examiners appointed by the Labour Commissioner.
- (5) The Labour Commissioner shall appoint an officer to conduct the examination, who shall.-
 - (i) prepare the question papers and cause them to be typed or computerized;
 - (ii) superintend the examination and transmit the answer books directly to the examiner;
 - (iii) receive the awards from the examiner and through Labour Commissioner forward the awards to Government, who shall notify the result of the examination in order of merit, in the Official Gazette.

- (6) There shall be four papers for each category i.e. Assistant Labour Commissioner, Labour Welfare Officer (W), Labour Welfare Officer and Assistant Director, Industrial Safety and Health, Assistant Director, Industrial Safety and Health (Chemical), Assistant Director, Industrial Health-cum-Certifying Surgeon with the following syllabus:-

First Paper

- (i) The Trade Unions Act, 1926 and the regulations made thereunder.
- (ii) The Minimum Wages Act, 1948 and the rules made thereunder.
- (iii) The Payment of Wages Act, 1936 and the rules made thereunder.
- (iv) The Employees Compensation Act, 1923 and the rules made thereunder.
- (v) The Payment of Gratuity Act, 1972 and rules made thereunder.
- (vi) The Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955.
- (vii) The Motor Transport Workers Act, 1961 and the rules made thereunder.
- (viii) Contract Labour (Regulation and Abolition) Act, 1970 and the rules made thereunder.
- (ix) The Child Labour (Prohibition and Regulation) Act, 1986.
- (x) The Plantation's Labour Act, 1951.
- (xi) The Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.
- (xii) Labour Laws (Exemption form Furnishing Returns and Maintaining Registers by Certain Establishment) Act, 1938.
- (xiii) The Bonded Labour System (Abolition) Act, 1976 and rules made there under.

Second Paper

- (i) The Industrial Disputes Act, 1947 and the rules made thereunder;
- (ii) The Factories Act, 1948 and the rules made thereunder;
- (iii) The Industrial Employment (Standing Orders) Act, 1946 and the rules made thereunder;
- (iv) The Collection of Statistics Act, 1953;
- (v) The Punjab Shops and Commercial Establishments Act, 1958 and the rules made thereunder;
- (vi) The Equal Remuneration Act, 1976 and the rules made thereunder;
- (vii) The Sales Promotion Employees (Condition of Service) Act, 1976;
- (viii) The Maternity Benefit Act, 1961 and the rules made thereunder;

- (ix) The Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996;
- (x) The Punjab Industrial Establishments (National and Festival Holidays and Casual and Sick Leave) Act, 1965;
- (xi) The Punjab Labour Welfare Fund Act, 1965;
- (xii) The Punjab Industrial Housing Act, 1956;

Third Paper

- Approaches to Conciliation under the Industrial Disputes Act, 1947;
- Questions relating to Labour Welfare under different labour legislations;
- Questions relating to practical work under different labour legislations.

Fourth Paper

- Computer Operations : -
This paper would comprise of knowledge of the officials regarding word process, spreadsheet, data base, presentation such as word excel, power point, access and similar programmes.
- (7) The syllabus for examination may be altered from time to time.
 - (8) Each paper shall carry 100 marks.
 - (9) Time allowed for each papers shall be 3 hours.
 - (10) The answer books and other stationery for the examination shall be provided by the Labour Commissioner.
 - (11) No books shall be supplied or allowed to be consulted during the examination, except bare Acts.
 - (12) No candidate shall be considered to have qualified the examination unless he obtains 60% marks in each paper.
 - (13) A candidate may appear in all or any one or more papers at a time."

DR. R. P. CHANDER,
Additional Chief Secretary to Government Haryana,
Labour Department.