

**HARYANA SEEDS DEVELOPMENT CORPORATION LIMITED
(A STATE GOVERNMENT UNDERTAKING)
CHANDIGARH.**

No.HSDC(ESTT)F- /88/19376-80
Dated: - 2.11.1989.

NOTIFICATION

Exercising the powers conferred upon the Board of Directors under Article 110(1) of the Memorandum & Articles of the Association of the Company and under all other enabling provisions, the Board of Directors of Haryana Seeds Development Corporation Ltd. have made the "Haryana Seeds Development Corpn. Limited Employees Service Regulations, 1989' in their meeting held on 17th October, 1989.

The said Service Regulations approved by the Board of Directors are hereby notified for information of all concerned. The Regulations come into effect at once.

**CHANDIGARH
DATED THE 30TH OCT., 1989.**

**Sd/-
(C.S. RANA)
MANAGING DIRECTOR.**

For distribution :

1. All the Divisional Heads/Officers at Head Office.
They may also bring the above Regulations to the notice of the concerned employees. A copy of the Regulations is enclosed herewith.
2. All Regional Managers/Managers and Sr.A.O.(IAD), HSDC, Karnal with similar information as above; Enclosures, as above.
3. P.A. to Chairman, HSDC, Chandigarh alongwith a copy of the Regulations.
4. P.S. to M.D., HSDC, Chandigarh with a copy of the Regulations.
5. Concerned Files.

HARYANA SEEDS DEVELOPMENT CORPORATION LIMITED
(A STATE GOVERNMENT UNDERTAKING)
SCO No.169-70, Sector 8-C,
CHANDIGARH.

SERVICE REGULATIONS

Preamble: - In exercise of the powers conferred by Article 110(I) and all other enabling provisions of the Articles of Association of Haryana Seeds Development Corporation Limited, the Directors of the Company hereby make the following Regulations to regulate the recruitment and conditions of service of all persons appointed to various posts under the Corporation.

Short title - 1.1 These regulations may be called 'Haryana Seeds Development Corporation Ltd., Employees Service Regulations' 1989.

1.2 These Regulations shall take effect at once.

Definitions - 1.3 In these Regulations unless there is anything repugnant in subject or context.

- a) 'The Board' means the Board of Directors of Haryana Seeds Development Corporation Limited.
- b) 'Chairman' means the Chairman of the Board.
- c) 'Regulations' means the Haryana Seeds Development Corporation Limited Employees, Service Regulations for the time being in future;
- d) 'Service' means service of the Company.
- e) 'Corporation' means the Haryana Seeds Development Corporation Limited, represented by the Board of Directors or duly authorized officers of the Corporation.
- f) '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 organization.

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- g) '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 of suspension or extraordinary leave.
- h) 'Employee' means a person (whether an officer or any other employee) employed on any post under the Corporation but does not include, except for the purpose of disciplinary action, a casual worker or a daily wage earner.
- i) 'Government' means the Haryana Government.
- j) '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.
- k) 'Managing Director' means the officer, appointed by the Govt. to be the 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.
- l) 'Permanent Employee' means an employee appointed substantively to a permanent post, who has completed his probation period satisfactorily and also confirmed against a permanent post.
- m) 'Probationer' means an employee appointed on probation in or against the substantive vacancy in the service of the Corporation.
- n) 'Temporary Employee' means an employee appointed in a temporary or officiating capacity to a permanent/temporary post and who has not been confirmed.

- o) 'Appointing Authority' means the authority competent to make appointments as decided by Board of Directors.
- p) 'Permanent post' means post declared as such by the Board of Directors without mentioning any specific period of the currency of the post.
- q) 'Temporary Post' means posts created by the Board of Directors for a specific period.

CHARACTER-II

NUMBER AND CHARACTER OF POSTS UNDER THE CORPN.

- Number and – 2.1. The service under the Company shall comprise the posts in
Character Annexure-I to these Regulations.
Of posts. Provided that nothing in these Regulations shall effect the
inherent rights of the Board to add or reduce the number of such
posts or create new posts with different designations and scales of
pay either permanently or temporarily.
- 2.2. Posts in the Corporation will be divided into four groups i.e.
Group 'A', 'B', 'C' and 'D' corresponding to the revised scales of
pay as notified by the Haryana Government in their Gazette
Notification No.GSR 39./Const./Agt.309/87, dated 29.4.1987 or as
may be notified or classified from time to time.

CHAPTER-III

RECRUITMENT AND RETIREMENT

- Nationality -3.1- No person shall be appointed to any post under the Corporation
of the unless he is: -
- Candidate
- 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 1st January, 1962 with the intention of permanently settling in India.

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Provided that a candidate belonging to categories (b), (c) or (d) shall be a person in whose favour a certificate of eligibility has been given by the competent authority.

Method of-3.2- (a) Recruitment to posts in the service shall be made: -
recruitment

- i) by promotion; or
- ii) by direct recruitment; or
- iii) by transfer or deputation of an officer/official already in the service of Govt. or Public Undertaking of Central or State Govt. or an authority/organization of repute. All promotions unless provided shall be made on the basis of seniority-cum-merit and seniority alone shall not give any right to such promotions.
- iv) appointments to posts carrying an initial pay of rupees three thousand and fifty per mensem of more but less than Rs. Eight thousand per mensem under the State Public Sector Undertakings, Boards, Corporations, Legal Bodies or Co-operative Institutions etc. as may be entrusted to the Commission by such Boards, Corporations, Local Bodies or Co-operative Institutions etc. keeping in view the Acts and bye-laws governing them.

