

No. 3-4-82/IGS-1

From

The Chief Secretary to Government, Haryana.

To

All Heads of Departments,
Commissioner, Ambala and Hissar Divisions,
All Deputy Commissioners and Sub Divisional Officers.

Dated Chandigarh the 26th May, 1983.

Subject : Probation.

Sir,

I am directed to invite a reference to Haryana Government circular No. 3-4-82-IGSI, dated the 12th May, 1982, wherein it has been provided that in cases where, after the expiry of the probation period, it is decided to revert an officer/official owing to his/her unsatisfactory probation period and the reversion is attributed to such remarks/action as tantamount to punishment to that officer/official, then action regarding reversion should be taken according to the provisions made in the Punjab Civil Services (Punishment and Appeal) Rules, 1952.

2. The matter has further been considered in the light of the judgement of Punjab and Haryana High Court in the case of "O.P. Behl *Versus* State of Haryana and others (Civil Writ Petition No. 1012 of 1978) and the judgement of the Supreme Court in the case of Union of India and others *Versus* P. S. Bhatt (Civil Appeal No. 2973 of 1979)." It is hereby clarified that where simpliciter order of reversion or termination of the services of the probationer is to be issued (without attaching any stigma to the conduct of the officer, which would indicate punishment) it is not necessary to take action in accordance with the provisions of Punjab Civil Services (Punishment and Appeal) Rules, 1952. If, however, the order of reversion/termination of the services of the probationer is to be passed as punishment, the procedure as laid down in the Punjab Civil Services (Punishment and Appeal) Rules, 1952, for awarding punishment shall have to be followed.

Yours faithfully,

Sd./-

Joint Secretary General Administration,
for Chief Secretary to Government, Haryana.

A copy is forwarded to :—

The Financial Commissioner, Revenue, Haryana and All Administrative Secretaries to Government Haryana, for information and necessary action.