

Haryana State Industrial & Infrastructure Development Corporation

Employee's SERVICE BYE-LAWS

CHAPTER I

- 1.1 These Bye-laws may be called Haryana State Industrial & Infrastructure Development Corporation Employee's Service Bye-laws.
- 1.2 These Bye-laws shall take effect from 1.10.1969.
- 1.3 These Bye- laws shall also apply to (a) every whole time Officer or Employees of the Corporation subject to modification to the extent of specific commitment already or otherwise made to them

(b) Every Officer or employee employed temporarily and every adviser or agent or any other person recruited on special contract subject to terms of such contract provided that Industrial/Factory workers will be served by respective rules as may be drafted under the law in force from time to time.
- 1.4 In these Bye-laws unless there is any thing repugnant in the subject or context.
 - (a) "The Board" means the Board of Directors of the Haryana State Industrial & Infrastructure Development Corporation Limited, Panchkula.
 - (b) "Chairman" means the Chairman of the Board.
 - (c) "Bye-laws," means the Haryana State Industrial & Infrastructure Development Corporation Employees' Service Bye-laws for the time being in force.
 - (d) "Corporation" means the Haryana State Industrial & Infrastructure Development Corporation Limited, represented by the Board of Directors or duly authorized Officers of the Corporation.
 - (e) "Direct Appointment" means an appointment made otherwise, than by promotion or transfer of a person already in the service of the Corporation or made by taking a person on deputation from the Government or any other Organizations.
 - (f) "Duty" means the period of service which counts for pay, leave and other emoluments and includes probationary period joining time and leave, but does not include any period, or suspension or extraordinary leave without pay.
 - (g) "Employees" means a person (whether an officer or any other employee) employed on any post under the Corporation but does

not include, except for the purposes of disciplinary action, a casual worker or a daily wage earner.

- (h) "The Government " means the Haryana Government in the Industries Department.
- (i) "Honorarium" means the recurring or non-recurring payment granted to any person from the funds of the Corporation as remuneration for special work of an occasional or intermittent character.
- (j) "Managing Director" means the Officer, appointed by the Government to the post of Managing Director of the Corporation and includes a Director or officer who is authorized to exercise the powers and functions of the Managing Director during the absence of the Managing Director.
- (k) "Permanent Employee" means an employee appointed substantively to a permanent post.
- (l) "Probationer" means an employee appointed on probation in or against the substantive vacancy in the cadre of the Corporation.
- (m) "Temporary Employee" means an employee appointed in temporary or officiating capacity to temporary post carrying a definite rate of pay sanctioned for limited time.
- (n) "Posts" means the posts sanctioned/to be sanctioned by the Board from time to time.
- (o) "Appointing Authority" means the Authority competent to make appointments.

CHAPTER II

NUMBER AND CHARACTER OF POSTS UNDER THE CORPORATION

- 2.1 The Board shall have power to make from time to time, such additions, deletions alternations or amendments in these Bye-laws as it may deem fit and relax any of the provisions contained therein
- 2.2 No person shall be appointed to any post under the Corporation unless he is:-
- (a) a citizen of India; or
 - (b) a subject of Sikkim; or
 - (c) a subject of Nepal; or
 - (d) a subject of Bhutan; or
 - (e) a Tibetan refugee who came over to India before the January, 1962 with the intention of permanently settling in India.
- 2.3 Provided that a candidate belonging to categories (b) (c) (d) and (e) shall be person in whose favour a certificate of eligibility has been given by the competent authority and if he belongs to category(e) the certificate of eligibility will be issued for a period of one year after which such a candidate will be retained in service subject to his having acquired Indian Citizenship.

The power to interpret these Bye- laws shall vest in the Board of Directors who shall also be empowered to issue administrative instructions to the Managing Director to enforce these By-laws and to secure effective control by devising subsidiary rules. Delegation of powers, procedure or forms, subject to revision by the Board at any time sue moto or on representation by any employee.

CHAPTER-III

RECRUITMENT AND RETIREMENT

- 3.1 (a)** Recruitment to the various posts under the Corporation shall be made by the Board by any one or more of the following methods:-
- i) By direct appointment; or
 - ii) By deputation from Government or any other Corporation;
 - iii) By promotion or selection from amongst the Corporation staff;
 - iv) By transfer from one post to another.
- (b) Appointment to all posts under the Corporation shall be made by the Board of Directors subject to delegation of powers to the Managing Director or any other Subordinate Authority.
- (c) The Board/Appointing Authority may prescribe for various posts under the Corporation the qualifications whether academic, technical or otherwise, or tests of physical standards or any experience that it may consider necessary and expedient for the efficient discharge of duties or conditions for confirmation, promotion or continuance in service.
- (d) The age of a person, at the time of direct appointment to a post under the Corporation shall not exceed 45 years. Provided that the Board may in any case relax this condition having regard to the qualifications and experience of the candidate.
- (e) No person, who has been dismissed from any public or private employment or has otherwise ceased to be in the service of the Corporation, shall be re-employed except with the express approval of the Board.
- (f) The direct appointment of every person to any post under the Corporation shall be subject to production by such person of a medical certificate of fitness from registered medical practitioners or the medication Officer of the Corporation and if required produce a certificate acceptable to the Managing Director that he bears a good moral character.
- (g) All appointments shall, in the first instance, be on probation in respect of permanent posts and on temporary basis in respect of temporary posts.
- (h) The period of probation shall be one year subject to extension for another six months at the discretion of appointing authority if the work of the probationer is not found to be satisfactory during the first one year.
- (i) If at the expiration of the period of probation, the work of probationer is found to be satisfactory, the appointing authority may at its discretion confirm him either from the date next after the date of expiration of the period of probation or from the date of his first appointment on probation.