Appointing-3.3(1) Appointments to all posts under the Corporation shall be Authority made by the Board of Directors subject to delegation of powers to the Managing Director or any other subordinate authority.

Qualifications- (2) The Board may prescribe for various posts under the Corporation the qualifications whether academic, technical or otherwise, or test of physical standards as age 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.

- (3) 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 Annexure-III to these regulations in the case of direct recruitment and those specified in column 4 of the aforesaid Annexure in the case of appointment.

Note :- The Board in its 110th meeting held on 22.6.98 discussed the matter and it was resolved that power to appoint, suspend and dismiss Class-IV employees of the corporation be and is hereby delegated to the Chief Manager (P&A).

Contd...P/5.

other than by direct recruitment, provided that in case of direct recruitment, the qualifications regarding experience shall be relaxable to the extent of 50% at the discretion of the Board of Directors or any other appointing authority in case sufficient number of candidates belonging to scheduled castes, Backward Classes, Ex-serviceman and Physically Handicapped candidates, possessing the requisite experience, are not available to fill up the vacancies reserved for them, after recording reasons for so doing in writing.

- Disqualifi- (4) No person, _____
Cation (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 or contracted a marriage with any person, shall be eligible for appointment to any post in the Services Provided that the appointing authority 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 regulation.

- Age - (5) The age of a person, at the time of direct appointment to a post for all categories under the Corporation except where specifically laid down shall not be less than 18 years (**) and more than 42 years (*).

Provided that the Board or officer to whom powers of appointment have been delegated may in any specific case relax this condition having regard to the qualifications and experience of the candidate.

(*) The maximum age limit for recruitment has been raised from 35 to 40 years by the Board in its 116th meeting held on 13.12.99. Further, the maximum age limit for recruitment has been raised from 40 to 42 years for all categories by the Board in their meeting held on 16.2.2015 (notification of the same may kindly see at page NO. 97.)

(**) The minimum age limit for recruitment of all categories in the Corporation has been raised by the Government from 17 years to 18 years on dated 25.03.2022 (Notification of the same may kindly see at page No.124).

Contd...P/6.

- (6) No person, who has been retired from any Govt. organization shall be re-employed except with the prior approval of the Board. However, such a person shall not be re-employed beyond 60 years of age in any case.
- (7) 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 a doctor of Gazetted rank posted in a Govt. hospital or the Medical Officer of the Corporation and a certificate from two Gazetted Officers or from concerned police authorities that he bears a good moral character.

Probation-(8)

All appointments shall, in the first instance, be on temporary basis and on probation for a period of two years or actual period of the post against which the appointment is made, whichever ever is shorter.

- (1) The period of probation shall be 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 the service may, in the case of an appointment by transfer, at the discretion of the appointing authority, be allowed to count towards the period of probation fixed under this regulation; and

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- (c) any period of officiating appointment shall be reckoned as period 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, dispensed 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 & conditions of the 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 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: -

Contd...P/8.

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

Termination – 3.5 The service of any employee of the Corporation unless
of service otherwise specifically agreed to may be terminated by the appointing authority:-

- (1) In the case of a permanent employee, by giving three months notice or in lieu thereof, pay for which the period of notice falls short of three months.
- (2) In the case of a temporary employee, by giving one month's notice or in lieu thereof, pay for the period the notice false short of one month.

Provided that Bye-laws 1) and 2) above are not repugnant or contrary to provisions of any law for the time being in force.

Record -3.6 - The following record of service of every employee shall be
of service maintained:-

- i) Personal file
- 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.

Contd...P/9.

Seniority - 3.7 Seniority, inter se of members of the service shall be determined by the length of continuous service on any post in the service.

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

Provided further that in the case of members appointed by direct recruitment, the order of merit shall not be distributed 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 or by transfer;
- (b) a member appointed by promotion shall be senior to a member appointed by transfer;
- (c) in the case of members appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred; and
- (d) 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 the same then by the length of their service in the appointment, and if the length of such service is also the same, the elder member shall be consider to younger member.

Contd...P/10.

Age of

Compulsory Retirement - 3.8 Every employee of the Company shall retire from service on the after-noon of the Last day of the month in which he attains the age of 58 years. In exceptional circumstances the Appointing Authority, in public interest, and for reasons to be recorded in writing may retain an employee beyond this age.

Provided that the age of compulsory retirement for Group 'D' employees shall be 60 years.

Provided further than an employee whose date of birth is first of a month shall retire from service on the after-noon of the last day of the proceeding month on attaining the age of 58 years or 60 years, as the case may be.

-3.9. The Appointing Authority shall, if it is of the opinion that it is in the public interest so to do, have the absolute right to retire any employee, other than Group 'D' employee, by giving him notice of not less than 3 months in writing or 3 months pay and allowances in lieu of such notice;

- i) If he is in Group 'A' or 'B' service or post and entered HSDC's service; before attaining the age of 35 years after he has attained the age of 50 years and;
- ii) (a) If he is in Group C Service or post, or;
(b) If he is in Group A or B service or post and entered HSDC's service after attaining the age of 35 years; after he has attained the age of 55 years.

