

HARYANA GOVERNMENT
AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND
HOMOEOPATHY
(AYUSH) DEPARTMENT

Notification

The 17th October , 2012

No.G.S.R.32/Const./Art.309/2012- In exercise of 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 Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) Department (Group A) Service, namely :-

PART-I GENERAL

- Short Title.** 1. These rules may be called the Haryana Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) Department (Group A) Service Rules, 2012.
- Definitions.** 2. In these rules, unless the context otherwise requires, -
- (a) "Commission" means the Haryana Public Service Commission;
 - (b) "Government" means the Haryana Government in the Administrative Department;
 - (c) "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 ;
 - (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 a recognized university for the purpose of these rules ; and
 - (e) " Service" means Haryana Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) Department (Group A) Services.

PART II- RECRUITMENT TO SERVICE

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

character of posts.

Provided that nothing in these rules shall effect the inherent right of the Government to make additions 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, domicile is, -and character of candidates appointed toService.

4. (1) No person shall be appointed to any post in the Service, unless he
- (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 or any of the East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar) Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India :

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

Appointing Government Authority.

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

Qualifications.

6. No person shall be appointed to any post in theService, unless he is in possession of qualifications and experience specified in column 3 of Appendix B to these rules in case of persons appointed other than by direct recruitment.

Disqualifications.

7. No person, -
- (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 and there are other grounds for so doing, exempt any person from the operation of this rule.

Method of Recruitment.

8. (1) Recruitment to the service shall be made, --
- (a) in the case of Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) ,-
- (i) by promotion from amongst Deputy Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) or
- (ii) by transfer or deputation of an officer already in the service of any State Government or the Government of India.
- (b) in the case of Deputy Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH),-
- (i) by promotion from amongst Assistant Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) or
- (ii) by transfer or deputation of any officer 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.

Probation :

9. (1) Persons appointed to any post in the Service shall remain on probation for a period of one year, if appointed by promotion or by transfer/deputation:

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, in the case of an appointment by transfer, at the discretion of the appointed 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 ,--

- (i) revert him to his former post ; or
- (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit,

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

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- (a) if his work or conduct has, in its opinion, been satisfactory,
 - (i) confirm such person from the date 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) a person if appointed by promotion or by transfer/deputation

revert him to his former post or deal with him in such other manner as the terms and condition 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 two years.

Seniority.
determined

10. Seniority, inter se of the members of the Service shall be by the length of continuous service on any post in the Service :

Provided that there are different cadres in the Service, the seniority shall be determined separately for each cadre :

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 promotion shall be senior to a member appointed by transfer ;

(b) in the case of a member appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members in the appointment from which they were promoted or transferred; and

(c) in the case of members appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a member who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also be same, then the length of their service in the appointment and if the length of such service is also the same, the elder member shall be senior to the younger member.

Liability to 11. (1) A member of the Service shall be liable to serve at any place, whether **serve**. within or outside the State of Haryana, on being ordered so to do by the appointing

authority.

(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 State Government, a municipal corporation or a local authority or university within the State of Haryana ;
- (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, 12. (1) In respect of pay, leave, pension and all other matters not expressly

pension and provided for in these rules, the members of the Service shall be governed by such rules and

other matters regulations as may have been, or may thereafter 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) The members of Service shall not be allowed to engage in private practice in any form.

Discipline, 13. (1) In the matters relating to discipline, penalties and appeals, members of **penalties:** the Service shall be governed by the Haryana Civil Services (Punishment and Appeal) Rules,

and appeals. 1987, as amended from time to time :

Provided that the nature of penalties which may be imposed, the authority empowered to impose such penalties and appellate authority shall, subject to the provisions of any law or rules made under article 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 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987, and appellate authority shall be as specified in Appendix D to these rules.

- Vaccination .** 14. (1) Every member of the Service, shall get himself vaccinated or revaccinated as and when the Government so directs by a special or general order.
- Oath of allegiance.** 15. 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 .** 16. 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 Provisions.** 17. 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.
- Repeal and Savings** 18. The Haryana Ayurvedic Department (Group A) Service Rules, 1998 , as far as they are applicable to the posts in the Service and corresponding to any of these rules, which is in force immediately before the commencement of these rules is 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)]

Serial No.	Designation of posts	Number of Posts			Scale of Pay
		Permanent	Temporary	Total	
1	2	3	4	5	6
1	Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	1	--	1	Rs. 37400-67000+ GP 8700+NPA.
2	Deputy Director, Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	1	--	1	Rs. 15600-39100+GP 7600 +NPA.