- (j) The period of temporary post, subsequently made permanent, will be counted towards probationary period for purpose of confirmation.
- (k) Temporary service against a temporary post, subsequently made permanent, will be counted towards probationary period for purpose of confirmation.

3.2 TERMINATION OF SERVICE:

The services of an Officer or other employee of the Corporation unless otherwise specifically agreed to, may be terminated by the Appointing Authority: -

- i) In the case of permanent Officer or other employee, by giving three months' notice on either side or, in lieu thereof, pay of the period the notice falls short of three months.
- ii) In the case of a temporary officer or other employee, by giving one month's notice on either side or, in lieu thereof, pay for the period the notice falls short of one month; and
- iii) In the case of an Officer or other employee on deputation from the Government or any other Corporation by reverting him to his parent department/corporation.

3.3 RECORD OF SERVICE

The following record of service of every Officer and other employee shall be maintained: -

- i) Personal Files
- ii) Service Book and
- iii) C.R. File.

Note: Files at Nos. (i) and (ii) shall be maintained by the office and the file at No. (iii) shall remain in the custody of the Managing Director or an officer authorized by him.

3.4 SENIORITY AND PROMOTION

a) Seniority :

The cadre-wise Interse-seniority of employees shall be determined with reference to the dates of their substantive appointment in their respective Division.

Provided that there shall be a common seniority list of the officers of the level of Deputy General Manager and above with reference to the date of their substantive appointment as Deputy General Manager or General Manager as the case may be.

Provided further that if two or more persons are substantively appointed to such posts on the same date, their seniority shall be determined as under:-

- i) A person recruited by promotion from the service of the Corporation shall be senior to a person recruited otherwise; provided that in the case of promotion of two or more persons, their interse-seniority shall be determined according to their seniority in the post from which they have been promoted.
- ii) A person on deputation shall be senior to a person recruited by direct appointment, provided that in case of two or more persons on deputation their interse-seniority shall be determined according to their seniority in the parent service;
- iii) In the case of persons recruited by direct recruitment, the older in age shall rank senior to younger.
- iv) In any other case, the person in the higher scale of pay shall be considered to be senior to a person in the lower scale of pay and, where the scales of pay are identical the person drawing higher salary shall rank senior.

b) Promotions

All promotions to posts under the Corporation shall be made on the basis of merit-cum-seniority and no person shall have a right to be promoted to any post on the basis of seniority alone.

3.5 Superannuation and Retirement :

Every Officer or other employee of the Corporation shall retire on attaining the age of 58 years.

3.6 Gratuity :

Every Officer or other employee of the Corporation, on attaining the age of superannuation will be entitled to a gratuity at the rate of one month pay for each year of service, subject to a maximum of 20 months and will also be applicable to the employees who resign from the service of the Corporation provided the employee has put in more than five years of service. The Corporation has adopted new LIC Accumulation Policy covering total liability under the gratuity scheme.

3.7 Compulsory Contributory Provident Fund:

Every Officer or other employee of the Corporation shall, be entitled to membership of the scheme of Contributory, Provident Fund of completion of six months service and in accordance with any law for the time being in force.

3.8

GENERAL

- a) The whole time of an officer or other employee shall be at the disposal of the Corporation. The working hours shall be fixed in such a manner as may be deemed fit by the Corporation in Corporation interest.
- b) No Officer or other employee shall directly or indirectly engage in any other business, occupation, or employment nor shall he enter into any partnership, accept any fees, endowment or commission whatsoever from any party other than the Corporation except with the previous permission of the Appointing Authority.
- c) Every Officer or other employee shall be liable to be transferred by the appointing authority from one post to another or to any place which it may consider necessary in the interest of the Corporation.
- d) No Officer or other employee of the Corporation shall take part in politics or in any political demonstration or stand for election as member of any House of the State Legislature or of any local Authority or indulge in such activities which may cause embarrassment to the Corporation.
- e) The Corporation shall in respect of acts done in good faith and in the interest of the Corporation extend protection to an officer and other employees of the Corporation in Court or elsewhere.
- f) All employees will obtain the prior permission of the competent authority before applying for jobs in outside Organisations, failure to do so will render them liable for disciplinary action.