The employee would stand retired immediately on payment of three months' pay and allowance in lieu of the notice period and will not be in service thereafter.

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3.10 An employee other than a Group D employee may, by giving a notice of not less than 3 months in writing to the Appointing Authority, retire from service: -

- (i) If he is in Group A or B Service or post and had entered HSDC's service before attaining the age of 35 years; after he has attained the age of 50 years;
- (ii)(a) If he is in Group C service or post or;
- (b) If he is in Group A or B service or post had entered HSDC's service after attaining the age of 35 years, after he has attained the age of 55 years.

Provided that it shall be open to the Appointing Authority to withhold the permission to an employee under suspension who seeks retirement under this clause.

Gratuity -3.11 Employees of the Corporation shall be entitled to Gratuity as per provisions of payment of Gratuity Act,1972, as amended from time to time.

CHAPTER-IV

Pay and Allowances -4.1 For the purpose of this Chapter, the terms: -

- (a) 'Pay' means the monthly pay drawn in a time scale includes personal, special, dearness or deputation pay but does not include any allowances.
- (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: -

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- i) to save him from loss due to revision of pay or reduction therein for reasons otherwise than disciplinary measure; or
 - ii) in exceptional circumstances, or other consideration like good work;
- (d) 'Special Pay' means additional pay granted in consideration of: -
 - i) the special/arduous nature of duties; or
 - ii) a specific addition to the work or responsibility.
- (c) 'Allowance' includes Dearness Allowance, Traveling Allowance, Deputation Allowance, Conveyance Allowance, Overtime Allowance, City Compensatory Allowance, Sumptuary Allowance, House Rent Allowance or any other kind of Allowances sanctioned from time to time.
- 4.2. An 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 higher qualifications, training or experience allow a higher initial start to any person.
- 4.3, Dearness Allowances & other allowances will be admissible to all the employees of the Corporation as decided by the Board of Directors of the Corpn. 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 employee for one month immediately proceeding the grant of award.

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- ii) An increment or increments in the time scale of this post subject to a maximum of 10% of the pay drawn provided that in the case of officers the Board will be consulted before payment.
- 4.5. An employee on deputation to the Corporation may either:-
 - i) accept the pay-scale of the post under the Corporation subject to the fixation of his pay at the appropriate stage in such pay-scale or
 - ii) continue to enjoy his pay-scale in his parent service plus deputation pay as approved by the Govt. and such allowances as admissible in Govt. from time to time.

NOTE: A Government servant on deputation to 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 right: -

- 4.6. The Corporation shall pay to the Government/other organizations leave salary and Pension contributions or any other liability in respect of all its employees, taken on deputation from the Govt./other organization in accordance with the rules of Government/other organization 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 employee of the Corporation unless it is with-

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held or deferred by the appointing authority on the ground of suspension, grant of extra ordinary leave without pay other than the medical grounds or punishment.

4.8. Specific sanction of the Managing Director 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 may be allowed by Managing Director to a person holding charge of post in the same or higher scale in addition to his own duties for a period exceeding one month.

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

(b) If an employee, while holding substantively permanent post or officiating on a post, or holding a temporary post on a time scale or to hold a higher temporary post, his officiating or temporary services in the higher post shall, if he is reappointed to a post on the same time scale or pay, count 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 post is, however, restricted to the period during which the employee would have officiated in the lower post but for his appointment to the higher post.

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- 4.11. For fixation of pay, the employee of the Corporation will be governed by the relevant provisions of C.S.R. Vol. I, Part I as amended by Government of Haryana from time to time.
- 4.12. Any sum of money or pay or allowance due to any employee of the Corporation that may have remained unclaimed may be transferred to an held in the suspense account for a period of 3 years from the date on which the payment is normally due and will thereafter he treated as lapsed.

CHAPTER-V

- Leave Rules 5.1. Admissibility of leave of all kinds including encashment of leave, to any employee of the Corporation shall be governed by the Punjab Civil Services Rules as applicable in the State of Haryana from time to time and such other Rules and Regulations as may have been and may hereafter be made be made by the Haryana Government.

CHAPTER-VI

- Conduct & Discipline of Employees. - 6.1(i) Every employee shall be liable to serve the Corporation in such capacity and at any place within India as may be directed by the Corporation from time to time.
- (ii) The provisions of the Government Servants (Conduct) Rules-1965 as may be amended from time to time shall mutatis/mutandis apply in relation to every employee as they apply in relation to persons appointed to Civil Service and costs in connection with the affairs of the State and provided that references to the expressions 'the Government' and 'Government Servant' contained in the

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said rules shall be construed as references to the 'Corporation' and 'employee of the Corporation' respectively.

- (iii) Every employee shall be governed by such administrative and executive instructions and orders as may be issued by the Board of Directors/Managing Director from time to time in the interest of efficient and smooth working of the Corporation.
- (iv) Every Govt. servant and employee of Boards Corporations and other bodies under the control of Haryana Government, shall after his marriage furnish a declaration stating that he has not taken any dowry to Head of Department/Board/Corporation/Other body under the control of Haryana Government. The declaration shall be signed by the wife, father and mother in law.

