

No. 17/30/2020-3GS-II
HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT

To,

- (i) All the Administrative Secretaries to Government, Haryana.
- (ii) All the Heads of Departments, Haryana.
- (iii) The Divisional Commissioners, Ambala/Hisar/Rohtak/Gurugram/Karnal and Faridabad.
- (iv) All the Managing Directors/Chief Administrators of Boards/ Corporations /Public Undertakings in Haryana.
- (v) All the Deputy Commissioners and Sub Divisional Officers (Civil) in Haryana.
- (vi) All the Registrars of Universities in Haryana State.

Dated Chandigarh the: 22.12.2020

Subject: Regarding SETC (State Eligibility Test in Computer Appreciation and Application) – compulsory for all who are working as Clerks and those want to work as Clerk on promotion or by direct recruitment and issuance of clarification thereof regarding non-applicability of SETC upon the Clerks, who were initially appointed/recruited as Clerk & Steno Typist in any Department/Board & Corporation before 07-11-2013.

Sir / Madam,

I am directed to refer to this Department's Instruction issued vide No. 17/28/2018-3GSII, dated 17.11.2018 wherein it was conveyed that the Government has made SETC compulsory for persons who are promoted to the post of Clerk and the SETC was prescribed as a mandatory eligibility condition for recruitment to Group-C posts of Clerks and later vide No. 17/17/2019-3GSII, dated 01.05.2019, in which it was clarified that all those persons, who have been promoted to the post of Clerk after 07.11.2013, shall have to clear SETC Test in 10 chances within two years.


2. In the recent order dated 24.09.2020 passed by Hon'ble High Court in CWP No. 11842 of 2020 titled as Surender Singh & others versus State of Haryana, Hon'ble High Court has categorically held that **"it is therefore too late in day for the authorities to claim that the cut-off dated has no sanctity and insist upon all Clerks and Steno-typists, irrespective of the date of their appointment/promotion, to compulsorily pass the SETC. As per the stand to which it committed itself, the Government of Haryana cannot insist upon such qualification from those who were promoted/appointed as Clerks or Steno-typists before 07.11.2013"** and has observed that **" Though the authorities seek to place reliance on the earlier order dated 04.09.2018, passed in Uma Kant (Supra), ignoring the order dated 21.02.2019 passed in Nissar Ahmad (Supra), it may be noted that the very same learned Judge presided over both the Division Benches. Therefore, the later view should prevail."** The Hon'ble High Court also observed that **"The Government of**

Haryana also accepted this and issued the clarification dated 01.05.2019 stating to the same effect as in Nissar Ahmad (Supra).”

3. After due consideration, the Government has decided to implement the order dated 24.09.2020 passed by Hon'ble High Court in CWP No. 11842 of 2020 titled as Surender Singh and others Vs. State of Haryana and therefore, the Government has taken the following decision: -

- (a) The condition for passing of SETC shall not be imposed upon the Clerks/Steno Typists, who were initially appointed/recruited as such on or before 07.11.2013.
- (b) The Clerks/Steno-Typists initially appointed/recruited on or before 07.11.2013 shall pass the Type Test as prescribed in their Service Rules and they shall be allowed all benefits including pending increments, promotions on seniority-cum merit basis and ACP benefits.
- (c) That all those persons who have been appointed/promoted to the post of Clerk after 07.11.2013 shall have to clear SETC test.
- (d) 10 (Ten) chances to qualify the SETC exam shall be provided to all those who have been promoted after 07.11.2013, during maximum duration of two years irrespective of the chances availed earlier. The ten chances (irrespective of any chances availed earlier) shall also be allowed to all the persons who have been reverted due to non passing of SETC.

4. The strict compliance of these instructions may be ensured.


Under Secretary, General Services-II
for Chief Secretary to Government Haryana. ✓