CHAPTER-IV

PAY AND ALLOWANCES

4.1

For the purposes of this Chapter, the terms:-

- a) 'Pay' means the monthly pay drawn in a time scale and include 'personal' 'special' Dearness or Deputation pay but does not include any allowance.
- b) 'Substantive Pay' means the minimum or stage pay in the time scale substantively held;
- c) 'Personal Pay' means an additional pay granted to an officer or other employee:
 - i) to save him from loss due to revision of pay or reduction therein otherwise than as a disciplinary measure; or
 - ii) in exceptional circumstances, or other personal consideration.
- d) 'Special Pay' means additional pay granted in consideration of:-
 - i) the specially arduous nature of duties; or
 - ii) a specific addition to the work or responsibility.
- e) 'Award' means a fixed amount awarded in recognition of meritorious work performed by an officer or other employees of the Corporation;
- f) 'Allowance' includes Dearness Allowance, Travelling Allowance, Deputation Allowance, Conveyance Allowance, Sumptuary Allowance, Overtime Allowance, Chandigarh Compensatory Allowance, House Rent or any other kind of allowance sanctioned by the Board from time to time.

4.2

An Officer or other employee of the Corporation shall on appointment be eligible to the minimum of the scale of the post to which he is appointed. Provided that the appointing authority may, in consideration of special knowledge, training or experience allow a higher initial start to any person.

4.3

Dearness and other allowances will be admissible to all the employees of the Corporation at Haryana Government rates or as decided by the Board of Directors of the Corporation from time to time.

4.4

The Appointing Authority may, in recognition of exceptionally good service of an officer or other employee of the Corporation grant to him:-

- i) An award not exceeding pay of such officer or employee for two months immediately preceding the grant of award;
- ii) An increment or increments in the time scale of his post subject to a maximum of 10% of the pay drawn provided that in awards sanctioned in case of officers, the Board will be consulted before payment. Provided that the Board may award any amount of money or grant any number of increments.

- 4.5** (a) Government servants on deputation to the Corporation may either:-
- 1) accept the pay scale of the Post under the Corporation subject to the fixation of their pay in such pay scale by the appointing authority; or
 - 2) Continue to enjoy their pay scale in their parent service plus deputation pay as approved by the Government and other allowances as admissible to them in Govt. service.

Note: A Government servant on deputation with the Corporation will be entitled to claim benefits of higher pay scale or fixation of pay at a higher level with or without retrospective effect in the Corporation if such benefits have accrued to him in his parent service consequent upon decision in his favour of his appeal or representation or otherwise, as a matter of course.

- (b) Where an employee of any other Corporation is appointed to any post under the Corporation, his conditions of service shall be such as may be decided by the appointing authority.

4.6 The Corporation shall pay to the Government leave salary and pension contributions or any other liability in respect of all its officers or employees, taken on deputation from the Government in accordance with the rules of Government in force from time to time in this behalf.

4.7 An increment in a time scale may be drawn as a matter of course by an officer or other employee of the Corporation unless it is withheld or deferred by the Appointing Authority on the ground of suspension, grant of extraordinary leave without pay or punishment.

4.8 Specific sanction of the appointing authority shall be required to cross an efficiency bar in any time scale.

4.9 Special pay at a rate not exceeding 10% of basic pay to be determined by the appointing authority may be allowed to a person holding charge of an independent post in addition to his own duties for a period exceeding one month.

4.10 (a) Services in another post other than a post carrying less pay whether in a substantive or officiating capacity and leave other than extraordinary leave count for increment in the time scale applicable to the post on which the employee holding lien and

- (b) If an employee, while holding substantively a permanent post or officiating on a post or holding a temporary post on a time scale pay, is appointed to officiate in a higher post or to hold a higher temporary post his officiating or temporary services in the higher post shall if he is re-appointed to lower post or is appointed or re-appointed to a post on the same time scale of pay counts for increment in the time scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower is, however, restricted to the period during which the employee would have officiated in the lower post but for his appointment to the higher.

- 4.11** For fixation of pay, the officers/employees of the Corporation may be governed by the provision of CSR Volume-I, Part-I as amended by the Government of Haryana.
- 4.12** The Officers and the other employees of the Corporation shall receive such allowances as may be sanctioned by the Board from time to time.
- 4.13** The Board may grant an honorarium or retaining fee to any person for any service rendered by him to or work done by him for the Corporation.
- 4.14** Any sum of money or pay or allowance due to any officer or other employee of the Corporation that may have remained unclaimed may be transferred to and held in the suspense account for a period of three years from the date on which the payment is normally due and will thereafter be treated as lapsed to the Corporation.

CHAPTER-V

- 5.1** The admissibility of leave of all kinds to any officer or other employee of the Corporation shall be governed by the Haryana Civil Services Rules as amended from time to time.