Punishment- 6.2

& Appeals

Where an employee is found guilty of breach of any of these regulations or of any negligence, inefficiency or indolence in the performance of his duties, or of knowingly doing anything detrimental to the interest of the Corporation, in conflict with any of its instructions, or of committing a breach of discipline, or of any other act of misconduct or misdemeanor, or where such employee is convicted of a criminal offence, or for any other good and sufficient reasons, one or more of the following penalties may be imposed on him, namely:-

Minor

Penalties -

- i) a) Warning with a copy on personal file (character roll)
- b) Censure.
- c) Withholding of increments or promotions including stoppage at Efficiency Bar, if any.
- d) Recovery from pay or otherwise of whole or part of any pecuniary loss caused, by negligence, or breach of orders to the Corporation or any other authority where the employee is/was on deputation.

Major

Penalties -

- ii) e) Reduction to a lower post, time scale, or to a lower stage in a time scale.

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- f) Removal from the service which does not disqualify from future employment.
- g) Dismissal from service, which does ordinarily disqualify from future employment in the Corporation.
- h) Compulsory retirement.

EXPLANATION-I

The following shall not amount to a penalty within the meaning at this regulation.

- a) Withholding of increment of an employee for failure to pass a departmental examination in accordance with the orders, or the terms of his appointment.
- b) Stoppage of an employee at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar;
- c) Non-promotion, whether in a substantive or officiating capacity, of an employee, after consideration of his case, to a class or post to which he is eligible for promotion ;
- d) Reversion to substantive grade or post of an employee appointed on probation to another grade or post during or at the end of probation in accordance with the terms of his appointment or in accordance with these regulations.
- e) Repatriation of the services of any employee at the disposal of the Corporation to Institution which had lent his services to the Corporation;
- f) Compulsory retirement of an employee in accordance with the provisions relating to his superannuation or retirement as contained in these regulations.
- g) Termination of the services of any employee employed on contract, daily wages, seasonal basis or on casual basis.

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EXPLANATION-II

“Without prejudice to the generality of the term “misconduct”, the following acts of omission and commission shall be treated as misconduct;

- 1) Theft, fraud or dishonesty in connection with the business or property of the Corporation or of property of another person within the premises of the Corporation.
- 2) Taking or giving bribes or any illegal gratification;
- 3) Possession of pecuniary resources or property, disproportionate to the known sources of income by the employee or on his behalf by another person, which the employee cannot satisfactorily account for;
- 4) Furnishing false information regarding name, age, father's name, qualification, ability or previous services or any other matter pertaining to employment at the time of employment or during the course of employment;
- 5) Acting in a manner prejudicial to the interest of the Corporation;
- 6) Willful insubordination or disobedience, whether alone or in combination with others, of any lawful and reasonable order of his superior.
- 7) Absence without leave or overstaying the sanctioned leave for more than four consecutive days without sufficient grounds or proper or satisfactory explanation.
- 8) Habitual late or irregular attendance.
- 9) Neglect of work or negligence in the performance of duty including malingering or slowing down of work;
- 10) Damage to any property of the Corporation;

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- 11) Interference or tampering with any safety devices installed in or about the premises of the Corporation.
- 12) Drunkenness or riotous or disorderly or indecent behavior in the premises of the Corporation or outside such premises when such behaviour is related to or connected with the employment.
- 13) Gambling within the premises of the establishment.
- 14) Smoking within the premises of the establishment where it is prohibited.
- 15) Collection without the permission of competent authority of any money within the premises of the Corporation except as sanctioned by any law of the land for the time being in force or rules of the Corporation.
- 16) Commission of any act which amounts to a criminal offence involving moral turpitude.
- 17) Purchasing properties, machinery, stores without express permission in writing from the competent authority and in violation of financial properties.
- 18) Commission of any act subversive of discipline or of good behaviour .
- 19) Abetment of or attempt at abetment of any act which amounts to misconduct.

NOTE :- The above instances of misconduct are illustrative in nature and not exhaustive.

Procedure for imposing penalties	6.3. (1) No order imposing of an employee, any of the major penalties specified in these regulations major shall be passed except after an enquiry held as far as may be in the manner hereinafter specified, after affording reasonable opportunity. after affording reasonable opportunity.
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Provided that it is not necessary on the part of
appointing authority to conduct an enquiry in
cases :-

- a) Where a penalty is imposed on the ground of conduct which has led to conviction of the employee on a criminal charge ; or
 - b) Where the appointing authority is satisfied, for reasons to be recorded in writing, that it is not reasonably practicable to hold an enquiry ; or appointing/punishing.
 - c) Where the authority is satisfied that it is not in the interest of the Corporation to hold an enquiry.
- (2) The appointing authority shall frame definite charges on the basis of the allegations. Such charges, together with a list of the allegations on which they are based, shall be communicated in writing to the employee and he shall be required to submit within such time as may be specified by the appointing authority, a written statement of his defense and also to state whether he desires to be heard in person.
- (3) The appointing authority may itself enquire into the charges, or if it considers it necessary so to do, it may appoint a Board of enquiry or an Enquiry Officer for the purpose, subject to the conditions that members of the Board of Enquiry or the Enquiry Officer, hereinafter referred to as the enquiring authority, shall not belong to a class lower than that of the employee concerned. Any officer of the Corporation or of the State Govt. or an outsider may be appointed as enquiring authority.
- (4) The employee shall, for the purpose of preparing defence, be permitted to inspect and take extract from such records of the Corporation as specified provided that such permission may be refused if, for reasons to be recorded in writing, in the opinion of the

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appointing authority such records are not relevant for the purpose or it is against the interest of the Corporation to allow him access thereto.