APPENDIX B
[(see rule 6)]

Serial No.	Designation of posts	Academic qualification and experience, if any for appointment other than by direct recruitment.	
1	2	3	
1	Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	(i)	<p>By promotion - 2 years experience on the post of Deputy Director, Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)</p> <p>By Transfer/Deputation A Degree in Ayurveda/Yoga and Naturopathy/ Unani/ Siddha / Homoeopathy (AYUSH) System of medicine from any recognized university or Medical Board or Faculty of Indian Medicine established by law or recognised by the Government;</p> <p>(ii) Two years experience on the post of Deputy Director Ayurveda/Yoga and Naturopathy/ Unani/ Siddha / Homoeopathy (AYUSH)</p> <p>(iii) Knowledge of Hindi/ Sanskrit up to Matric or higher education Standard</p>
2	Deputy Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	(i)	<p>By promotion - 2 years experience on the post of Assistant Director Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)</p> <p>By Transfer/Deputation A degree in Ayurveda/Yoga and Naturopathy/ Unani/ Siddha / Homoeopathy (AYUSH) System of medicine from any recognised University or Medical Board or Faculty of Indian medicine established by law or recognized by the Government;</p> <p>(ii) Two years experience on the post of Assistant Director Ayurveda/Yoga and Naturopathy/ Unani/ Siddha / Homoeopathy (AYUSH)</p> <p>(iii) Knowledge of Hindi/ Sanskrit up to Matric or higher education Standard</p>

APPENDIX C
[see rule 13(1)]

Serial No.	Designation of posts	Appointing authority	Nature of Penalty		Authority empowered to impose penalty	Appellate authority
1	2	3	4		5	6
1	Director of Ayurveda, Yoga & Naturopathy, Unani, Siddha & Homoeopathy (AYUSH)	Government	Minor Penalties-		Government	-
2	Deputy Director of Ayurveda, Yoga & Naturopathy, Unani, Siddha & Homoeopathy (AYUSH)	Government	(i)	warning with a copy in the personal file(Character roll);		
			(ii)	censure;		
			(iii)	withholding of promotion;		
			(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 the 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		
			(v)	withholding of increments of pay without cumulative effect;		
				Major Penalties:-		
			(vi)	withholding of increments of pay with cumulative effect;		
			(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 post pending the future increments of his pay;		

			(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 of restorations 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 further employment under the Government.		

APPENDIX C
[see rule 13(1)]

Serial No.	Designation of Posts	Appointing authority	Nature of Penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
1	Director of Ayurveda, Yoga & Naturopathy, Unani, Siddha & Homoeopathy (AYUSH)	Government	Minor Penalties:- (i) warning with a copy in the personal file(Character roll); (ii) censure; (iii) withholding of promotion; (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 the 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 (v) withholding of increments of pay without cumulative effect;	Government	-
2	Deputy Director of Ayurveda, Yoga & Naturopathy, Unani, Siddha & Homoeopathy (AYUSH)				
			Major Penalties:- (vi) withholding of		

			<p>increments of pay with cumulative effect;</p> <p>(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 post pending the future increments of his pay;</p> <p>(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 of restorations to that grade, post or service;</p> <p>(ix) compulsory retirement;</p> <p>(x) Removal from service which shall not be a disqualification for future employment under the Government;</p>		
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			(xi) dismissal from Service which shall ordinarily be a disqualification for further employment under the Government.		
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APPENDIX D
[see rule 13(2)]

Serial No.	Designation of post		Nature of order	Authority empowered to make the order	Appellate authority
1	2		3	4	5
1	Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	(i)	reducing or withholding the amount or ordinary or additional pension admissible under the rule governing pension;	Government	--
2	Deputy Director of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	(ii)	terminating the appointment otherwise than on its attaining the age fixed for superannuation.		

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