- (5) On receipt of the written statement of defense or if no such statement is received within the time specified the appointing authority or the enquiring authority, as the case may be, may enquire into such of the charges as are not admitted.
- (6) The appointing authority may nominate any person to present the case in support of the charges before the enquiring authority. The employee may present his case with the assistance of any other employee, but shall not engage a legal practitioner for the purpose unless the person nominated by the appointing authority as aforesaid is a legal practitioner or unless the appointing authority, having regard to the circumstances of the case, so permits.
- (7) The enquiring authority shall, in the course of enquiry, consider such documentary evidence and taken such oral evidence as may be relevant or material in regard to the charges. The employee shall be entitled to cross examine witnesses examined in support of the charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross examine the employee and the witnesses examined in his defense. If the enquiring authority declines to examine any witness on the grounds that his evidence is not relevant or material, it shall record its reasons in writing.
- (8) At the conclusion of the enquiry, the enquiring authority shall prepare a report of enquiry, recording its findings on each of the charges together with reasons therefore. If in the opinion of

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such authority the proceedings of the enquiry establish charges different from those originally framed, it may record findings on such charges provided that finding on such charges shall not be recorded unless the employee has admitted the facts constituting them or has had an opportunity of defending himself against them.

- (9) The record of the inquiry shall include: -
- i) The charges framed against the employee and the statement of allegations furnished to them under sub regulations (2);
 - ii) his written statement of defense, if any,
 - iii) the oral evidence taken in the course of inquiry.
 - iv) The documentary evidence considered in the course of the enquiry.
 - v) The orders, if any, made by the appointing authority and inquiring authority in regard to the enquiry and
 - vi) A report setting out the findings on each charge and the reasons therefore.
- (10) The appointing authority shall, if it is not the inquiring authority, consider the record of the inquiry and record its finding on each charge.
- (11) If the appointing authority, having regard to its findings on all or any of the charges and on the basis of evidence adduced during the inquiry, is of the opinion that any of the major penalties specified in sub-regulation (ii) of regulation 6.2 or having regard to the circumstances of the case, the appointing authority is of the opinion that any of the minor penalties specified in sub regulations of regulation 6.2(i), should be imposed, it shall make an order imposing such major penalty as the case may be. It shall not be necessary to give the employee any further opportunity of making a representation on the penalty proposed to be imposed.

NOTE :- The authorities competent to impose penalties nature of penalties and appellate authorities have been specified in ANNEXURE-II.

- Procedure - 6.4 1)
For imposing
Minor
Penalties
- a) No order imposing any of the minor penalties specified on regulation 6.2 (1) shall be passed except after:
- a) the employee has been informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and has been given an opportunity to make any representation he may wish to make and ;
- b) such representation, if any, is taken into consideration by the competent authority.
- 2) The record of proceedings in such cases shall include :-
- i) A copy of the intimation to the employee of the proposal to taken action against him;
- ii) a copy of the statement of allegations communicated to him;
- iii) his representation, if any, and
- iv) the orders on the case together with reasons therefore.

Joint – 6.5
Enquiry.

Where two or more employees are concerned in any case, the appointing authority may make an order directing that disciplinary action against all of them may be taken in a common proceeding.

Communication –6.6.
of orders .

Every order imposing a major or minor penalty specified in regulation 6.2 passed by the competent authority shall be communicated the concerned employee forthwith.

Procedure -6.7 (1) The appointing authority or any authority to which it is for suspension.

subordinate may place an employee under suspension in cases :-

- a) where a disciplinary proceedings against him contemplated or is pending ; or
- b) where a case against him in respect of any criminal offence is under investigation or trial :

(2) An employee detained in custody whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention.

(3) Where a penalty of compulsory retirement, removal or dismissal from service imposed upon an employee under suspension is set aside in appeal under these regulations and the case is remanded for further inquiry or action or with any other directions, the orders of his suspension shall be deemed to have continued in force with effect from the date of the original order or compulsory retirement, removal or dismissal from service and shall remain in force until further orders.

An order of suspension made or deemed have been made under this regulation may, at any time be revoked by the appointing authority as the case may be.

Payment -6.8 1) An employee under suspension shall be entitled to receive during the the following payments, namely ;

- period of suspension.
- a) a subsistence allowance of any amount equal to the leave salary which the employee would have drawn if he had been on leave on half or on half pay and dearness allowance based on such leave salary ;

Contd...P/25.

Provided that where the period of suspension exceeds six months, the appointing authority shall be competent to vary the amount of subsistence allowance and dearness allowance for any period subsequent to the period of the first six months as follows :-

- i) The amount of subsistence allowance may be increased by a suitable amount, not exceeding 50% of the subsistence allowance admissible during the period of the first six months, if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the employee ;
- ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50% of the substance allowance admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the employee;
- iii) the rate of dearness allowance shall be base on the increased or the decreased amount of subsistence allowance admissible under sub clause (i) or (ii) as the case may be ;
- iv) any other compensatory allowance admissible from time to time on the basis of pay which the employee was in receipt of on the date of suspension ;

Provided that the employee shall not be entitled to the compensatory allowance unless the said authority is satisfied that the employee continues to meet the expenditure which these are granted.

Contd...P/26.

- 2) No payment under sub-regulations (1) shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation and that he did not leave Head Quarters of his suspension within permission of the competent authority.
- Pay and Allowances on reinstatement
- 6.9. 1) When an employee who has been dismissed, removed compulsorily retired or suspended is reinstated the authority competent to order the reinstatement shall consider and make a specific order: -
 - a) regarding the pay and allowance to be paid to the employee for the period of his absence from duty ; and
 - b) whether or not the said period shall be treated as a period spent on duty.
 - 2) Where the authority mentioned in sub-regulation (1) is of the opinion that the employee has been fully exonerated and that the suspension if any, under which he was placed was wholly unjustified, the employee shall be given full pay and allowances (other than allowances granted to him for the performance of any specified duty) to which he would have been entitled had he not been dismissed, removed compulsorily retired or suspended, as the case may be.
 - 3) In other cases the employee shall be given such proportion of pay and allowances (other than allowances granted to him for the performance of any specified duty), as the authority mentioned in sub-regulation (1) may prescribe;

Contd...P/27.

Provided that the payment of any allowances under sub-regulation (2) or sub regulation (3) shall be subject to all other conditions under which allowances are admissible ;

- 4) In a case falling under sub-regulation (2) the period of absence from duty shall be treated as period spent on duty for all purposes.
- 5) In a case falling sub-regulation (3), the period of absence from duty shall not be treated as a period spent on duty, unless the authority mentioned in sub-regulation (1) specifically directs that it shall be so treated for any specific purpose.

Provided that if the employee so desires, the said authority may direct that period of absence from duty shall be converted into leave of any kind due admissible to the employee.

Appeal 6.10 1) Save in case of an order passed by the Board of Directors every employee shall be entitled to appeal against any order of imposing any penalty specified in regulation 6.2

2) (*) & (**)An appeal under sub-regulation (1) shall lie :-

a) When the order imposing the penalty is passed by the Managing Director, to the Chairman of the Board of Directors.

3) No appeal shall lie against the order passed by appellate authority under sub-regulation (2).

(*) the rule 6.10 2(a) has been amended by the Board in its 110th meeting held on 22.6.1998 as under :-

Contd.P/28

An appeal under Sub-clause-I shall lie:-

(a) In the case of Class-I, II & III employees of the Corporation, when the order imposing the penalty is passed by the managing Director, to the Chairman of the Board of Directors.

(b) In the case of Class-IV employees of the Corporation, when the order imposing the penalty is passed by the Chief Manager (P&A) to the Managing Director of the Corporation.

(**) The Board of Directors in their 133rd meeting held on 24.3.2004 have amended the existing Regulation 6.10 of HSDC Employees Service Regulation 1989, in the following manner :-

Appeal 6.10 (1) save in case of an order passed by the Board of Directors every employee shall be entitled to appeal against any order of imposing any penalty specified in regulation 6.2.

2)An appeal under sub-regulation 91) shall lie :--

a) When the order imposing the penalty is passed by the Managing Director to the Financial Commissioner and Principal Secretary/Commissioner and Secretary to Govt. Haryana, Agriculture Deptt.

b) No appeal shall against any order passed by appellate authority under sub-regulation (2)

Time limit for preferring an appeal – 6.11 No appeal shall be entertained if this is not preferred within a period of 30 days from the date of receipt of orders imposing penalty on his provided that the Appellate Authority may condone the period, for reasons recorded in writing up to a period of 90 days.

Contents and submission of Appeal -6.12

- 1) Every appeal preferred under regulation 6.10 shall contain all relevant facts and statements relied on by the appellant and shall be complete in itself.
- 2) An appeal shall not be couched in dis-respectful or improper language. If so couched, the appellate authority may refuse to entertain it or, in its discretion, may return the appeal to the appellant and allow him an opportunity to submit within the time specified by it an amended appeal which shall not contain any dis-respectful or improper language.
- 3) Every person submitting an appeal shall do so separately and in his own name.
- 4) An appeal shall not be submitted by an employee direct to the appellate authority but may be submitted through proper channel to the appointing authority who shall forward it to the appellate authority with his comments and with the relevant records:

Provided that a copy of the appeal may be submitted direct to the appellate authority.

Contd...P/30.

- 5)** Appeal shall not be addressed personally by name to any authority or to any member of the Board of Directors and any such act shall be deemed to be breach of discipline.

With holding -6.13 1) The appointing authority may withhold the of appeal

- i) it is an appeal against an order against which no appeal lies ; or
- ii) it does not comply with any of the provisions of sub-regulation (1) or sub-regulation (2) of regulation 6.12 or
- iii) it is not submitted within the period specified in regulation 6.11 an no cause is shown for the delay or
- iv) it is a repetition of an appeal already decided and no new facts or circumstances are adduced.

- 2) Where an appeal withheld, an order to the effect shall be made setting out the reasons for such action and a copy of order shall be sent to the appellant and to the appellate authority.

Provided that where an appeal is so withheld the appellate authority may cal for the appeal along with the relevant records of such action as that authority may deem fit and pass suitable orders.

**Disposal
of appeal**

6.14 1) The appellate authority may, after consideration of the case: -

- a) set-aside, reduce, confirm or enhance the penalty: or
- c) remand the case to the authority which imposed the penalty with such direction as it may deem fit in the circumstances of the case;
- i) Provided that the appellate authority shall not impose any enhanced penalty which neither such authority nor the authority which made the order appealed against is competent to impose.
- ii) No order imposing enhanced penalty shall be passed unless the appellant is given a reasonable opportunity of making any representation, which he may wish to make against such enhanced penalty.

The decision of the appellate authority shall be final. A copy of the appellant order shall be supplied to the appellant and to the Appointing Authority for such action as might be necessary.

Review. 6.15.

Notwithstanding any thing contained in these regulations the Board of Directors, may at any time, either on its own motion or otherwise review any order made under these regulations and :-

- a) confirm, modify or set aside the order or impose any penalty where no penalty has been imposed ; or

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- b) Pass such order as it may deem fit.

Provided that no order imposing or enhancing any penalty shall be made by the Board of Directors unless the employee has been given a reasonable opportunity of making a representation against the penalty proposed any where it is proposed to impose any of the penalties specified in Regulation 6.2 (ii) or to enhance the penalty imposed by order sought to be reviewed to any of the penalties specified in this clause, no such penalty shall be imposed except after an enquiry in the manner laid down in regulation 6.3 has been made a reasonable opportunity to the employee to show cause against the penalty proposed on the evidence adduced during the enquiry has been given.

**CHAPTER-VII
(GENERAL PROVISIONS)**

1. APPLICATION OF RULES, REGULATIONS & ORDER OF THE STATE GOVERNMENT IN CERTAIN CIRCUMSTANCES.

All matters, for which specific provisions have not been made in these regulations shall be governed by the Government Rules and instructions as adopted by the Board of Directors.

2. PROVISIONS REGARDING EMPLOYEES BORROWED FROM STATE GOVERNMENT OF AN INSTITUTION AND EMPLOYEES OF THE CORPORATION ON DEPUTATION TO GOVERNMENT OR AN INSTITUTION.

- i) An employee borrowed from State Government or any institution shall be, on recommendations of the Corporation, subject to disciplinary action by the lending authority according to rules applicable to him.
- ii) Similarly an employee of the Corporation on deputation to State Government or an institution shall be governed by the disciplinary regulations as applicable to him in this Corporation.

3. PROVISIONS REGARDING KEEPING A LIEN OF THE EMPLOYEES SELECTED IN OTHER INSTITUTIONS.

Lien of the employees of the Corporation who are selected in other institutions on higher posts by applying through proper channel will be retained keeping in view the exigencies of work and subject to the following conditions :-

- i) The employee has put in atleast 10 years of total service in the Corporation.

Contd..P/34.

- ii) The lien will be retained for one year in the first instance, which will be extended only for one year more keeping in view the exigencies of work.
- iii) On the expiry of two years, the lien will automatically stand terminated unless suspended earlier on the request of the employee concerned.
- iv) Any other condition regarding leave salary, CPF etc. which the appointing authority may like to impose at the time of keeping a lien.

7.4 The Board shall have power to make from time to time, such additions, deletions, alterations of amendments in these Regulations as it may deem fit.

7.5. INTERPRETATION:

The power to interpret these Regulations shall vest in the Board of Directors who shall also be empowered to issue directions/instructions to the Managing Director to enforce these regulations and to secure effective control by issuing standing instructions, delegation of power, procedure of forms, subject to approval by the Board of any time suo-motu or on representation by any employee.

7.6. POWER OF RELAXATION :-

Where the Board of Directors are 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 regulations with respect to any class or category of persons.

7.7. SPECIAL PROVISION:-

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

7.8. RESERVATIONS:-

Nothing contained these regulations shall effect reservations and other concessions required to be provided for Scheduled Castes, Backward Classes, Ex-Servicemen, 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 reservations so made shall not exceed fifty percent at any time.

7.9. REPEAL AND SAVINGS.

Any instructions/guidelines/regulations applicable to the members of service and corresponding to any of these regulations which are in force immediately before the commencement of these regulations are hereby repealed.

Provided that any order made or action taken under the instructions/guidelines/regulations so repealed shall be deemed to have been made or taken under the corresponding provision of these regulations.

ANNEXURE-I.
(See Regulation 2.1)

NUMBER AND CHARACTER OF POSTS.

Sr. No.	Nomenclature of posts	Pay Scales			No of posts 6
		(Un-revised as on 1.4.79) 3.	(Revised w.e.f. 1.1.86 4.	(Revised w.e.f. 1.1.1996) 5	
1.	Accounts Officer	800-1600	2000-3200	6500-10500	6
2.	Accountant	700-1250	1640-2660	5450-8000	1
3	Section Officer (Post of Accountant B.Com. qualification re-designated as S.O.)	700-1250	1640-2660	5450-8000	9
4.	Accounts Assistant	525-1050	1400-2600	5000-7850	7
5.	Accounts Clerk	480-760	-	4000-6000	11
6.	Assistant Mktg. Officer	800-1600	2000-3200	6500-10500	9
7.	Assistant Personnel Officer	800-1600	2000-3200	6500-10500	1
8.	Assistant Purchase Officer	800-1600	2000-3200	6500-10500	1
9.	Assistant/Publicity Assistant / Caretaker	525-1050	1400-2600	5000-7850	17
10.	Assistant Engineer	940-2000	2000-3500	6500-10500	4
11.	Chief Accounts Officer(the post was re-designated as Chief Finance & Accounts Officer)	2100-2500	3000-5000	10000-15200	1
12.	Company Assistant (Post was up-graded to that of Asstt.Secretary)	525-1050	1400-2600	6500-10500	1
13.	Clerk-cum-typist/Time-keeper	400-660	950-1500	3050-4590	36
14.	Chowkidar	300-430	750-940	2550-3200	11
15.	Chief Engineer	2100-2500	3700-5000	12000-16500	1
16.	Company Secretary	1400-2100	3000-4500	10000-13900	1
17.	Driver	420-700	1200-2040	4000-6000	15
18.	Daftri	400-600	800-1150	2650-4000	2

19.	Executive Engineer	1400-2100	3000-4500	10000-13900	1
20.	Electrician	480-760	1200-2040	4000-6000	5
21.	Helper to Mechanic	350-500	775-1025	2610-3540 & 3050-4350 (for those having ITI Certificate)	7
22.	Jr. Scale Stenographer	480-760	1200-2040	4000-6000	4
23.	Jamadar	400-600	800-1150	2650-4000	1
24.	Jr. Engineer	600-1100	1400-2300	5500-9000	1
25.	Jr. Mechanic	480-760	1200-2040	4000-6000	13
26.	Marketing Officer	900-1800	2000-3500	6500-10500	2
27.	Marketing Manager (the post was re-designated as Chief Manager Marketing)	2100-2500	3700-5000	12000-16500	1
28.	Marketing Assistant	525-1050	1400-2600	5000-7850	26 (As per norms fixed in 50 th BOD meeting dated 27.12.84).
29.	Managers/S.T.O.	900-1800	2000-3500	8000-13500	9
30.	Manager (Pers. & Admn.) (the post was re-designated as Chief Manager (P&A))	1500-2000	3000-4500	10000-15200	1
31.	Mali	300-430	750-940	2550-3200	1
32.	Private Secretary to Managing Director	1000-1500	2000-3500	6500-10500	1
33.	Production Manager (the post was re-designated as Chief Manager Production)	2100-2500	3700-5000	12000-16500	1
34.	PBX Operator/Receptionist-cum- Telephone Attendant	525-1050	1400-2600	5000-7850	2
35.	Peons	300-430	750-1025	2550-3200	37
36.	Personal Assistant	700-1250	1640-2900	5500-9000	4
37.	Quality Control Manager	1400-2100	3000-4500	10000-13900	1
38.	Regional Manager	1400-2100	3000-4500	10000-13900	2
39.	Sr. Accounts Officer (the post was re-designated as Chief Finance & Accounts Officer)	1000-1800	2000-3500	8000-13500	1

40.	Salesman/Marketing Clerk	400-660	950-1500	3050-4590	62 (As per norms fixed in 50 th BOD meeting dt. 27.12.84).
41.	Store Keeper	525-1050	1400-2600	5000-7850	9
42.	Store Clerk	400-660	950-1500	3050-4590	11
43.	Shop Helper	350-500	775-1025	2610-3540	1
44.	Seed Production Officer	800-1600	2000-3200	6500-10500	8
45.	Seed Production Assistant (the post was re-designated as Assistant Seed Production Officer)	600-1100	1400-2600	5500-9000	35 (As per norms fixed in BOD meeting 14 th , dt. 22.9.77).
46.	Sr. Scale Stenographer	525-1050	1400-2600	5000-7850	4
47.	Steno-typist	400-660	950-1500	3050-4590	9
48.	Sweeper	300-430	750-940	2550-3200	6
49.	Senior Mechanic	525-1050	1400-2600	5000-7850	3
50.	Sub Station Generator Attendant.	350-500	775-1025	4000-6000	3
51.	Tubewell Operator	300-500	750-940	2550-3200	2

**HARYANA SEEDS DEVELOPMENT CORPORATION LIMITED
(A STATE GOVERNMENT UNDERTAKING)
PANCHKULA.**

No. HSDC/Estt./F-524 Vol.II/98/8834-37.
Dated: 7.7.98.

NOTIFICATION.

In exercise of the powers conferred upon the Board of Directors under Article 110(I) of the Memorandum & Articles of the Association of the Company and under all other enabling provisions, the Board of Directors of Haryana Seeds Dev. Corpn. Ltd. In their 110th meeting held on 22.6.98 have decided that powers to appoint, suspend & dismiss Class-IV employees of the Corporation be and is hereby delegated to the Manager (P&A).

Further resolved that para-2 of clause 6.10 of the HSDC Employees Service Regulations 1989 be and is hereby amended as under: -

2. An appeal under Sub Clause-I shall lie: -
 - a) In the case of Class-I, II & III employees of the Corporation, when the order imposing the penalty is passed by the Managing Director, to the Chairman of the Board of Directors.
 - b) In the case of Class-IV employees of the Corporation, when the order imposing the penalty is passed by the Manager (P&A), to the Managing Director of the Corporation.

Sd/-

MANAGING DIRECTOR.

For distribution to: -

1. All Divisional Heads/Officers of Head Office. They may also bring the above Regulations to the notice of the concerned employees.
2. All Regional Managers/Managers/Marketing Officers in the units for similar action as above.
3. P.A. to Chairman, HSDC, Chandigarh.
4. P.S. to M.D., HSDC, Panchkula.
5. Guard file.